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• (1720)

[English]

The Vice-Chair (Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC)): Good afternoon, everyone. I call this meeting to order.

Welcome to meeting number 116 of the House of Commons Standing Committee on Indigenous and Northern Affairs. We are continuing our discussion of Bill C-61, an act respecting water, source water, drinking water, waste-water and related infrastructure on first nation lands.

Of course, we have the housekeeping measures. They talk about audio feedback. I'm sure you have a note on that. For anyone in the room, please remember your earpiece as we keep going.

I'm going to get right into it because we don't have much time. I believe there is agreement amongst the parties to consolidate the two panels that we have into one.

Everyone gave the thumbs-up here, so we are good to go.

Why don't we start right away with Dr. Dawn Martin-Hill?

You have five minutes, Dr. Hill.

Dr. Dawn Martin-Hill (Full Professor, Indigenous Studies Department, McMaster University, As an Individual): *Skā•noñh. Sekoh.*

I'm honoured to be asked here today.

I'm going to talk about the Ohneganos research team, which intentionally centres indigenous knowledge in women in addressing climate change and the water crisis we're currently experiencing, which is an increasingly recognized step by international organizations and bodies to build effective mitigation approaches to these crises.

A UN economic and social affairs policy brief from 2021 states:

Indigenous people are stewards of the world's biodiversity and cultural diversity. Although they account for only around 5 percent of the world's population, they effectively manage an estimated 20-25 per cent of the Earth's land surface [including water]. This land coincides with areas that hold 80 per cent of the planet's biodiversity and about 40 per cent of all terrestrial protected areas and ecologically intact landscapes. Indigenous peoples therefore play a key role in efforts to protect the planet and biodiversity.

Focusing on the role of traditional knowledge and indigenous women in mitigating climate change, the report notes "the importance of upholding the rights of indigenous peoples as enshrined in international law and full respect for the right of indigenous peoples decision".

My community of Six Nations has led a project, Ohneganos, which means "water" in our language. It's a research project with the Six Nations of the Grand River of the Haudenosaunee Confederacy, in the largest populated indigenous reserve in Canada. The Six Nations community has been engaged in efforts to achieve sustainable ecosystems, health and well-being directly tied to the state of water. As a Kanienkehaka—Mohawk—woman and a scientist living in my community, it is important to acknowledge the laws that our people upheld long before colonial laws of the Crown.

The research undertaken centres on the Haudenosaunee Great Law and responsibility to care for the water. This is embedded in our creation stories and the thanksgiving—or *Ohenton kariwatehkwen*—address. The constitution of the Haudenosaunee states that whenever the confederacy leaders "shall assemble for the purpose of holding a council, the [leaders] shall open it by expressing their gratitude to...and offer thanks to the earth where men dwell, to the streams of water, the pools and the lakes".

Secretary to the Haudenosaunee Confederacy and sub-chief Leroy Hill tells us how the Great Lakes were formed, and the fresh water that the Creator gave us to live on earth. The landscape of this region is literally tied to our creation story.

The Great Lakes are collectively the third-largest body of drinking water globally. When Europeans arrived, they marvelled at the abundance of pure, sweet drinking water. In less than 200 years, the sweet water of the Great Lakes has been contaminated and, in some cases, is highly toxic. These numbers are expected to increase and are exacerbated by climate change and population growth.

Our study found that, in my community, only 10% to 12% of Six Nations residents have access to treated water piped into their homes. Nearly 30% of home and tap water sampled had unsafe levels of heavy metals and E. coli bacteria. The majority of residents are required to purchase their water, both trucked and bottled, and must pay for waste removal, causing undue economic, physical and social hardships. Our health surveys found that over half of the residents were found to have daily levels of water insecurity anxiety, impacting mental health significantly, especially for the new mothers and our elders.

Only less than 0.5% of the water on this earth is usable and available fresh water, and climate change is dangerously affecting this. Only 2.6% of the world's freshwater supply is available to southern Canada, where most of the population lives, in contrast to the continental U.S., which has a 3.7% freshwater supply available for its use. Canada has a relatively high amount of fresh water available per capita; however, this availability of fresh water varies dramatically by region.

One in four Canadian municipalities experienced water shortages between 1994 and 1999. Shortages were attributed to increases in consumption, drought or infrastructure constraints. Consequently, changes in river flows, climate or land use can have significant impacts on the water available to individual households.

Climate change, population growth and increasing water scarcity will put pressure on our food supply, as most of the fresh water used—about 70% on average—is used for agriculture. It takes between 2,000 to 5,000 litres of water to produce a person's daily food. As part of our project Ohneganos, we identified numerous threats to the ongoing illegal extraction of groundwater by Nestlé, and now by BlueTriton, on our traditional lands as outlined indigenous lands, leading to advocacy for indigenous water governance.

● (1725)

Our study documents that the water insecurity of Six Nations is further exacerbated by the selling of our sacred aquifer to corporations, which will eventually devastate our ecosystem.

In response to Bill C-61, there is a positive duty on states to observe UN agreements, treaties, declarations and norms, including indigenous rights under UNDRIP and rights to territorial integrity and resources therein.

Canada has an obligation to uphold UNDRIP articles 21 and 26. I won't go over them, but article 26, paragraph three, states:

States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

The Vice-Chair (Mr. Jamie Schmale): Dr. Hill, if you could wrap up quickly, that would be awesome.

Dr. Dawn Martin-Hill: Okay.

The concerns we have are the human right to safe drinking water and sanitation. Also, funding is not addressed in Bill C-61. To meaningfully support water infrastructure, funding is required for initial development and also for the ongoing management and training required to achieve long-lasting indigenous water sovereignty.

I'll end it with this: In our Great Law, we talk about the seventh generation. Youth need to be integral and central to all the works that you do in your bill. Make sure that they are funded.

Thank you.

The Vice-Chair (Mr. Jamie Schmale): Thank you very much, Dr. Hill.

Next up, we have James MacKinnon from the Atlantic First Nations Water Authority.

You have five minutes.

Mr. James MacKinnon (Director, Engagement and Government Relations, Atlantic First Nations Water Authority Inc.): I want to thank you for the opportunity to be here today.

I'll be providing comments on behalf of the Atlantic First Nations Water Authority, which I'll be referring to as the AFNWA for the remainder of my time.

The AFNWA is a first-of-its-kind, full-service water and wastewater utility that is owned and operated by its participating first nations. Currently, we provide service to 13 nations in Atlantic Canada.

The AFNWA is a not-for-profit organization led by its participating first nations, with the board comprising primarily first nation chiefs, who have carefully developed incorporation documents, governance manuals and bylaws to guide their decision-making. The AFNWA board of directors is supported and informed by our elders advisory lodge. The elders provide guidance on first nation values, cultures and knowledge, and offer advice to the board to ensure that the AFNWA is not solely a copy of a western utility model.

The foundation of AFNWA's success to date is, in large part, due to its alignment and connection of funding to treatment, monitoring and operation standards through an indigenous-informed governance framework.

The legislation being studied by the standing committee is central to the sustainability of the AFNWA and embodies many of the tenets that have been central to our progress, such as a commitment to a funding framework that is based on actual costs of operations and maintenance and is responsive to projected infrastructure needs. These themes are also embedded in the AFNWA's 10-year business plan, which was developed and approved by the AFNWA board in 2022 with the vision of strengthening programs and approaches to service delivery in the spirit of self-determination and reconciliation.

It is in this context that the AFNWA supports many elements of this legislation. However, there are key aspects of the legislation that could be improved, and I'd like to take the remaining time to outline some of these opportunities.

First nations water quality is currently unregulated. However, Bill C-61 allows for first nations to create their own regulations for water and wastewater quality, which, at a minimum, must align with the guidelines for Canadian drinking water quality and either the wastewater system effluent regulations or provincial standards. It's the AFNWA's opinion that future wastewater regulations must also consider environmental risk assessments to the receiving water body.

The AFNWA supports water and waste-water regulations, as a regulatory framework supports operational and design conditions for the AFNWA. However, regulations developed under Bill C-61 must be met with adequate funding. Subclause 27(5) states that the minister “must make best efforts” to begin consultations on a funding framework within six months of the section coming into force. This is encouraging. However, while there is a mandate to start the work, there is no required deadline to finish it. Communities would be well served if there was a commitment to finalize the funding framework in partnership with first nations within two years of the legislation achieving royal assent.

Further to funding, if a first nation creates standards above the guidelines for Canadian drinking water quality or waste-water system effluent regulations, the funding framework must also provide adequate funding to design, install, operate, maintain and monitor the infrastructure required to meet those standards. Perhaps most importantly, paragraph 27(2)(d) identifies “enforcement” as an element to be considered in the funding framework.

Because there is no precedent for enforcing regulations regarding water services in first nations and clause 24 enables the minister or a provincial, territorial or municipal government or any public body acting under the authority of the first nation to enforce first nations laws—or preferably, a first nations-designed and -led enforcement body—it is unclear what the actual cost of enforcement will be. Laws without oversight are protocols. As we see in the present circumstance, protocols alone are insufficient.

Further to regulations, we understand that they will only be as effective as the trained professionals who work to adhere to them. As the only first nations water utility in Canada, I want to state that additional equitable and culturally appropriate opportunities for first nations personnel in the water sector are needed. Furthermore, funding support for first nations youth and water professionals is essential to fully realize water regulations in Bill C-61.

Lastly, we are encouraged to note that any standards developed will apply to both individual or decentralized systems and public or centralized water and waste-water systems. That said, decentralized drinking water systems, including individual wells and truck-to-cistern systems, are often not monitored for bacteriological or chemical safety, resulting in a poor understanding of water quality.

Decentralized waste-water systems, like water systems, receive little to no federal funding for the actual cost of operations, maintenance or replacement. This can leave aging and failing septic systems to release untreated or undertreated waste water to the environment. Where necessary, the act should explicitly mention and address the very significant challenges associated with decentralized systems and how to safeguard these systems from failure, inclusive of funding.

- (1730)

Bill C-61, if constructed well, would help expand the AFNWA's mission to include both centralized and decentralized systems in order to provide holistic water services to our member first nations, thereby reducing the service gap often experienced by communities.

I would like to close by thanking the committee for their invitation to appear here today. I'm happy to answer any questions you may have.

The Vice-Chair (Mr. Jamie Schmale): Thank you very much.

According to my list, the next witness is online.

We go to Chief Roy of the Kainai First Nation.

Chief Roy Fox (Kainai Tribe): [*Witness spoke in Niitsipowahsin and provided the following translation:*]

Friends and representatives of the federal government, my traditional name is Makiinima. We send you our greetings.

[*English*]

On behalf of the Kainai Blood Tribe, we send you greetings from the land of the Kainai Blood Tribe.

I want to quickly share a bit of history about our tribe and the relationship we have with *aohkii*—water.

Of course, we will support any legislation that confirms our ownership of our water in, on, under and boundary to our reserve lands, as well as our inherent right to govern that water. The history I want to quickly share with you is that our reserve is bounded by four rivers: the St. Mary, the Belly, the Waterton and the Oldman. Of course, that is our water. Other jurisdictions have tried to lay claim to that water, but it is ours. We use the water for drinking, domestic and agricultural purposes. We have the largest irrigation farm in Canada. Of course, we fully utilize the irrigation that takes place. We are the largest producers of timothy forage hay in Canada—soon to be in North America. We export to many countries.

Therefore, the use and ownership of water are not new matters to us. We will continue to use the water that bounds our reserve. It is important that this bill includes any amendments with respect to waters that bound our reserve, not just the ones in, under and within the reserve. It's so important to us.

We certainly, of course, support Chief Crowfoot's call for amendments to recognize that first nations have a human right to safe drinking water, and Chief Knowlton's comments about being able to utilize our waters for other purposes, such as agriculture. We want to emphasize that some amendments have to be made. Source water protection is important to us. However, because of the rivers I mentioned that bound our reserve, most of that source is from the United States of America—the state of Montana. More importantly, it's from the lands of our cousins the Blackfeet in Montana, who are part of our confederacy. We of course share the water rights issues they have as well.

I need to get back to an important conference we are hosting for the membership of the confederacy. It's a conference on our language.

[Witness spoke in Niitsipowahsin]

[English]

Of course, I have to get back and make some closing remarks. I would request that our senior counsel Dorothy First Rider represent me after my initial presentation.

Thank you, Chairperson and members of the committee, for giving us some time to make our comments.

• (1735)

The Vice-Chair (Mr. Jamie Schmale): Thank you very much, Chief Roy, and good luck at the rest of your conference. I'm sure they will appreciate your closing remarks.

Next up, we have Chief Troy Knowlton from the Piikani First Nation.

Chief, you have five minutes, and then questions will follow.

Thank you.

Chief Troy Knowlton (Piikani Nation): Thank you very much for having us here today.

I am Piikani Nation Chief Troy Knowlton. It's Troy "Bossman" Knowlton, which is how the people back home know me. My traditional name is Bear Head.

I'll read a little bit here, and then I'll just add a little bit.

I'd like to thank the committee for ensuring that Piikani Nation and other Blackfoot nations have the opportunity to speak to you about Bill C-61. I want to start by helping you appreciate who we are and what we have faced as first nations when it has come to water.

You have before you today three first nations that have been on the front lines of the first nation water rights in this country. My comments will be from Piikani's perspective, but I know that Siksika and Kainai have grappled with the same challenges.

As Chief Fox mentioned, the Blackfoot treaty region is one of the most water-scarce regions in Canada. From 1857 to 1860, Captain John Palliser led an expedition across the Canadian Prairies to assess the potential for the region. In his report, Palliser noted a large arid area that was likely unstable for agriculture. That area included much of the Blackfoot treaty region and became known as the Palliser triangle.

When Canada entered into the Blackfoot treaty in 1877, they knew that water was critically important to the reserve lands promised in the treaty. Even so, Canada has done little or nothing over the past century to protect the treaty water rights of the Blackfoot until Bill C-61.

When Alberta took over control of water in the province from Canada, it entrenched a system of water licensing: first in time, first in right. The system is intended to ensure that during times of drought, older or more senior water licences will not be impacted

and more junior water licence-holders have to reduce water. The first in time, first in right system utterly fails to respect that the Blackfoot nations were using water in the region for thousands of years before European colonization. This is not an academic issue. The Government of Alberta has maintained that it owns and has jurisdiction over all water on Blackfoot nation reserve lands, and it has asserted that control without reference to history, our treaty water rights or the water needs of our nation. These issues led to a standoff in 1990 at the Piikani Nation over the construction of the Oldman River dam and nearly ended in violence.

When I say that it nearly ended in violence, there were shots fired. I was part of an encampment of 100 or so people who faced off against the province over the construction of the Oldman River dam that was going to decimate a lot of our ancestral territories, and it did. It was built against federal environmental statutes. Alberta did it anyway for a few millionaires who lived downstream in the agriculture belt of southern Alberta. Those millionaires are billionaires today, and they've created a lot more, whereas the Piikani Nation hasn't benefited the way we ought to have.

We had a water rights case that was put into abeyance in 1998. We negotiated a deal with Canada and Alberta over the jurisdiction of the water, put it into abeyance, and today we have problems with that. Bill C-61 may help us to alleviate some of those long-standing problems.

Although this is a touchy issue for many of us when it comes to the water and jurisdiction and ownership, we assert that we are stewards of the land and that first in time, first in rights make reference to the Blackfoot people who were there first in time, first in right.

I thank you for your time today. The chiefs, I know, have other issues that we want to talk about, but there are certain measures in here that are amenable to us that we can work with that will strengthen some of our jurisdictional issues as well as our future. However, there is still a lot that needs to be addressed in here.

I'll speak specifically for my northern brothers and sisters who lack infrastructure and who lack different water qualities. In the oil sands I have friends and families up north who are dying at an alarming rate because of water contamination. How is this going to help them? There is opposition from many first nations because of that, and it does not address a lot of their problems.

• (1740)

For the Blackfoot Confederacy, the Oldman River runs right through my reserve, and we're close to the headwaters. Because there are provisions in here for source water, for safe drinking water and for waste water, there are many areas that we can appreciate.

Of course, more needs to be done. I think you all can understand that when you look at the bill, at the history and at where we're going.

The Vice-Chair (Mr. Jamie Schmale): Thank you very much, Chief, for those words.

Next up, I have two names, so I'm not sure who would like to speak from the Siksika Nation.

Please go ahead for five minutes.

Chief Ouray Crowfoot (Siksika Nation): [*Witness spoke in Siksikai'powahsini*]

[*English*]

I am Chief Ouray Crowfoot from the Siksika First Nation. I'd like to thank the chair and the committee members for providing the opportunity for Siksikaitstapi, the Blackfoot nation, to speak regarding Bill C-61.

I'd like to thank Kiaayo'toka, Troy Knowlton, as well as Makiinima, Roy Fox, from the Blood Tribe.

We are three distinct nations, but we are one nation similar to the Iroquois Confederacy. As a matter of fact, just a month ago, the Blackfoot Confederacy and the Iroquois Confederacy made some alliances to work together because we have a lot of similarities in our proximity and our populations. We're large confederacies, and we have a lot of commonalities, but that's another story for another day.

The Blackfoot nation, Siksikaitstapi, supports Bill C-61. This does not mean that we think the bill is perfect, as mentioned by Chief Knowlton. The minister has committed to making further amendments, which we will speak of today.

I want to start, though, by focusing on the critically important and long overdue historical rights recognition contained in Bill C-61. My cousin Sam Crowfoot and my great-great-grandfather was Isapo-muxika, Chief Crowfoot, one of the signatories to the Blackfoot treaty. He entered into the treaty with Canada in 1877. Water was clearly fundamental to that treaty.

Canada committed to support Siksika's transition to agriculture and other economic developments on our reserve lands. At that time, the Blackfeet, previous to the treaty, were a buffalo people. We were a nomadic people; we followed the lands. The buffalo all over the lands and our stories tie us to these waters. Our stories tie us to these lands, similar to what was mentioned by the Six Nations and their stories about the water and the lands.

After the treaty of 1877, the transition was that Canada was to create farms for the Blackfeet and other economic opportunities on those lands. Despite this, many times since 1877, we've been told we have no water rights and that the water on our lands and under our feet is not our water and that we have no rights to govern our water.

With Bill C-61, that comes to an end. It has taken over 147 years, but finally Canada is set to recognize our treaty rights to the water on, in and under our lands, and our inherent right to govern the water according to our traditional values. For this reason alone, Siksika supports Bill C-61 with respect to the right of every first nation to their own position on Bill C-61.

Having said that, I need to address the consultation process on the bill. We didn't think it was perfect. Even so, Canada started by asking for our understanding of our treaty water rights. For the first time ever, we had opportunities to review and comment on draft legislation. Although we had to fight hard, Canada responded with critically important changes to the bill. After two years of significant consultation, the recognition of our inherent right of self-government over water was broadened beyond just drinking water infrastructure to all aspects of water. The assurance of sufficient water supplies in clause 15 was also a direct response to the Blackfoot nations.

The committee needs to appreciate that every first nation has had some opportunity to consult on the bill. However, there are still serious issues with the bill. The legislation is supposed to end Canada's shameful legacy of neglect, underfunding and discrimination against first nations' access to safe drinking water, but it falls short. Canada commits to best efforts to ensure first nations have safe drinking water. In light of Canada's century of failure on safe drinking water, first nations must not be asked to accept and trust that Canada's best efforts will be effective.

● (1745)

Many first nations across the country share this concern with Bill C-61. A clear and simple amendment can help address this. In the preamble of the bill, Canada cites the UN resolution, confirming that safe drinking water is a human right. Canada needs to recognize that right in the body of the bill.

Siksikaitstapi, the Blackfoot nations, are seeking an amendment to clause 3 that would read:

3(3) For greater certainty, it is recognized and affirmed that First Nation peoples have a human right to safe drinking water consistent with United Nations resolution 64/292 (2010) and that pursuant to this Act the human right to safe drinking water means that all First Nation members resident on First Nation lands have a right to drink water that poses no risks to human health or well-being.

When Canada started consultation on Bill C-61 in 2022, it told first nations across Canada that it would affirm and recognize our rights. At least a dozen AFN general assembly resolutions and many resolutions by the Alberta Assembly of Treaty Chiefs have consistently called on Canada to recognize that first nations have a human right to safe drinking water. It should be obvious that in legislation meant to ensure that first nations have safe drinking water, the primary right to be enshrined must be the first nations' right to safe drinking water.

● (1750)

The Vice-Chair (Mr. Jamie Schmale): Chief, I'm sorry, but you've gone about two minutes over. Could you wrap it up? Thank you.

Chief Ouray Crowfoot: Okay, I'll be two seconds.

Our proposed amendment will also inform what is meant by the phrase “best efforts” in Bill C-61. Best efforts means that first nation mothers, children and elders have a right to turn on their taps in their homes and the water that comes out poses no risks to their human health or well-being.

Bill C-61 presents a historic opportunity for Canada to finally do the right thing and to recognize that first nations people have a human right to safe drinking water.

The Vice-Chair (Mr. Jamie Schmale): Thank you very much, Chief.

Our last speaker is, I believe, Clayton Leonard from the Blackfoot first nations.

Mr. Clayton Leonard (Lawyer, Blackfoot Confederacy First Nations): I start by thanking the committee for making time and paying attention to our submissions on Bill C-61. I'm here as a legal counsel to the Blackfoot nations so, of course, I have to speak in support of the amendments they're seeking, but before I get into those points I'd like to speak from a personal perspective.

I had my first file about unsafe drinking water at a first nation 20 years ago, and there's been a constant flow of those issues ever since. I shouldn't be in front of this committee, 20 years after the fact, asking Canada to do the right thing on first nation drinking water. I'm not indigenous, and like most Canadians I have the good fortune to turn on the tap in my home or office and not give a second thought to the water that comes out of the tap.

However, I spent a lot of time in first nation communities, hearing from people who live first-hand with water that threatens their well-being on a daily basis. I saw elders in tears as they recounted having to struggle physically to get bottled water into their homes. I saw dirty, smelly water coming out of a fountain in a first nation school, and perhaps one of the most shocking moments to me was seeing a billboard that was pretty much permanent, warning people in the community that there's a do-not-consume order.

Just imagine that for a moment. We all focus heavily on drinking water advisories and boil-water advisories. That community, literally every day, gets up and they can't boil the water. They can't drink it or they'll get sick, and that's been in place for a number of years.

The unsafe drinking water in first nation homes, schools and community buildings is among the worst kind of discrimination our country has inflicted on first nation peoples. It's a disregard for their humanity. I'm happy that Canada took steps to address this over the last few years, but it's not enough and more has to be done. Bill C-61 is a good start, but it asks first nations, despite Canada's legacy, to trust that new best efforts will be enough to ensure safe drinking water in their communities. With Canada's legacy of discrimination against first nations in general, and particularly with regard to unsafe drinking water, it's irrational and indefensible to ask first nations to trust that.

This is why Bill C-61 needs at least one very critical amendment. It's time to stop with half measures. Do the right thing by expressly recognizing that first nations people living in their communities have a human right to turn on the tap and face no risk to their human health or well-being. Nothing less is acceptable. The proposed amendment recognizing that first nations have a right to safe drink-

ing water is critical to reconciliation as well and is consistent, as Chief Crowfoot pointed out, with over a dozen AFN chiefs and assembly resolutions from 2011 to 2023, which I provided to the clerk of the committee.

The amendment will address what's a very common—the most common—criticism from first nations about the bill: It doesn't do enough to ensure that first nations will be assured access to safe drinking water. Canada endorsed the UN resolution 64/292 on the human right to safe drinking water. Did it mean it or not? It references that resolution in the preamble, which means it's within the scope of the bill, but it's lip service if it's not in the body of the legislation.

Funding is also fundamental. It's been about 18 years since the expert panel on safe drinking water concluded that resources, a lot of them, are needed before regulation happens. As we know, that was the key failing of the first crack at this kind of legislation: It wasn't backed by resources for first nations.

While the \$6-billion commitment—now—that accompanies the bill will finally address this, I think it's important to note that the funding commitment, although it flows from the class action, the minister has clarified, in writing, to a number of first nations that the funding is for all first nations in Canada.

• (1755)

However, there's still a serious funding issue with the bill. There will be a two-tiered level of access to the \$6 billion in water infrastructure funding. The 271 nations under the class action will have access to a binding third party resolution process. This means that, if one of those communities, for example, gets an engineering assessment done of their system that identifies a \$10-million need and ISC says, “No, here's \$7 million,” the community has recourse under sections 9.06 to 9.08 of the settlement agreement to bring that to a binding dispute resolution process and compel ISC to fund the full \$10 million.

This is a critically important funding mechanism that will not be available to 348 first nations across the country; 60% are going to be left behind and at the the mercy of ISC in making decisions. I think it's really critical—

The Vice-Chair (Mr. Jamie Schmale): Excuse me, sir. You've gone about 45 seconds over.

If you could either quickly wrap up or... We can probably get to you in questions.

Mr. Clayton Leonard: I can do that.

It's critical that the committee take a look at attaching that to the bill in some fashion.

I'll just close by restressing the need to seriously consider the amendment that's been proposed to recognize that first nations have a right to safe drinking water. If one amendment makes it into the bill from this committee, that's the one that needs to happen.

Thank you.

The Vice-Chair (Mr. Jamie Schmale): Thank you very much to all our witnesses. We've had some great testimony here.

Unfortunately, we have time for one round only, but it is a six-minute round for each of the parties. We'll start with the Conservatives.

Martin Shields, you have six minutes, please.

Mr. Martin Shields (Bow River, CPC): Thank you, Mr. Chair.

Thank you for being here, and I appreciate your being here in person. I know Chief Fox had to leave, but I appreciate his making a statement.

One of the things that affects Chief Fox more than some of you is the international piece. I know we've talked about that before, like when the Milk River had a bust here. That sort of disrupted the Milk River, but that infrastructure is on the U.S. side. That's another challenge we have in the sense that you have an amendment here that you want to make about quantity. We have an international agreement with regard to water and water rights with the U.S.—the amount we get. However, the infrastructure is the other issue of that being maintained, and that affects Kainai more than anybody else. That's something we have to pay attention to when we work on this in the sense of quantity.

The other part that's been mentioned is climate change, and having listened to many different people on climate change, we've heard them say that we will have more quantities at different times. Storage becomes the issue. When I talk about storage, in the sense of water for quantity, Chief Crowfoot, you're very familiar with storage—part of your nation. How do we address that if we get less periodic rain, but it's much more extensive?

Storage becomes an issue, and that leads into your amendment that you'd like to do with quantity. I know you didn't get a chance to talk about it, so would you like to talk about your amendment to do with quantity?

• (1800)

Chief Ouray Crowfoot: I'll yield that comment to Sam Crowfoot.

Mr. Samuel Crowfoot (Council Member, Siksika Nation): Alberta has not been a responsible steward of our water. No Blackfoot nation has ever accepted Alberta's assertion of control over water on our lands, and no court has confirmed that Alberta has any jurisdiction over our water on our reserve lands. In fact, in 2006, an expert report commissioned by the Government of Canada concluded that water on reserve lands could not be governed by provincial water laws due to subsection 91(24) of the Constitution Act.

We are not here to rehash the difficult history of water colonialism in Alberta. The reason for this background is to help the com-

mittee appreciate and understand the critical importance of the recognition of our ownership and our inherent right of self-government over our water on our lands in Bill C-61.

The recognition of our treaty rights is historic and long overdue. However, the bill falls short of what is necessary in clause 15, which currently reads:

15 The quantity of water available on the First Nation lands of a First Nation must meet the drinking, cooking, sanitation, hygiene, safety, fire protection and emergency management needs of the First Nation, based on its current and projected water usage needs.

The assurance in clause 15 of a sufficient quantity of water available to first nations is a good start but is not consistent with Canada's treaty obligations with the Blackfoot nations. Under the terms of the Blackfoot treaty, otherwise known as Treaty 7, we have a right to enough water to fully use, benefit from, live on and develop our lands. The listed water uses in clause 15 must also include water for agriculture and economic development to be consistent with the Blackfoot treaty. This is a simple but very critical and necessary amendment to the bill.

Thank you.

Mr. Martin Shields: We talked about “first in time, first in right”, which is the provincial organized water system. You're dealing nation to nation with the federal government. Would you believe, then, that it's the federal government that needs to deal with the provincial governments under their water rights of first in time, first in right?

Mr. Samuel Crowfoot: Go ahead, Clayton.

Mr. Clayton Leonard: I've been asked to address that question.

I think if this bill passes, what it does is it creates a new conversation around that. Instead of trying to fit first nations into a system that's been in place since 1897, after 22,000 licences have already been issued in southern Alberta, it takes them out of it. It creates a level playing field for a government-to-government discussion with Alberta about the use of water in a watershed, including on reserve lands. That hasn't happened in the past. They have been treated as stakeholders. If they're lucky, they've been consulted.

It will also change other things. You may be aware that the Government of Alberta is considering a new dam on the Bow River between Cochrane and Calgary. Siksika, despite a lot of efforts to have a conversation with Alberta about that, has been left on the sidelines. They are the only nation downstream from what will be the biggest addition of a reservoir on the Bow River in the last quarter-century. Why aren't they at the table and in a partnership on a project like that?

Mr. Martin Shields: That's not the biggest one that's being proposed, and that's just below them. Are they at the table with that one? There's a bigger one being proposed just below the Bassano dam, which they well know. Have you had or will you have any part of the discussions on that one?

Mr. Clayton Leonard: No. That's not been the case. In fact, the massive irrigation expansion in southern Alberta, which is significantly funded by the federal government, has included no consultation. The Blackfoot nations made a request for federal engagement on that, including a federal environmental assessment of each of those reservoirs. The request was declined.

Mr. Martin Shields: Was it declined for the one below the Bassano dam?

Mr. Clayton Leonard: Yes.

Mr. Martin Shields: Was it not to be allowed in consultation?

Mr. Clayton Leonard: We requested a federal environmental review and it was declined. That's the Snake—

Mr. Martin Shields: No, it's not the Snake. The Snake is above the Bassano dam. I'm talking about the new Eyremore dam. The provincial government has funding toward the studies for that one.

Okay. I'm at time.

Thanks.

Chief Troy Knowlton: If you don't mind, perhaps I could address the comment.

The Vice-Chair (Mr. Jamie Schmale): Okay. It will have to be quick.

Chief Troy Knowlton: At the end of the day, the federal government and the Blackfoot nations signed onto a treaty in 1877. Alberta came into Confederation in 1905. Our agreement is not with the province. In terms of anything that happens on the federal lands, what part do we feel the federal government ought to play? You ought to be behind us or in front of us or beside us in any battles that we're going to have with Alberta. That's federal jurisdiction. Your obligation, the fiduciary responsibility of Canada, is to protect the first nations you signed treaty with. If that means opposing Alberta, which we know is going to happen, then we have to fight this together.

This is why you're getting support for Bill C-61. It's because we know darn well what Alberta is going to do and what their next steps are. They don't have to announce it. We know. That fight is going to take place, I guarantee you, within the next year.

• (1805)

The Vice-Chair (Mr. Jamie Schmale): Thank you very much.

We go now to the Liberal Party for their six minutes.

Ms. Atwin.

Mrs. Jenica Atwin (Fredericton, Lib.): Thank you very much, Mr. Chair.

Thank you so much to our witnesses for being with us today. This is critically important testimony. It will absolutely inform our work moving forward.

I really take note of the stronger language that's required and the lack of trust around the terminology of "best efforts". I really take that to heart, along with recognizing the human right to have access to clean water.

I represent the riding of Fredericton-Oromocto. It's in New Brunswick. It's in the territory of the unceded, unsundered Wolastoqiyik people, the people of the river. The multijurisdictional reality for me is critically important. It's interprovincial. It rolls into the United States as well. I'm also very interested in seeing this bill proceed. Again, there are reluctant provincial governments that we often have to deal with. It's been a roadblock for many for far too long.

I would like to turn my attention to the Atlantic First Nations Water Authority, because, again, it really concerns the communities I represent.

You signed an agreement with the Government of Canada in 2022 that involved a 10-year funding commitment for operations and capital programs. Now that this decades-long funding commitment has been made, how has that changed the approach to supporting and overseeing water systems and operations for the communities served by the authority?

Mr. James MacKinnon: I really appreciate the question.

I would say that the change has been truly systemic. I would start with the decision-making on funding for capital projects. That would go directly to our board of directors instead of an application to ISC. We've been able to implement a long-term strategic plan for the infrastructure in our communities.

The other side of it is that we have the dedicated increased funding for operations and maintenance. When a community becomes a member of the AFNWA, their operations staff become our employees. They are supported by our engineering department, our technical staff, as well as our back-office HR department. With the increased resources, we're able to support the operators on the ground but also implement our long-term strategic infrastructure plans.

Mrs. Jenica Atwin: A news release that accompanied the agreement mentioned, "The service delivery transfer agreement sets out both [Indigenous Service Canada's] and the AFNWA's mutual obligations, accountability, and understanding for implementation."

It essentially has this shared accountability baked into the agreement. Can you speak to how that's also helped support operations?

Mr. James MacKinnon: When we signed the service delivery transfer agreement, we received certain responsibilities that used to be Canada's. All policy administrative work with water and waste water comes directly to us.

We are accountable to Canada through our funding agreement. Of course, like any not-for-profit would have to, we report on our funding, but we're more accountable to our communities. We give annual reports based on what the quality of water has been, what the infrastructure updates have been and what's going to be a plan in the future.

That shared accountability has really kind of empowered us to move forward on upgrading the infrastructure.

Mrs. Jenica Atwin: Excellent. Thank you very much.

Dr. Martin-Hill, I'd like to address some questions to you as well. I really appreciated the idea of centring women in the work that you do. I think that's critically important.

Given your extensive work in this field, how do you envision the structure and role of the first nations water commission, which is a really essential piece of this legislation?

Dr. Dawn Martin-Hill: We worked with the Canadian water agency to look at ways to engage indigenous women. If you know anything about the new stamp that just came out honouring Josephine, women have been trying to have their voices heard regarding water for some time. They largely have not been at the table in their own communities, including me.

We tend to do the work on the grassroots level. We improve services. We ensure that elders have water, but we're not at the decision-making table.

When I visited the ANC in South Africa when they first came into power, I visited the land claims commission and water commission there. They ensured that all committees had 50% women at all tables at all times. I think that's a good standard to go by.

As a matriarchal society, we would be the ones in control historically, especially of water, and the men would be supporting our decisions. Because of colonialism, we tend to have been pushed into the shadows along with youth, who are desperately needed in training.

We're trying to develop a research institute to train our young people because they're going to be inheriting quite a mess, if you will. The Grand River has over 100 dams. It's our source water. It has 100 years of contamination from Uniroyal, which made Agent Orange and other things.

We really have a big job and we're not preparing this generation, either indigenous or non-indigenous, to work together to improve the quality of our source water.

• (1810)

Mrs. Jenica Atwin: Thank you very much.

My time is winding down, but just a note on the dams. Again, the Wolastoq River has been dammed and choked off for decades now. My stepfather is the Wolastoqey grand chief of the territory and his role is to look after the water. His grandfather just always referred to them as the damn dams.

Thank you very much for your testimony today.

The Vice-Chair (Mr. Jamie Schmale): Thank you very much, Mrs. Atwin. You're 15 seconds early.

We'll go to the Bloc Québécois for six minutes, please.

[*Translation*]

Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ): Thank you, Mr. Chair.

I want to thank all the committee members. Today's meeting shows how thorough we can be in this study. I would also like to thank the witnesses for their patience.

Ms. Martin-Hill, in your opinion, should a system be set up to log water quality in real time? Should it be available to the public?

[*English*]

Dr. Dawn Martin-Hill: My apologies, I didn't get any translation.

[*Translation*]

Mr. Sébastien Lemire: Have you selected the English channel?

[*English*]

Dr. Dawn Martin-Hill: It's on channel 1.

The Vice-Chair (Mr. Jamie Schmale): We'll check and suspend quickly. Just hold tight here.

We'll come back in session.

[*Translation*]

Mr. Sébastien Lemire: May I continue with my question, Mr. Chair?

[*English*]

The Vice-Chair (Mr. Jamie Schmale): We'll start from the beginning.

[*Translation*]

Mr. Sébastien Lemire: I don't want to challenge your authority.

Ms. Martin-Hill, should a system be set up to log water quality in real time? Should it be available to the public? In other words, should there be data transparency?

[*English*]

Dr. Dawn Martin-Hill: Yes, our community has been doing extensive work with all stakeholders, including just widespread community engagement, and they all want access to data. We've been developing sensors with our engineers. We have different teams working on tap water sensors, free chlorine as well as data from the Grand River.

The Grand River Conservation Authority did not put any sensors along Six Nations—surprise, surprise—so we have zero data on the Grand River, which is our source water. We're developing sensors and we're connecting them through computer engineers at McMaster to a live mapping system that we have been developing with the Amazon Conservation Team, who are also mapping their rivers in the Amazon.

We're trying to get real-time data and sensors that are meaningful to our people, especially mothers who want to know whether they can go in the water, whether they can eat the fish, etc. They want to be able to open up an app or access a technology and just be able to see it colour-coded.

We want access to data. All data is relevant, and my understanding is that we're willing to share it, because the goal is to improve water quality, and not just for indigenous people. As our elder said, in what we're producing I have to always consider our neighbours under the Two Row, so that all mothers and all children have access to clean water, because we all know with climate change and algal blooms that are going to be more pervasive, water can become quite dangerous and toxic, without other contaminants.

Real-time data is going to become important, and not just to indigenous people. Right now I'm scrambling to find a grant here and there to fund all of this, when it feels like I'm doing the government's job. Thank you.

• (1815)

[Translation]

Mr. Sébastien Lemire: Ms. Martin-Hill, I want to ask you the same question that I put to the officials last week.

In light of recent research on the impact of environmental factors and lifestyles on indigenous communities, how should the government address the liability of companies and organizations responsible for pollution, the use of hazardous chemicals and other practices that may cause detrimental epigenetic changes in indigenous individuals and their descendants, for example, as part of Bill C-61?

[English]

Ms. Lori Idlout (Nunavut, NDP): I'm sorry, but we didn't get the interpretation into English.

The Vice-Chair (Mr. Jamie Schmale): Maybe the translators can quickly just say a few words in English?

I have it now, everyone.

Could you start not from the beginning, but just state your question?

[Translation]

Mr. Sébastien Lemire: I would be delighted to do so, Mr. Chair.

In light of recent research on the impact of environmental factors and lifestyles on indigenous communities, how should the government address the liability of companies and organizations responsible for pollution, the use of hazardous chemicals and other practices that may cause detrimental epigenetic changes in indigenous individuals and their descendants, for example, as part of Bill C-61?

[English]

Dr. Dawn Martin-Hill: I think the research that we've been exposed to anyway suggests that, again, epigenetics is being impacted. There are changes not only to female fish turning into male fish and male fish turning into females, but it's complicating genetics not just for aquatic life but also human life. We see that in stats, lowering how many girls are born, and when you look at mitochondrial DNA, it becomes even more complex and quite fearsome in what we're seeing with the maternal study that we did. We're reporting young men who are now sterile at higher rates, so we're seeing a real impact on health and well-being. The future of our people is in peril, so how would we address this?

Health needs to get involved. The work of public health started in Canada because of water and airborne diseases, and for some reason, they have disconnected those things. I've been advocating at the tri-council level policy with the Canadian Institutes of Health Research that we need to do far more to prepare the population, to have them aware of what is happening and what the dangers are to their health and well-being, including epigenetics.

I would suggest that when we have an authority of women.... The first thing that women did was say we need to look at maternal health, which I would have honestly probably not looked at, but they wanted birthing centres to pull data together, which is what they did and what they found was quite alarming. We need to include health. That's how I would be addressing this, because if you can do what you did for COVID as a country...and you know that was a crisis. You know that was a looming crisis, yet with climate change and what we're seeing, the evolution of the types of diseases that are going to be released, the heat that is going to be taking lives....

Not even cities are prepared. First nations are most vulnerable. The United Nations has asserted that. We need to be able to have a holistic approach to the way that we would manage water, understanding that it's inextricably tied to human health and well-being. That's how I would manage it if I could dream it up. We would have a health authority working with the water authority, and Six Nations is already doing this. Our biggest supporters have been Six Nations Health Services in all of this work. Thank you.

The Vice-Chair (Mr. Jamie Schmale): Mr. Lemire, you have about a minute left. There's a bit of an issue when you're asking your questions. You're going a bit too fast. If you can slow it down a touch, our interpreters will be able to get that message through. Thanks.

[Translation]

Mr. Sébastien Lemire: Thank you for pointing this out, Mr. Chair, and for supporting the work of the interpreters. I've tried to be mindful, but I'll strive to take even more care.

In closing, do you think that we could better recognize the responsibility of polluters and incorporate the polluter pays principle into the bill?

• (1820)

[*English*]

Dr. Dawn Martin-Hill: There are cases in Italy and other places that are in fact holding companies liable for the damage that they've done, or the climate disasters that will be coming our way. This bill doesn't touch any of that. In fact, it kind of strays from being very direct in that the liability for the damage and death caused by development is not in there.

I'll give you one example, Nestlé, one of the biggest companies in the world. They're taking our aquifer water. It's blue gold. It's worth more than oil, and for some reason our governments are giving it away at \$500 per permit. Then our people go without water and have to go up to Caledonia to buy Nestlé bottled water. It's insanity, from where I sit as a Mohawk woman but also as researcher.

We evaluated how much they take. It's 3.6 million litres a day, every single day, for the last eight years. If you look at one dollar per litre, which we all know is not what it costs, they've made almost \$1 trillion.

What have we received out of that \$1 trillion that Nestlé has made on our waters that are on our treaty lands? This is a very low-cost kind of production, and the United Nations has been clear that no aquifer, no groundwater should be touched.

You see what's happening in California; it's on fire. When you drain the veins of Mother Earth, which is an aquifer, you're going to have death and destruction. We're now looking at things happening with the boreal forest because of the fracking and so on. Aquifers should be the most protected water on the planet, which is what the UN wants us to see. I don't see any of those things in this bill. It would be incredible if Canada stood up to be a leader under this first nations water act to demonstrate what we should be doing, not what we're looking at in the past. Thank you.

The Vice-Chair (Mr. Jamie Schmale): Thank you very much. That was your time.

Unfortunately, it goes to the NDP now, or I guess, fortunately for them, it goes to the NDP now.

You have six minutes, Ms. Idlout.

Ms. Lori Idlout: [*Member spoke in Inuktitut, interpreted as follows:*]

Thank you, Chair.

First, I would like to thank you for coming here and giving us your presentation regarding good, safe water. It is very important to us. We know how important it is and how it affects our well-being.

It's too bad that we do not have more time. There are many other things that you would like to tell us about clean water or the lack of it. If you want to continue to raise issues that you didn't get a chance to speak about, I would like you to feel welcome to write to us with the rest of the presentation—you may not have had enough time to present here—so that this bill will serve the people when implemented and passed.

The Auditor General, the justice system and indigenous people have told us how many are working with the federal government. They were told 634 indigenous self-governments. We were told that only 181 have clean water. Clean water is very important to us. We need more clean water in all the reservations. The bill as proposed will have to address all the issues and address the 634. We need to protect clean water.

I would like to ask you all, maybe starting with James, to respond.

I'm very concerned about clean water in indigenous communities. The right belonged to indigenous people and was then taken away from them. Now they are trying to give it back to us under Bill C-61. What is it that we have to look at to ensure clean water and that we have the proper resources to have clean water on our reservations? That means money and infrastructure, everything that we need.

• (1825)

Mr. James MacKinnon: Thank you very much for the question.

Ms. Lori Idlout: I'm so sorry. I heard the tail end of the translation, and that's not what I was asking.

Given that first nations had authority and jurisdiction over water before colonialism, through this bill, that jurisdiction is to be handed back to first nations after it was stolen from first nations.

My question to you guys is this: What are your recommendations to improve this bill to make sure that the jurisdiction is handed over with the resources that you will need to exercise your jurisdiction?

We need to make sure, with strong language from each of you. How you will know if your jurisdiction is respected through this bill?

Mr. James MacKinnon: I would say that there are a few important things from the Atlantic First Nations Water Authority's perspective that we would recommend. The bill allows for first nations' governing bodies to be enacted, and it sets forth regulations. From a regulatory standpoint, I think first nations or first nations' governing bodies having the ability to develop these regulations is incredibly important. In fact, I think regulations and funding are connected. One has to come before the other. We don't know how much money we need until we develop our regulations. With those regulations, we can then set forward how much money we need and what our long-term strategic vision for that infrastructure would be.

Would that be other utilities across Canada, much the way the AFNWA is set up? Maybe, or maybe it's on an individual first nation basis. I think having the flexibility within the funding to achieve what you want is incredibly important.

I'll give an example. Some of our communities in Cape Breton border the Bras D'Or Lake. That's a very sensitive receiving body for waste water. Right now, ISC would approve funding based on the waste-water systems effluent regulations, but the Canadian Council of Ministers of the Environment would recommend a higher level of treatment. If first nations want to achieve that higher level of treatment, I think flexibility in the funding framework would be required so they can meet those discharge objectives.

Ms. Lori Idlout: Thank you very much.

Everyone else can have a response briefly.

Dr. Dawn Martin-Hill: What I put in here is that an independent committee will need to be established—in consultation and co-operation with first nations governing bodies—and required to produce annual reports as the result of consultation and collaboration, as well as a five-year review report on the provisions and operation of the act. While the bill invokes the principle of substantive equality, it does not explicitly recognize a human right to safe drinking water. This omission is considered inconsistent with Canada's support for the right to safe drinking water as a human right at the United Nations.

The bill requires the federal government to use “best efforts” to produce the sufficient funding for water and waste-water services. However, this language is seen as providing a loophole that could allow the government to avoid ensuring that first nations have access to clean and safe drinking water. Implementing the bill's provision effectively requires a significant collaboration and coordination among federal, provincial and territorial first nation governments. The complexity of water governance and the need for integrative datasets and a shared decision-making mechanism pose challenges.

Although the bill requires decisions to be guided by free, prior and informed consent—which is central to this argument—it does not mandate that the decision-makers align their choices with the first principles of free, prior and informed consent. This needs to include more than the full recognition and meaningful implementation of FPIC, which many first nations see as essential.

The bill allows different minimum standards for different locations to address local circumstances. This provision could lead to lower standards for first nation communities compared to non-first nation communities. The bill aims to address long-standing issues of underfunding and regulatory gaps that have resulted in inadequate water infrastructure on first nations' land. These gaps have contributed to social and health disparities in first nations communities, so I suggest that a separate autonomous authority be the oversight of what's happening across the country, and none of that is in this bill.

• (1830)

The Vice-Chair (Mr. Jamie Schmale): Thank you very much to our witnesses. That was some great testimony—and some fantastic questions too. Unfortunately, we are out of time, and that will conclude this meeting. We appreciate the opportunity to get that information.

I see a hand up from Mr. Melillo.

Mr. Eric Melillo (Kenora, CPC): Thank you, Mr. Chair.

Before we adjourn, I move a motion to resume debate on a previously moved motion by one of our colleagues, and I'll just briefly read the motion again—

The Vice-Chair (Mr. Jamie Schmale): Can I put you on pause for just a second?

Mr. Eric Melillo: Sure.

The Vice-Chair (Mr. Jamie Schmale): I would like to dismiss the witnesses. We're more than happy to have them stay if they want, but if they choose to go on with their days—

Ms. Lori Idlout: Very quickly, can we ask the rest of the witnesses to provide us their responses in written form, because they didn't have a chance to answer my question?

The Vice-Chair (Mr. Jamie Schmale): Yes, that goes without saying. If there's anything you want to add, in addition to what you gave in testimony, please feel free to submit that in written form.

Again, witnesses, you're free to go if you will, and then we'll discuss some internal business here.

I have Jaime next, and then Lori.

Chief Troy Knowlton: Can I make one statement before we leave? We travelled a long way to come and see you all, and I think if you could give any one of us just a closing statement before we leave.... We'll never see any of you again, most likely.

The Vice-Chair (Mr. Jamie Schmale): Hopefully we will.

Chief Ouray Crowfoot: I have to second that.

Chief Troy Knowlton: I'm happy to meet Lori, and I'm very grateful for that, but one closing statement, if I may....

The Vice-Chair (Mr. Jamie Schmale): Is the committee okay with that?

Some hon. members: Agreed.

The Vice-Chair (Mr. Jamie Schmale): The committee says it's okay.

Chief Knowlton, the floor is yours.

Chief Troy Knowlton: It's in response to the question that was posed to all of us here. The one thing that needs to be taken into consideration is the uniqueness of every first nation across Canada. We have over 600 first nations, but our issues are not the same. We may be related, but we're not the same.

The Blackfoot Confederacy is here. We all reside in the Blackfoot ancestral territories, but our issues vary and are different. When you look across this country we now call Canada, every first nation, particularly in the north, has issues that are uniquely and disastrous to their well-being.

The question, “What should be done?” was asked. Create penalties for industrial offenders that are poisoning the drinking water of my brothers and sisters of the north, who are dying at an alarming rate from cancers. Give compensation to those first nations who have to deal with this on a daily basis and who can count on both hands the number of people in their families who have died from or have developed and are battling cancers directly related to the water.

I'm talking about Alberta. We have Suncor. We have a lot of the oil sands companies up there contaminating the fish. We see fish with two heads. We see fish with tumours on them, and that's part of what their livelihood has always been.

Down south, we've run into the same things in our area, but maybe not to that extent. We Blackfoot nations are very lucky in that we have very good infrastructure. We've put in filtration systems on the nation to ensure that our people are safe when the water comes from source water, like the Oldman River. However, the aquifers are also directly affected. People are still drinking from artesian wells, and there are high levels of arsenic and other heavy metals that promote lupus, which is prevalent in our nation.

There are a number of areas to deal with, but dealing with health, I think, is the best issue. It's one of the best alternatives moving forward.

We know Canada is looking at the devolution of our treaties and trying to off-load the responsibilities and liabilities, even including health, with the HCoM being initiated for all first nations across Canada. Canada relinquishing that legacy and that liability, and off-loading them to the provinces and to some of the first nations that have the capability—not all do—is a way for Canada to wash its hands of these issues, and we're seeing it more and more and more.

These are a couple of things. There's a lot more I'd like to say, but given the time frame you all have, I'll tell you what. You guys all come to my house, and I'll give you the respectful time you deserve to give us the answers and have this conversation. We work well into the night at home. Some nights, I don't get home until midnight, and it's because the work that needs to be done around this table needs to be done, and I don't silence anybody.

Thank you very much.

• (1835)

The Vice-Chair (Mr. Jamie Schmale): Thank you very much, Chief, for those words.

We appreciate, again, the witnesses and their testimony today. If you want to stay, you're more than welcome. If you want to carry on with your day, you're welcome to do that too.

We're going back to Mr. Melillo. You have the floor.

Mr. Eric Melillo: Thank you, Mr. Chair.

I just want to thank all the witnesses for being here.

In the spirit of those closing remarks about the important work we have to do, I know this committee has lots on its plate, and our side previously moved a motion to try to address some of that. I would like to reiterate that motion quickly.

It reads:

That, given the large workload and expansive mandate of this committee, the committee hold five meetings for a duration of 2 hours each between July 8 and September 13, to address housing on First Nations and produce a report with policy proposals to build more homes and solve chronic housing challenges on First Nations communities.

Mr. Chair, that was previously moved. Unfortunately, the other members from other parties adjourned that debate. I would just like to move that we resume debate on that important motion.

Thank you.

The Vice-Chair (Mr. Jamie Schmale): We have a motion to resume debate on the previous motion, which was moved in the last committee meeting, to meet through the summer.

I have a quick speaking list. It goes Mr. Battiste, Ms. Idlout—

Mrs. Jenica Atwin: On a point of order, Mr. Chair, I believe that's a dilatory motion that we'll have to vote to move forward.

The Vice-Chair (Mr. Jamie Schmale): I believe we're in debate right now. Are we not?

We were actually talking about it. Normally, yes...you're right. We had a bunch of people put up their hands. I can move right to the vote, or we can go to the speakers. The motion is to resume debate. I was just going to go to the speakers quickly.

I'll defer to the clerk. We were just talking about that. We'll go to the vote.

Mr. Battiste.

Mr. Jaime Battiste (Sydney—Victoria, Lib.): I have an amendment to this.

I've been hearing and seeing some of the tweets online. Since we're not in any hurry to leave—I thought we were—I'll just say that what I've heard from indigenous communities is that they don't want more studies on houses. They want the implementation of their rights. They want the implementation of previous studies. I would like to make a motion to have that amendment to Mr. Melillo's amendment. I think it's been received in both official languages. I'll move that amendment now.

The Vice-Chair (Mr. Jamie Schmale): Hang on for two seconds. We're just on the original motion, which was to resume debate.

Let's put the question: Would the committee like to resume debate on—

A voice: No.

The Vice-Chair (Mr. Jamie Schmale): We're going to have a quick vote here.

Does everybody understand what's going on?

The motion that Eric just brought to the floor is to resume debate on my motion to have five meetings throughout the summer. We're asking people, do you want to talk about this now?

(Motion negatived: nays 6; yeas 4)

Mr. Jaime Battiste: I move to adjourn.

The Vice-Chair (Mr. Jamie Schmale): Okay. Thank you.

The motion failed, unfortunately, so we will not discuss that.

There's a motion to adjourn.

Thank you, everyone, for a great session. It was great seeing everyone. Have a safe summer.

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