

ETSI-BC Final DRIPA 4.39 Recommendations

CONTENTS

1. Summary of First Nation engagement sessions from July to November 2024
2. Overview of current ETSI-BC governance structure
3. Recommended new governance structure and proposed changes to the SIDIT Act and Regions Regulation

Declaration on the Rights of Indigenous Peoples Act (DRIPA)

DRIPA Action Plan Item 4.39

“Work with the Province’s Economic Trusts and First Nations partners to develop a mechanism that ensures inclusion of First Nations at a regional decision-making level”.



ETSI-BC Commitment

Engage with 33 First Nations in our service area to receive input, and to collaboratively develop recommended changes to the ETSI-BC governance structure to include First Nations.

Objective – Provide recommendations to the Province of BC for changes to the SIDIT Act & Regions Regulation to include First Nations elected leadership on the ETSI-BC Regional Advisory Committees and Board of Directors.

1. First Nation engagement highlights

Summary of Engagement Process



Between July to November 2024, ETSI-BC:

- Connected with all [33 First Nations](#) in our service area
- Met with 27 of those First Nations (82%) from all 6 Nations* in the ETSI-BC service area
 - Attended in-person meetings in 13 communities
 - Participated in 15 virtual meetings
- Hosted 2 Steering Committee meetings with First Nation leaders from 5 of the 6 Nations in the ETSI-BC service area, plus members of current Regional Advisory Committees and the ETSI-BC Board

* *Ktunaxa, Nlaka'pamux, Secwépemc, Sinixt, Stó:lo, Syilx Okanagan*

Steering Committee Meeting Outcomes



- Based on our consultations with the 27 First Nations, several options were presented to the Steering Committee for input.
- Steering Committee and existing RAC members discussed the options and identified new considerations to keep in mind.
- Three new options were identified to address the feedback provided by First Nation leaders.

First Nation Steering Committee Participants

Steering Committee Meeting 1

- Kukpi7 Barb Cote (Shuswap)
- Councillor Julia Peterson (Lower Similkameen)
- Chief Pamela Robertson (Boston Bar)
- ETSI-BC Consultant Gail Joe (Lower Nicola)
- ETSI-BC Board Chair Paul Donald (Simpchw)

Steering Committee Meeting 2

- Councillor Julia Peterson (Lower Similkameen)
- Councillor Brad Arnouse (Neskonlith)
- Councillor Joyce Kenoras (Adams Lake)
- Economic Development Coordinator Lisa Cannady (Akisqnuk)
- Councillor Dennis McDonald (Upper Nicola)
- Chief Greg Gabriel (Penticton)
- Councillor Aaron Pete (Chawathil)
- CEO Steven Teed (Adams Lake)
- ETSI-BC Consultant Gail Joe (Lower Nicola)
- ETSI-BC Board Chair Paul Donald (Simpchw)

2. Overview of current ETSI-BC governance structure

Regional Advisory Committee Regions & Roles

Two Regional Advisory Committees (RACs)

- Recommend projects for funding by ETSI-BC
- Appoint 8 of the 13 Directors to the ETSI-BC Board

Board of Directors

- Fiduciary oversight of the Trust
- Full legal responsibilities as Directors



[Link to SIDIT Act](#)

ETSI-BC RAC & Board Requirements



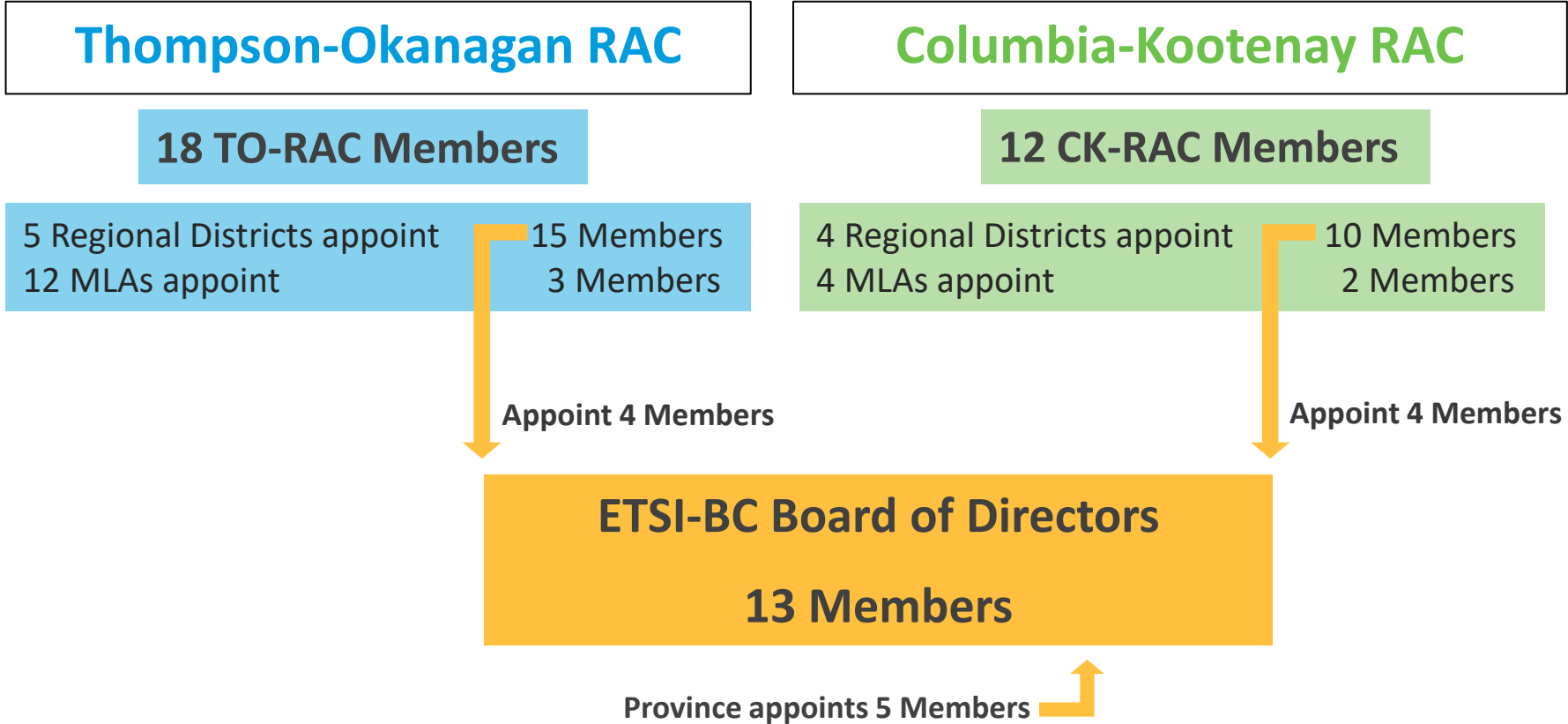
Regional Advisory Committees (RAC)

- 2 meetings/year to recommend projects for funding
- Every second year, extra meeting to appoint a Chair
- RAC members must be willing to be one of 4 members appointed to the Board of ETSI-BC

Board of Directors

- 4 Board meetings/year, of which 2 are in-person
- 2 optional committees (meet 2-4x per year)

Current RAC & Board Appointment Process



3. Recommended new governance structure and proposed changes to the SIDIT Act

Recommended Columbia-Kootenay RAC Structure

One appointee for each FN in the territory with a locally-elected Chief & Council.

	Current	Recommended Option One appointment per FN Gov't whose territory is located here *
Regional District Appointments	10	10
First Nations Appointments	Not yet	6 37.5%
Eligible for ETSI-BC Board appointment	10	16
MLAs	2	2
Total members	12	18

* Notes: 1. Ktunaxa (4), Secwépemc (1) Syilx Okanagan (1) traditional territory also extends into this RAC region. Sinixt do not have a locally-elected Chief & Council based in the ETSI-BC service area.
2. Eligible appointees are elected Chief or Council members.

Recommended Thompson-Okanagan RAC Structure

Three appointees per Nation, same as most Regional Districts.

	Current	Recommended Option Three per <u>Nation</u> affiliation*
Regional District Appointments	15	15
First Nations Appointments (in the Thompson-Okanagan affiliated with 4 different Nations) *	Not Yet	12 44%
Eligible for ETSI-BC Board appointment	15	27
MLAs	3	3
Total RAC members	18	30

- * Note: 1. 27 First Nations governments with locally-elected Chief and Council in the Thompson-Okanagan region, affiliated with 4 different Nations: Secwépemc (8), Nlaka'pamux (7), Stó:lo (5), Syilx Okanagan (7).
2. Eligible appointees are elected Chief or Council members.

ALTERNATE Thompson-Okanagan RAC Structure

Two appointees per Nation, 2 appointees per Regional District.

	Current	Recommended Option Two per <u>Nation</u> affiliation*
Regional District Appointments (FVRD-1, CSRD-1, 2 each from RDOS, RDCO, RDNO)	15	8
First Nations Appointments (in the Thompson-Okanagan affiliated with 4 different Nations) *	Not Yet	8 50%
Eligible for ETSI-BC Board appointment	15	16
MLAs	3	3
Total RAC members	18	19

* Note: 1. 27 First Nations governments with locally-elected Chief and Council in the Thompson-Okanagan region, affiliated with 4 different Nations: Secwépemc (8), Nlaka'pamux (7), Stó:lo (5), Syilx Okanagan (7).

2. Eligible appointees are elected Chief or Council members.

Other Recommended Changes



RAC Leadership

- *Recommend including option to allow co-chairs (the Act currently doesn't allow this).*

Board Appointments

- *Change RAC Terms of Reference to say: “wherever possible, at least 1 RAC-appointed Board member shall be a First Nation member”.*

Proposed Changes to SIDIT Act



Summary of Proposed Act Changes – See Attachment 1 for complete details

<u>SIDIT Act</u> Clause #	Topic	Proposed Change
1 - Definitions	Qualified individual	Add “an elected official of a First Nation (Chief or Council member)”
3	Appointing the RAC chair	Add “or co-chairs” to allow for RAC co-chairs if desired
3 (a)	Outlines elected officials of municipality/reg district or MLAs	Add “elected officials of a First Nation (Chief or Council member) located in the region, or”
3 (b)	Populations less than 500	Add “including First Nations with populations less than 500”
4	RAC procedures	Add “or two of their number if co-chairs are desired”
13 (2)	Remuneration of Directors	Add “honoraria”
23(1)(a)(ii)	Winding up	Add “First Nations”
26 (2)	Review of this Act	Add “First Nations organizations”

Proposed Changes to SIDIT Regions Regulation



<u>Regions Regulation</u>	Topic / Section	Proposed Change
	List of Communities in Columbia-Kootenay RAC Region	Add to Columbia-Kootenay region: “2(e) the following First Nations: ?akisq’nuk, ?aq’am, Shuswap, Sinixt, Syilx, Yaqan Nukiy, Yaqit ?a-knuq’i ‘it.”
	List of Communities in Thompson-Okanagan RAC Region	Add to Thompson-Okanagan region: “2(g) the following First Nations: Adams Lake, Boothroyd, Boston Bar, Chawathil, Coldwater, Lower Nicola, Lower Similkameen, Neskonlith, Nooaitch, Okanagan, Osoyoos , Penticton, Peters, Shxw’ow’hamel, Simpcw, Skawahlook, Skwlāx te Secwepemcúlecw, Skeetchestn, Splat sin, Spuzzum, Tk’emlúps te Secwépemc, Union Bar, Upper Nicola, Upper Simalkameen, Westbank, Whispering Pines, Yale.”

NEXT STEPS

January - February 2025:

- ETSI-BC Indigenous Engagement Consultant, Gail Joe to contact the 33 First Nations to discuss proposed new structure and seek further input.

Thursday February 13, 2025 at 1:30 – 3 pm Pacific time

- Final [Zoom meeting](#) to review, finalize and ratify recommended structure and Act changes

February 14, 2025

- Presentation to current RAC members and motion to ratify final recommendations.

March 14, 2025

- Presentation to ETSI-BC Board of Directors and motion to ratify final recommendations.

By March 31, 2025

- ETSI-BC submits final recommendations to Province of BC.

In Conclusion

Thank you once again for your invaluable participation in the ETSI-BC First Nation Engagement Project. Your contributions and input have been essential in co-creating a meaningful approach to implementing DRIPA Action Plan Item 4.39 within our Trust.

We remain deeply committed to ensuring and advancing meaningful inclusion of First Nations in the ETSI-BC governance structure.

K^wuk^wscemx^w-Thank you from the Project Team
Laurel Douglas, Gail Joe, Janis Brooks, and Paula Schmidt

ATTACHMENT 1

Proposed Changes to the SIDIT Act & Regions Regulation to Implement DRIPA 4.39

Implementation of DRIPA 4.39 for ETSI-BC

Proposed Changes to SIDIT Act*

Current Act Wording	Recommended New Wording
Part 1 Definitions Paragraph 1, definition of “qualified individual” "qualified individual" means an individual who is not (a) an elected official of a municipality or a regional district, (b) a Member of the Legislative Assembly, (c) an employee of the government, (d) a member of the board of directors of the Southern Interior Development Initiative Trust, (e) a member of a regional advisory committee, or (f) a person who is (i) the spouse, parent or child of any individual referred to in paragraph (d) or (e), or (ii) any other relative residing with that individual;	Part 1 Definitions Paragraph 1, definition of “qualified individual” "qualified individual" means an individual who is not (a) an elected official of a municipality or a regional district, (b) an elected official of a First Nation (Chief or Council member), (c) a Member of the Legislative Assembly, (d) an employee of the government, (e) a member of the board of directors of the Southern Interior Development Initiative Trust, (f) a member of a regional advisory committee, or (g) a person who is (i) the spouse, parent or child of any individual referred to in paragraph (e) or (f), or (ii) any other relative residing with that individual;
Part 2, Division 1 – Regional Advisory Committees Composition of regional advisory committees Paragraph 3 A regional advisory committee, whether under section 2 (3) (b) or otherwise, may from time to time determine the size of, and the manner of appointing members to, the regional advisory committee and the role of, and the manner of appointing, the chair of the regional advisory committee, but in doing so the members of the regional advisory committee must	Part 2, Division 1 – Regional Advisory Committees Composition of regional advisory committees Paragraph 3 A regional advisory committee, whether under section 2 (3) (b) or otherwise, may from time to time determine the size of, and the manner of appointing members to, the regional advisory committee and the role of, and the manner of appointing, the chair or co-chairs of the regional advisory committee, but in doing so the members of the regional advisory committee must
Paragraph 3 (a) (a) ensure that the only persons who are eligible to become members of the regional advisory committee are (i) elected officials of municipalities or regional districts that are, in whole or in part, within the region, or (ii) Members of the Legislative Assembly who have been elected, in whole or in part, by electors from the region,	Paragraph 3 (a) (a) ensure that the only persons who are eligible to become members of the regional advisory committee are (i) elected officials of municipalities or regional districts that are, in whole or in part, within the region, or (ii) elected officials of First Nations (Chief or Council member) that are within the region, or (iii) Members of the Legislative Assembly who have been elected, in whole or in part, by electors from the region,

* Southern Interior Development Initiative Trust (SIDIT) DBA the Economic Trust of the Southern Interior (ETSI-BC)

Paragraph 3 (b) (b) provide an opportunity for municipalities or regional districts within the region that have populations of less than 500 to be represented on the regional advisory committee,	Paragraph 3 (b) (c) provide an opportunity for municipalities or regional districts or First Nations within the region that have populations of less than 500 to be represented on the regional advisory committee,
Procedures Paragraph 4 The members of a regional advisory committee must appoint one of their number as chair and may, subject to section 3, otherwise establish their own procedures.	Procedures Paragraph 4 The members of a regional advisory committee must appoint one of their number as chair or two of their number if co-chairs are desired, and may, subject to section 3, otherwise establish their own procedures.
Operating expenses and remuneration Paragraph 13 (2) (2) A director of the Southern Interior Development Initiative Trust must not accept remuneration from that corporation other than for reasonable travelling and out of pocket expenses necessarily incurred by the director in discharging his or her duties.	Operating expenses and remuneration Paragraph 13 (2) (2) A director of the Southern Interior Development Initiative Trust must not accept remuneration from that corporation other than for reasonable honoraria, travelling and out of pocket expenses necessarily incurred by the director in discharging his or her duties.
Winding up Paragraph 23 (1) Promptly after the Regional Account has been reduced to a nil balance, the directors must (a) in accordance with the direction of the regional advisory committees, distribute the remaining assets of the Southern Interior Development Initiative Trust, if any, (i) firstly in satisfaction of any outstanding liabilities of the Southern Interior Development Initiative Trust, and (ii) after that, to the municipalities, and regional districts in the Southern Interior area, or to any of them, in the proportions or amounts the regional advisory committee may direct,	Winding up Paragraph 23 (2) Promptly after the Regional Account has been reduced to a nil balance, the directors must (a) in accordance with the direction of the regional advisory committees, distribute the remaining assets of the Southern Interior Development Initiative Trust, if any, (i) firstly in satisfaction of any outstanding liabilities of the Southern Interior Development Initiative Trust, and (ii) after that, to the municipalities, First Nations and regional districts in the Southern Interior area, or to any of them, in the proportions or amounts the regional advisory committee may direct,
Review of this Act Paragraph 26 (2) The review committee may consult with business, labour, education providers, government and any other person or organization it considers appropriate.	Review of this Act Paragraph 26 (2) The review committee may consult with business, labour, First Nations organizations, education providers, government and any other person or organization it considers appropriate.

Proposed Changes to SIDIT Regions Regulation

Current Regulation	Recommended New Wording
Regions Defined Section 2 For the purposes of the Act: “Columbia-Kootenay region” means that area of British Columbia comprising the following: (a) the Regional District of Kootenay Boundary; (b) the Regional District of Central Kootenay; (c) in the Columbia-Shuswap Regional District, electoral areas A and B, the City of Revelstoke and the Town of Golden; (d) the Regional District of East Kootenay;	Regions Defined Section 2 For the purposes of the Act: “Columbia-Kootenay region” means that area of British Columbia comprising the following: (a) the Regional District of Kootenay Boundary; (b) the Regional District of Central Kootenay; (c) in the Columbia-Shuswap Regional District, electoral areas A and B, the City of Revelstoke and the Town of Golden; (d) the Regional District of East Kootenay; (e) the following First Nations: ?akisq’nuk, ?aq’am, Shuswap, Sinixt, Syilx, Yaqan Nukiy, and Yaqit ?a-knuq’i ‘it.
“Thompson-Okanagan region” means that area of British Columbia comprising the following: (a) in the Thompson-Nicola Regional District, electoral areas A, B, J, L, M, N, O and P, the City of Kamloops, the City of Merritt and the Village of Chase; (b) in the Fraser Valley Regional District, electoral areas A and B and the District of Hope; (c) the Regional District of Okanagan-Similkameen; (d) the Regional District of Central Okanagan; (e) the Regional District of North Okanagan; (f) in the Columbia Shuswap Regional District, electoral areas C, D, E and F, the City of Salmon Arm and the District of Sicamous.	“Thompson-Okanagan region” means that area of British Columbia comprising the following: (a) in the Thompson-Nicola Regional District, electoral areas A, B, J, L, M, N, O and P, the City of Kamloops, the City of Merritt and the Village of Chase; (b) in the Fraser Valley Regional District, electoral areas A and B and the District of Hope; (c) the Regional District of Okanagan-Similkameen; (d) the Regional District of Central Okanagan; (e) the Regional District of North Okanagan; (f) in the Columbia Shuswap Regional District, electoral areas C, D, E and F, the City of Salmon Arm and the District of Sicamous; (g) the following First Nations: Adams Lake, Boothroyd, Boston Bar, Chawathil, Coldwater, Lower Nicola, Lower Similkameen, Neskonlith, Nooaitch, Okanagan, Osoyoos , Penticton, Peters, Shxw’ow’hamel, Simpcw, Skawahlook, Skwłāx te Secwepemcúlecw, Skeetchestn, Splatsin, Spuzzum, Tk’emlúps te Secwépemc, Union Bar, Upper Nicola, Upper Simalkameen, Westbank, Whispering Pines, Yale.

Proposed Changes to SIDIT Act



Summary of Proposed Act Changes – See Attachment 1 for complete details

SIDIT Act Clause #	Topic	Proposed Change
1 - Definitions	Qualified individual	Add “an elected official of a First Nation (Chief or Council member)”
3	Appointing the RAC chair	Add “or co-chairs” to allow for RAC co-chairs if desired
3 (a)	Outlines elected officials of municipality/reg district or MLAs	Add “elected officials of a First Nation (Chief or Council member) located in the region, or”
3 (b)	Populations less than 500	Add “including First Nations with populations less than 500”
4	RAC procedures	Add “or two of their number if co-chairs are desired”
13 (2)	Remuneration of Directors	Add “honoraria”
23(1)(a)(ii)	Winding up	Add “First Nations”
26 (2)	Review of this Act	Add “First Nations organizations”

Proposed Changes to SIDIT Regions Regulation



<u>Regions Regulation</u>	Topic / Section	Proposed Change
	List of Communities in Columbia-Kootenay RAC Region	Add to Columbia-Kootenay region: “2(e) the following First Nations: ?akisq’nuk, ?aq’am, Shuswap, Sinixt, Syilx, Yaqan Nukiy, Yaqit ?a-knuq’i ‘it.”
	List of Communities in Thompson-Okanagan RAC Region	Add to Thompson-Okanagan region: “2(g) the following First Nations: Adams Lake, Boothroyd, Boston Bar, Chawathil, Coldwater, Lower Nicola, Lower Similkameen, Neskonlith, Nooaitch, Okanagan, Osoyoos , Penticton, Peters, Shxw’ow’hamel, Simpcw, Skawahlook, Skwlāx te Secwepemcúlecw, Skeetchestn, Splat sin, Spuzzum, Tk’emlúps te Secwépemc, Union Bar, Upper Nicola, Upper Simalkameen, Westbank, Whispering Pines, Yale.”