



Etuaptmunk (Two-Eyed Seeing) development of a compliance framework:

A Path Less Traveled

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Overview

- A. The case for regulations for First Nations drinking water
- B. AFNWA - progressive path for safe water by First Nations, for First Nations
- C. An Etuaptmumk(Two-Eyed Seeing) Framework for safe water oversight

Water Crisis: Highlights Regulatory Value



Implicit Nature of Regulation was Highlighted by Elders and Community



Regulations: Align Expectations



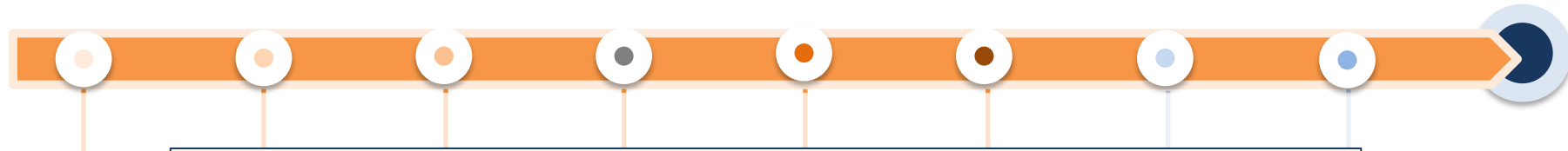
Regulations establish accepted requirements for what constitutes clean and safe water:

- Acceptable treatment processes
- Appropriate monitoring practices
- Achievable water quality standards
- Reporting processes in case of an incident

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The Path that Led Here & Looking Forward



2001
Walkerton
Water Crisis

Progressive leadership, policy development, and engagement has led to the formation of a water utility for First Nations, by First Nations.

- Demonstrates alternative water management approaches for other First Nations communities
- Solutions to long-standing inequities



Expe
Drink

2022
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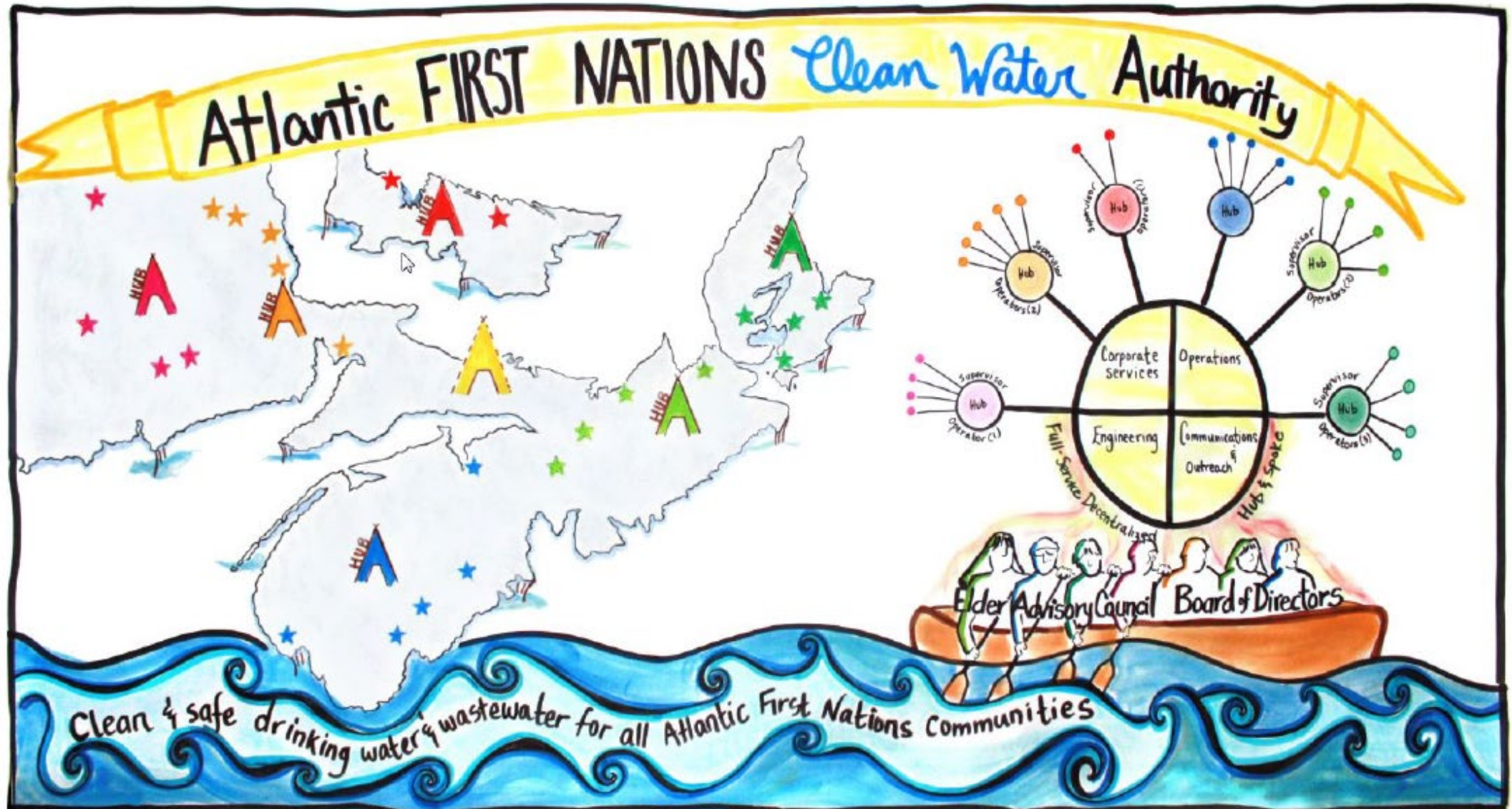
services in
participating systems

waterstudies

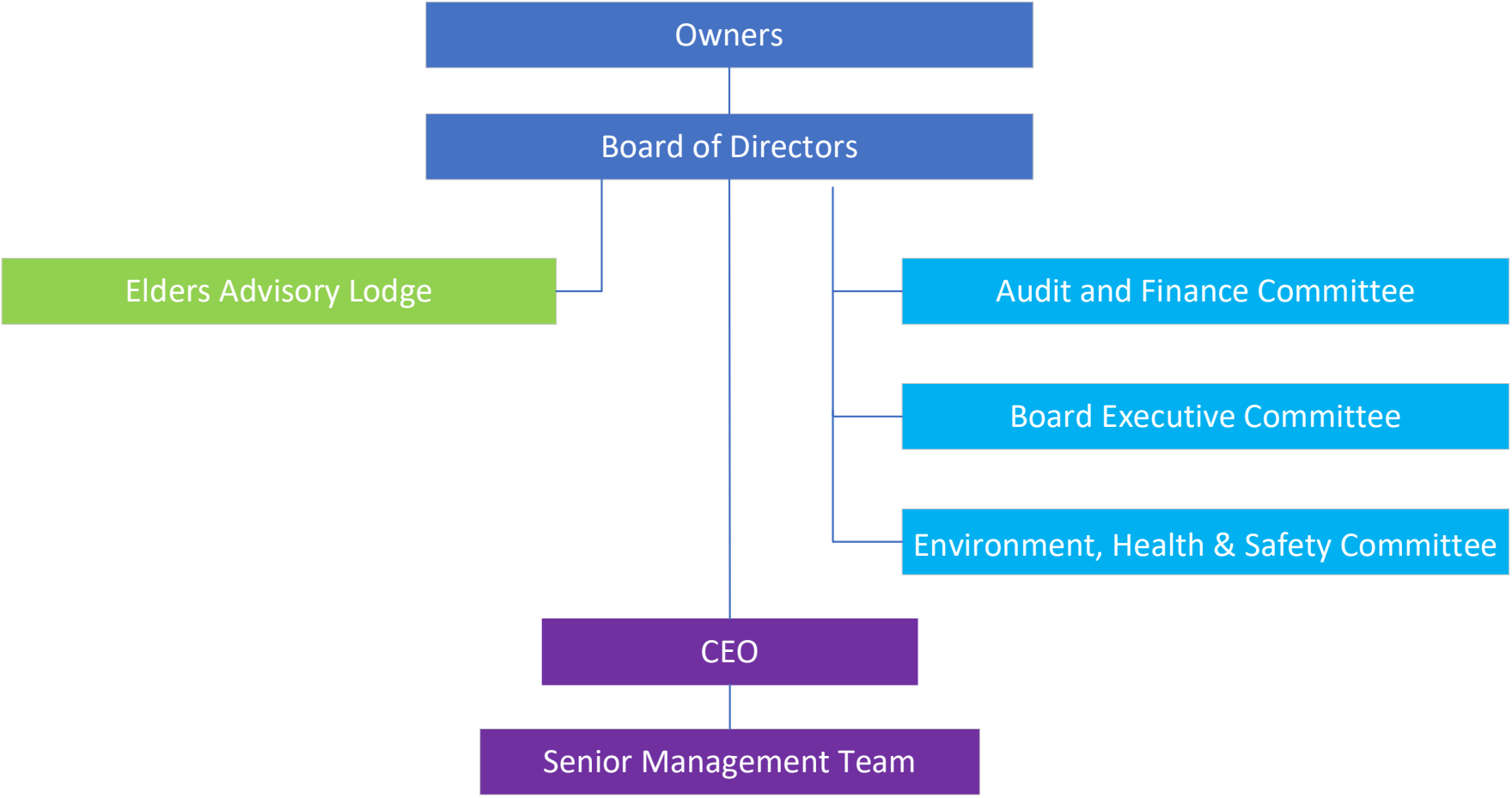
AFNWA Incorporation

- Atlantic First Nations Water Authority incorporated on July 18, 2018 under the federal Not for Profit Act
- The Atlantic First Nations Water Authority is a professional utility, owned and operated by First Nations. The Water Authority is not a political organization. It is a technical organization focused on the provision of water and wastewater services for member communities [Mi'kmaq and Wolastoqiyik] in Atlantic Canada
- Business Case developed in 2019 to describe the why, what and how including order of magnitude costs for 25-year period; updated in 2021 after peer review from Ontario Clean Water Agency

Our service approach that is accountable, equitable, and based on *Two-Eyed Seeing*



AFNWA Governance



Operations Hub and Spoke Model



Mission

To provide safe, clean drinking water and wastewater in all participating First Nations communities in Atlantic Canada, delivered by a regional water authority owned and operated by First Nations.

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Background

2006 Report of the expert panel on safe drinking water for First Nations

2012 Water and wastewater regulatory benchmarks for First Nations communities in Atlantic Canada

References and resources

Provincial water governance legislation and regulations

Wabanaki world view and Two-Eyed Seeing

World Health Organization's Water & Sanitation Safety Planning

Framework

10 risk-based management recommendations

14 compliance standards

Internal standard of care

Nujo'tme'k Samqwan
Wolankeyutomune Samaqan

Drinking water + wastewater
proactive risk reduction

3rd party audit – contracted by AFNWA

Wastewater

ECCC – Fisheries Act (*WSER*)

Effluent quality monitoring and reporting for **certain systems**

In effect since 2013

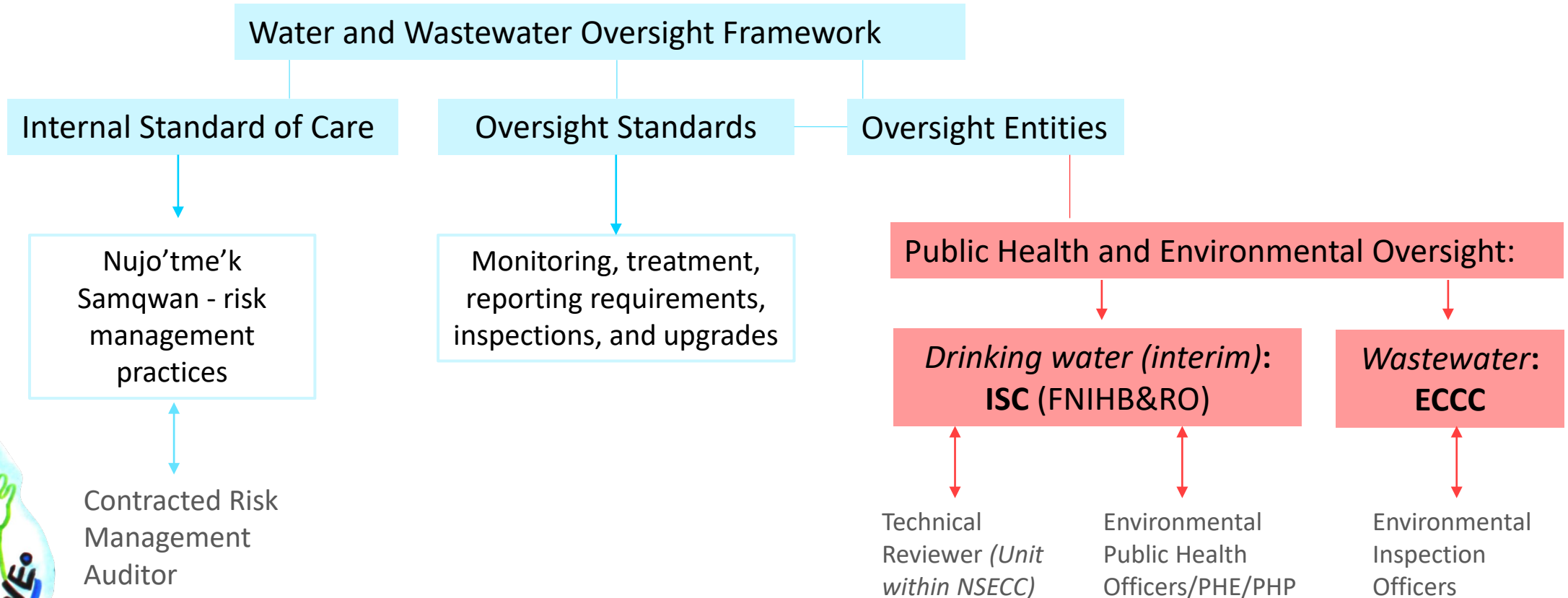
Drinking water

No regulator or regulations

Interim framework sets compliance **standards** and details compliance **activities**

3rd party oversight + ISC (RO + FNIHB)

Drinking Water and Wastewater Oversight Framework



A Framework for Safe Water Oversight



Service provision:

Clean drinking water
Safe wastewater treatment

Verification and Compliance:

Verify achievement of standards
Report performance and incidents

Ensure **All** Communities are brought to a ***standard**



Community Engagement:

Board members and leadership
Elders Advisory Lodge
Guidance and capacity

Oversight:

Review system performance and water quality standards
Ensure protection of public health and right to clean and safe water



**ATLANTIC FIRST NATIONS
WATER AUTHORITY INC.**

**DRINKING WATER REGULATORY GUIDANCE
AND COMPLIANCE STANDARDS**

**Source Water
Withdrawal**

Surface water withdrawals must comply with Federal Fisheries Act and Species at Risk Act

**Source Water
Protection**

Source Water Protection Plans will be required for each community drinking water system

**Receiving Water
Protection**

Legislated through Fisheries Act

Discharge objectives managed through NSSP

**Facility
Requirements**

All upgrades and new facilities must be designed in keeping with the ACWWA Supply Guidelines and Wastewater Guidelines

**Treatment, Collection
and Distribution
Requirements**

Treatment and distribution must comply with Nova Scotia's Treatment Standards for Municipal Drinking Water Systems

**Facility
Classifications**

Facilities should be classified using Nova Scotia's Water and Wastewater facilities and Public Drinking Water Supplies Regulations

**Operator
Certification**

Operators should be certified following Nova Scotia's Water and Wastewater facilities and Public Drinking Water Supplies Regulations

Monitoring

Drinking water monitoring should follow Nova Scotia's Part I Guidelines for Monitoring Municipal Public Drinking Water Supplies

Reporting

Reporting should follow Nova Scotia's processes outlined in the i) Guidelines for Monitoring and ii) Treatment Standards

**Compliance
Guidance Documents**

As no Approvals to Operate can exist to guide terms and conditions of operation, compliance documentation should be developed

**Occupational Health
& Safety**

OH&S procedures must comply with federal OS&H regulations under the Canadian Labour Code, and provincial statutes, as necessary.

**Monitoring of
Community
Feedback**

Managed through NSSP

**Community
Engagement &
Communication**

Managed through NSSP

**Emergency
Response
Planning**

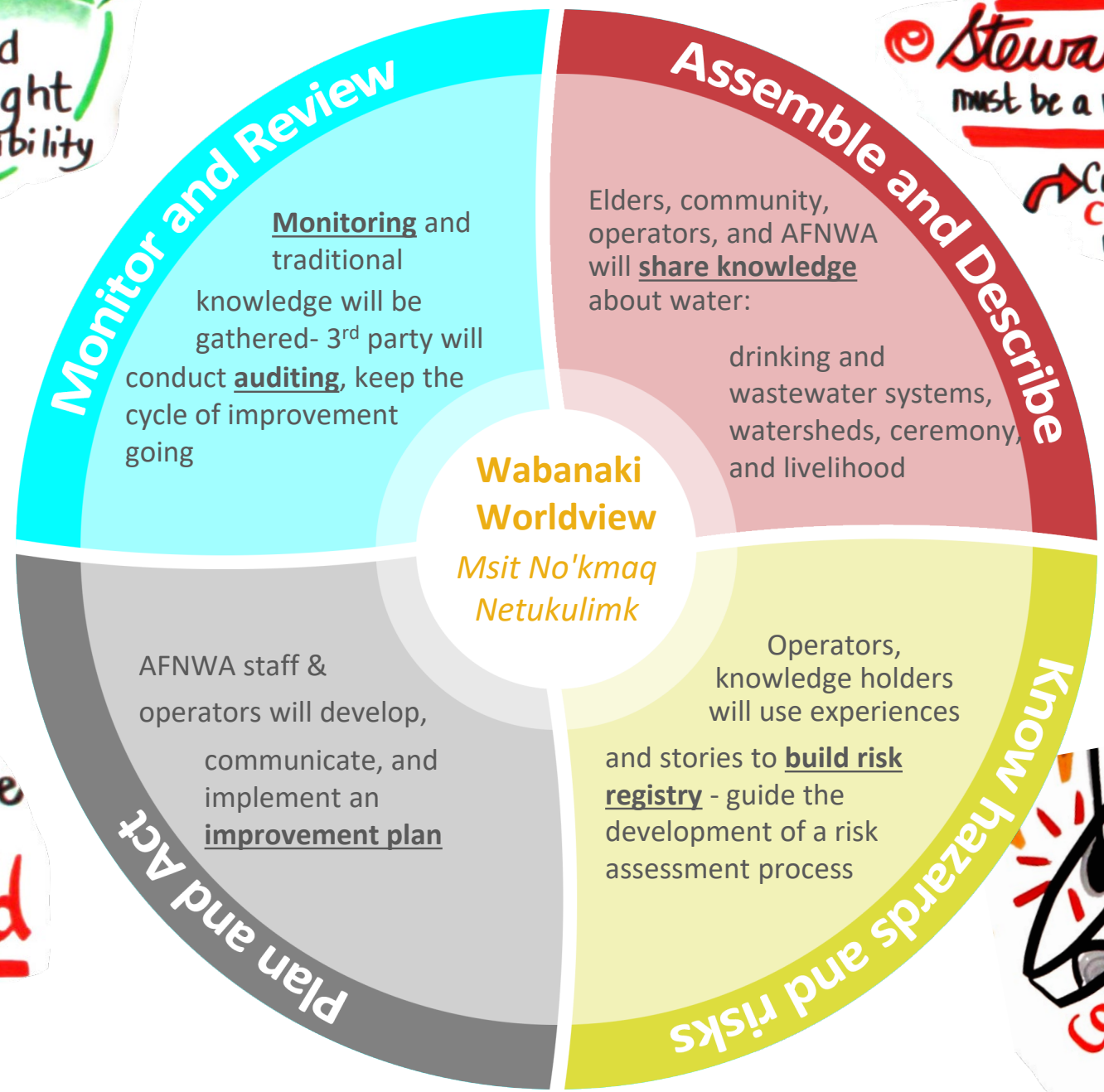
Managed through NSSP

Nujo'tme'k Samqwan –

Indigenous risk management: Keep improving

Need Oversight for credibility

Ensure ALL Communities are brought to a *standard



Stewardship must be a role-collectively
Cultivate a COLLECTIVE mindset

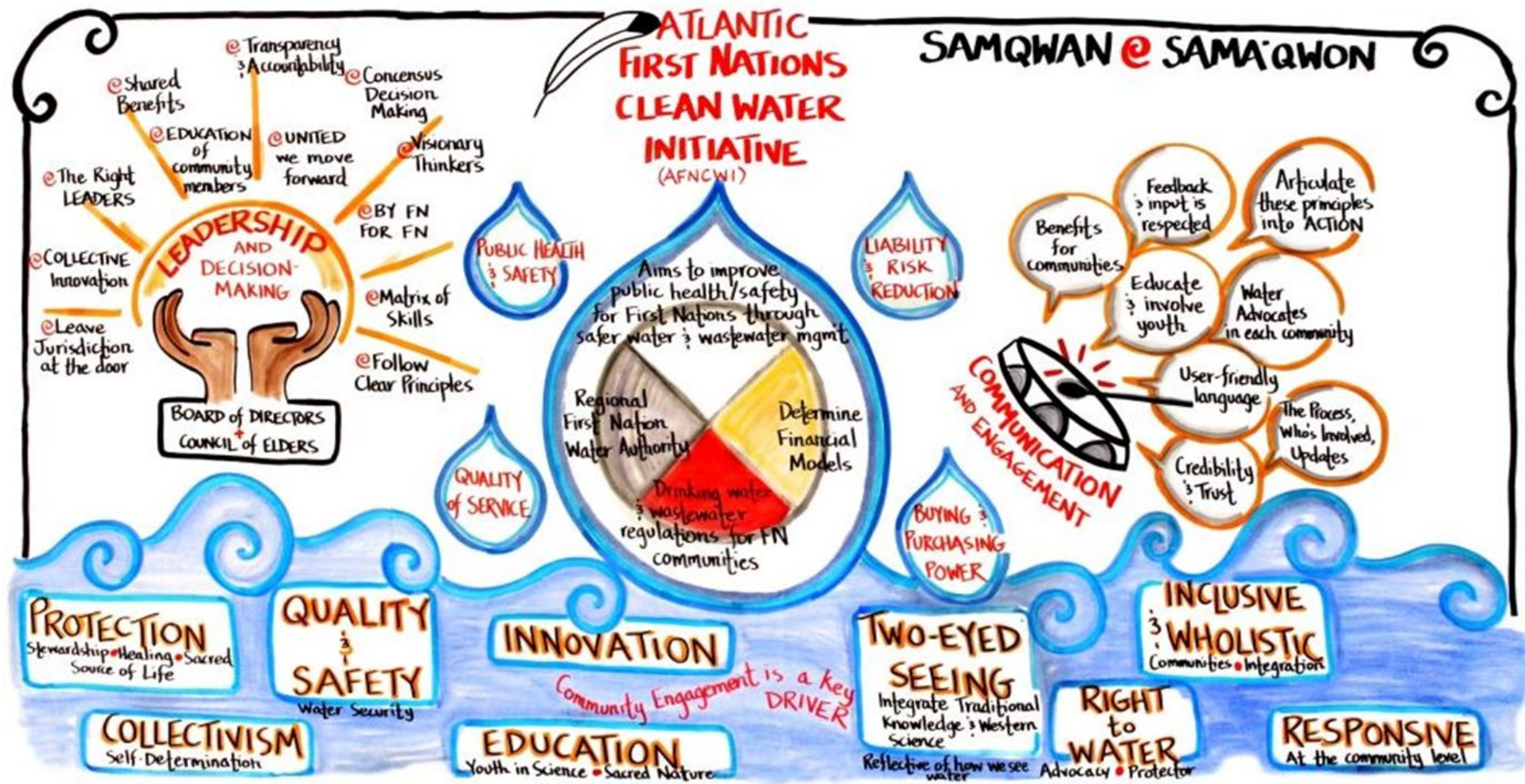
COMMUNICATION AND ENGAGEMENT

Business Readiness

- Governance in Place [Board of Directors and Elders Advisory Lodge active] with Governance Manual, By-Laws and Enterprise Risk Management Framework established
- Ten Year Business Plan approved by AFNWA Board
- Treasury Board approval of \$257 million in funding over ten years, consistent with Business Plan
- Water and Wastewater Quality Oversight Framework in Place
- Economic Oversight Framework being developed with First Nations Financial Management Board
- Management and office staff in place [25 employees]
- Community Operators are engaged [Quarterly Workshops held since fall 2020]

Based on Best Practices and Sound Evidence

The AFNWA Represents a Two-Eyed Seeing, Sustainable Path for Generations



Wela'lin!

Woliwon!

