A detail of the Gwaii Haanas Legacy Pole depicts the linking of arms on the line at Athlìi Gwaii, Lyell Island.
Legacy Pole on track

The Gwaii Haanas Legacy Pole project, a partnership between the Council of the Haida Nation and Gwaii Haanas, is on track, and the 42’ pole is to be raised at Hlk’yah GawGaa, Windy Bay. August 15. Public events will be held leading up to the pole raising: see insert in this issue for dates.

DID YOU KNOW?

62% of Canadians support a moratorium on fracking until all the federal environmental reviews are complete, according to a poll commissioned by the Council of Canadians last year.

440 ‘likes’, looking for 500.

Check out the Council of the Haida Nation’s facebook page and add your ‘like’. Once you ‘like’ us you will receive notification any time the page is updated. Updates include job postings, event notices and other important stuff.

A Defining Contribution

Containing information found nowhere else, Swanton’s contribution is a resource that informs and provokes debate about Haida culture. Originally published in 1905, the Council of the Haida Nation reprinted the text in 2004 with a new introduction and acknowledgement of Haida contributors and translators in the first edition. This 300-page clothbound book is a fine gift that will endure many years of study. The proceeds from sales support the work of the Council of the Haida Nation and the books are available at the CHN office, Skidegate - $70.00.

New CFN president

James Cowpar has been elected president of Coastal First Nations. Mr Cowpar will steer the alliance of north and central coast First Nations over the next year. Skidegate Deputy Chief Councillor Robert Williams was elected treasurer of the CFN executive. CFN includes representatives from the Wuikinuxv Nation, Heiltsuk, Kitasoo/ Xai’xais, Nuxalk Nation, Gitga’at, Metlakatla, Old Massett, Skidegate, and Council of the Haida Nation.

Off to school

Haida Heritage Stewardship Officer Nick Reynolds will be taking educational leave from CHN’s Heritage and Natural Resources to attend the University of British Columbia. Mr Reynolds and family will be away for a year as he completes his Masters in forestry.

It’s now a waiting game

The federal review of the Enbridge Northern Gateway proposal to run a bitumen pipeline from Alberta to Kitimat officially ended on June 24th, after 18 months of public hearings. The final argument phase wrapped up in Terrace, giving all interveners their last opportunity to present a case, for or against the proposed project.

Perceived threats

The Haida Gwaii Museum celebrated the opening of a very well-attended exhibit called Thanks, But No Tanks on June 7th. The show explores the perceived threat or opportunity of oil-development on natural, social, psychological, and spiritual space. It features 11 displays on natural, social, psychological, and spiritual space. It features 11 displays on natural, social, psychological, and spiritual space. It features 11 displays on natural, social, psychological, and spiritual space. It features 11 displays on natural, social, psychological, and spiritual space.

Waiting continued next page
The JRP will submit its final recommendation to the federal cabinet by the end of the year. Cabinet maintains the authority to neglect the panel’s decision.

**HAICO PUBLIC MEETINGS**

**Taxes**

By Graham Richard

Frustration over the collection of federal income tax from some Taan employees working on Haida Gwaii came into focus at the recent HaCo public meetings. Employees of the forest company urged the board to revisit the policy so that they could have tax-exempt status while working ‘off-Reserve’ for Taan. This policy is corporation-wide and also affects Haida working in other HaCo businesses. In response to the request, the board spoke to the complexity of the federal tax system; HaCo explained it was hesitant to change its standing policy, citing the convoluted history of Status ‘Indian’ tax-exemption.

After the introduction of personal income taxes in 1917 and goods and services taxes in 1991, Canadian courts ruled that employment is ‘personal property’, and as an interest held by an employer's location, the work location, the nature of the work and how it benefits the Reserve, the employee’s residence, the location of payment, and other circumstances. Although these guidelines do not have the force of law, the test is applied on a case-by-case basis.

Currently, Skidegate Band members making poles for Skidegate Enterprises Limited Partnership in Ferguson Bay are untaxed. SBC owns 70 per cent of the plant in partnership with Taan, which has 30 per cent. SBC has accepted liability for tax on the poles, and the Board of Directors determined the CRA uses the ‘connecting factors test’ to determine a worker’s eligibility to be exempt from taxation under Canadian law.

According to Devlin Gailus, a law firm working for the Skidegate Band Council, these ‘connecting factors’ include the employee’s location, the work location, the nature of the work and how it benefits the Reserve, the employee’s residence, the location of payment, and other circumstances. Although these guidelines do not have the force of law, the test is applied on a case-by-case basis.

**DID YOU KNOW?**

54,365 people or 5.6 per cent of the aboriginal population living in Canada are currently exempted from income tax. That is about .00162 per cent of Canada’s total population.

**DID YOU KNOW?**

Gaana Kii – Sgídalana
Míghílda Kii – Sgíh Gáana
Ałłatka – Sgídalana’s English - ‘old man’
Latin – Synthliboramphus antiquus
As two-day-old chicks these robin-sized diving birds follow their parents’ voices on to the ocean waters. This right-time journey generally takes over 12 hours. The chicks are not fed in their nests among the old-growth tree roots, instead they are fed crustaceans and small fish at sea. Sometimes known as the ‘old man’, it is the white eyebrows and gray shovels that account for this English name. < A murrelet chick reaches the ocean.

**CHN Spring Seasonal Session: the business update**

At the past Winter Seasonal Session, where a third of the council was freshly elected, including the President and Vice-president, citizens exhibited a certain leniency with the new members. Now, some six months into term, CHN reps have had the chance to get acquainted with the nation’s governance structure, their fellow elected leaders, and their respective portfolios. With this time to settle in, reps were able to report efficiently at the Spring Session and talk about the nation’s activities and future direction, generating some productive and effective dialogue.

Executive Report

As all seasonal sessions do, the first morning started with formalities—adopting minutes from the last meeting, and accepting the current meeting’s agenda—followed by the executive reports. In his introductory remarks President Peter Lantin took the opportunity to speak about how enlightening his time in term has been so far, and how challenging it has been to learn and understand the magnitude of work the Haida nation has in store, such as the Haida title case, forming Haida laws, development projects and the Haida Economic Protocol initiative. The consulting firm Castlemain will be contracted to work with CHN, Old Massett Village Council and the Skidegate Band Council to produce a protocol that will, in effect, give anyone looking to do business on Haida Gwaii “one-door access” to the Haida nation. The protocol will identify the authorities and mandates of the CHN and village councils, and work in concert with an economic policy and strategy, to guide development on Haida Gwaii.

Hosted in Old Massett, the Youth Assembly took place May 22 – 24. With the enthusiasm from the assembly still lingering, Mr Lantin spoke to the success of the event and noted that the youths’ hands-on experience likely has many of them thinking about future employment like participating in the Youth Assembly. Mr Lantin stated emphatically that his job starts and ends with the pursuit of Haida rights and title. The main priority—the sole mandate of the Council of the Haida Nation—is Haida title, and CHN’s legal team has worked tirelessly toward reconciliation of title with the federal government, he said. Beyond that, and for the past year and a half, the CHN has also participated in the Enbridge Joint Review Panel hearings. By May 31st, CHN and all other parties participating in the review had officially submitted their final arguments to the panel. CHN will now wait until the end of the year for the very dynamic organization,” he said.

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of other nations who have written and considered. “The difficulty in writing both the CHN and hereditary chiefs are agree that we cannot allow Canada’s laws to dictate what we do on our lands and in our waters. Mr Lantin confirmed in this appeal in order to protect our own title case. Intervening is vital and explained that this Haida nation will be involved in this appeal in order to protect our own title case.

Haida Law
One of the issues raised on both days of the session was Haida law. Laws are a set of rules or systems that help to ensure citizens act respectfully and responsibly, and, most often, laws are enacted and enforced by the government. Citizens of the Haida nation and elected members agree that we cannot allow Canada’s laws to dictate what we do on our lands and in our waters. Mr Lantin confirmed that Haida legislation is something that both the CHN and hereditary chiefs are considering. “The difficulty in writing Haida law is trying to take our oral tradition and values.” Energy is also on the nation’s agenda and the executive reported on BC Hydro’s Clean Energy call; CHN is still waiting for the shortlist of projects but recognizes that getting to a shortlist is a time-consuming process. During the update, Vice-president Trevor Russ emphasized that developing sustainable and long-term solutions to the Islands’ energy needs is a national priority. On development projects, Mr Russ outlined that there are incoming mining proposals, especially gold mining on Graham Island, and explained that this will likely require CHN’s time and attention in the near future.

Haida Fisheries
The Haida Fisheries Program finalized the sale of the Haida Provider and has purchased the Lasqueti Fisher. To captain the Lasqueti Fisher, CHN has hired Arnie Andersen, a Haida from Old Massett. The vessel is to be renamed.

Policy Updates
The Policy Committee is currently working with the Executive Committee to draft a document that will clarify procedures and criteria for the Haida Citizenship Registry.

Creating a consistent process to review and adopt resolutions at the House of Assembly and developing terms of reference for each CHN committee are among several tasks on the Policy Committee’s agenda this quarter. In previous HoAs, successive chairs directed the resolution process, so it varied from year-to-year, as did the process for moving, debating and adoption of resolutions.

A Language Plan
People were buzzing after President Peter Lantin announced a $300,000 commitment to help revitalize Xaayda Kil/Xaad Kil. While the funds were not easy to muster, they have been officially allocated; the Language and Culture Committee met in the middle of June to begin discussions on the best way to leverage and utilize those funds.

One of the first steps is to explore the option of hiring a full-time, experienced language coordinator. A coordinator will help liaise between existing groups, fundraise, and determine where Xaayda Kil/Xaad Kil is at now and how to move ahead with a nation-based strategy to ensure there will always be fluent speakers and teachers. Haida is the official language of the CHN, and so the coordinator will also work to implement more of the language into the nation’s business.

Reaffirming the Haida Accord
Day two of the Spring Session began with the re-signing of the Haida Accord, which was originally instated in 1998 and signed then by the CHN, hereditary leaders, Skidegate Band Council, and the Old Massett Village Council.

Following the signing, hereditary leaders spoke about their commitment to Haida unity and asserted that they play a key role in maintaining solidarity within the nation. Hereditary leader and Skidegate Band Council, and the Old Massett Village Council.

Hereditary leaders and elected representatives from CHN reaffirmed their commitment to the historic declaration that states signatories will “work cooperatively as a Nation to protect and enhance the well being of Haida Gwaii and our people.”

The accord further requires parties to “uphold the Constitution of the Haida Nation … and work respectfully and cooperatively to resolve internal conflicts and differences in a timely manner,” among several other commitments.

Following the signing, hereditary leaders spoke about their commitment to Haida unity and asserted that they play a key role in maintaining solidarity within the nation. Hereditary leader and Secretariat of the Haida Nation Administrator, Taawga Halaa Leyga, said it was an honour to sign the accord: “I remember when this document was finalized 15 years ago, I was the [Old Massett] Band administrator at the time; Miles Richardson, [who was then the Haida Nation president] facilitated the initial discussions … the accord was a way to bring us back together during a time of real disparity.”

Speaking to the significance of the re-signing, Mr Lantin added, “Today’s signing shows the world that we are united and we stand strong as a nation.”

From reaffirming the Haida Accord commitment to national unity, to discussing the future of law and governance, the reps’ reports and response from citizens continue to inform and guide the future of these Islands. Discussions at this Seasonal Session were high-level, and at the end of the two days, citizens left with a lot to ponder before the next session, which is scheduled for September 12-13 in Old Massett.
Standing up: Kiefer Collison

Already a well-versed leader at age 24, Kiefer Collison is the youngest elected member of the Council of the Haida Nation this term and he’s energetic and ready to make a difference. In this interview, Mr Collison talks about his decision to run for the position and explains the work he’s been doing as an Old Massett representative since the December CHN elections.

“...my role as a leader started back in school at George M Dawson. I was the captain of the soccer team; I was captain of the basketball team; and I was captain of the volleyball team,” explained Kiefer Collison, outlining his experience as a young leader. “When I was 16, I used to stay at the Teen Centre after hours and help the youth workers plan monthly events.”

In 2010, Mr Collison was a successful candidate for the Old Massett Youth Council. He was in the position for about five months before being hired as the youth worker for the Old Massett Haida Health Centre, at which point he resigned as a rep from the Youth Council to take on more of an administrative support role. The Youth Council, Mr Collison describes, is similar in structure to the Council of the Haida Nation, and this introduction to political systems helped give him the confidence he needed to run for the position and explains the work he’s been doing as an Old Massett representative since the December CHN elections.

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With the encouragement and support of his role models and mentors, Mr Collison put his name forward for the CHN’s Old Massett region and was again a successful candidate. “It’s strange – I’m either the oldest person in the room or the youngest,” Mr Collison said about shuffling the positions of youth worker and CHN rep. It is a bit of a juggling act wearing these two hats, but he explains that he is comfortable in both roles and confident with what he has to offer.

When asked what the role of a CHN regional representative is, Mr Collison explains that each rep – there are 12 reps in all – holds a number of committee portfolios. “CHN has so much going on that the workload has to be distributed among the president and vice-president and regional reps,” he explained. “Reps really play a supportive role, sitting on various committees and making sure that everything is moving ahead.”

Mr Collison sits on three committees: Culture and Language, Energy, and Communications, and is also the chair of Haida Child and Family Services. Following the CHN swearing-in ceremony in January, council members met to appoint reps to each committee. “We were all sitting in the same room and went through the committees – everyone put their name forward for whatever committee they wanted to sit on. If there was a lot of interest in one committee,” he pointed out, “the council discussed who would be the best fit.”

Describing his role as the chair of HCFS, Mr Collison said that he oversees the agenda and facilitates discussions; he makes sure motions are put forward to Council, and ensures that the next meeting dates are set. “Basically, the chair makes sure everything goes smoothly… it’s a little intimidating because there are chiefs at the table and I have to make sure everyone stays on topic. It’s not easy telling a chief what to do,” he jokes.

While sitting on the Language and Culture Committee, he would like to see his energy with the youth intertwine with this work on Xaad Kil (Haida language in the northern dialect). Recognizing that taking the first step in learning a language can be daunting, Mr Collison said that he would like to see a beginners’ course for novices who want to learn. “It feels fairly well-versed in the Haida language because of the various language films I’ve worked on, but I’d love to get more involved.”

Mr Collison says that creating films is a great way to learn. “If we can get these kids making videos, they can be learning Xaad Kil and also learning a trade. It would be great to see more of that.”

He says he is waiting for the day the youth come and tell him they want to learn the language, and adds, “If there’s one thing I’ve learned about youth, you can’t tell them what to do, so you have to wait until they want to do it themselves.” But until that day comes, Mr Collison says he will be preparing to be a leader of language revitalization.

Filmmaking is something that Mr Collison has taken an interest in and at which he’s excelled. He was exposed to this medium at the age of 15, and his first collaborative video was a 22-minute anti-narcotic film called Gray Matter, a project spearheaded by the Missing Links Society. There were five youth working on the project and it took six months of sacrifice, sitting in a small room with only three computers to edit the footage. In the end, he says the group’s tireless efforts were well worth it. Years later, with nearly a decade of work experience, he can reflect back and see how influential this work was on his development. He explains that he wasn’t doing well in school at that time, and film provided a creative and hands-on outlet that helped him stay focused. Working with film has also helped to keep him motivated, taught him skills, and great discipline.

Six months into his term, the new CHN rep has had time to learn the inner workings of the nation and its priorities. “The title case is obviously the biggest issue, but fighting Enbridge is another big priority.” Although Mr Collison is involved with this battle at the political level, he is also personally committed to the cause. “I hope it doesn’t come to civil disobedience, but if it does, there’ll be lines set up everywhere – if it does come to that, I know I’ll be there. I will do what my relatives and ancestors have done and stand up for what I believe in.”

www.haidanation.ca

programs: haida laas; directory; links; diplomacy; agreements
Grads of 2013 - Old Massett


Grads of 2013 - Skidegate

We use it every day. We need it – our bodies are about 60% of it. We consume it straight and with mixers. Our food needs it – fruits, vegetables, and grains need plenty of it in order to grow, and livestock require literally tons of it throughout their lives. We use it for cooking and cleaning, and basic hygiene; we enjoy it for travel and recreation; we use it to produce goods; and industries require mass amounts of it. It is essential to ecosystems and economies and the functioning of life on earth.

Considering all of its enjoyable and essential uses in every facet of our lives, many of us don’t pay very much attention to it. When it’s available and plentiful, it can be taken for granted; when it is scarce, people perk up and pay attention. With the turn of a tap, it comes pouring out, basically unregulated and free of charge. What is it? Water, of course – our lifeblood.

Fresh water comes from one of two sources: groundwater or surface water. Groundwater, as the name suggests, is water that’s tucked away below the earth’s surface. People living in rural and remote areas mostly rely on groundwater pumped from wells. But groundwater also provides a significant amount of drinking water across Canada – about 25% of all Canadians’ drinking water comes from underground. Drinking water can also come from a number of surface sources, such as lakes, rivers, or streams. Ground- and surface-water interact and mix through complex water cycles, much like blood mixes throughout a body’s circulatory system.

All life on planet Earth, including plants and animals, share the same limited amount of water. This same water has existed since our blue planet formed, and today, there is huge pressure on that finite supply. The world’s population is over seven billion, up two billion from only 25 years ago, and our human activities are heavily affecting natural water systems, as is global climate change. Industry is using huge amounts of water and polluting vast sources of fresh. Densely populated cities place the highest demand on water, and most often their drinking water is transported from remote and rural areas. In addition to these domestic pressures, there is increasing demand to commodify water and ship it across borders – something Canada is experiencing with its American counterpart to the south.

This year’s United Nations water theme is cooperation: “Promoting water cooperation implies an interdisciplinary approach bringing in cultural, educational and scientific factors, as well as religious, ethical, social, political, legal, institutional and economic dimensions. It is a vehicle for building peace and a foundation for sustainable development.” (The UN Advocacy Guide)

There are countless reasons to pay attention to the sources of our water, and there are just as many reasons to think, and act as proactive and responsible stewards of this vital resource. In the coming issues of Haida Laas we will look at our water sources and systems here on Haida Gwaii and place them in the global context of water and our future. Question: Where does your water come from? * DID YOU KNOW? In Canada if you live in an incorporated town or municipality, your tap water is managed by the local government. On First Nation’s Reserves, water is managed by Health Canada and Aboriginal Affairs and Northern Development Canada (formerly Indian and Northern Affairs Canada).

The water we have is all we’ll ever have. The earth has a fixed supply of water – the water we have now has been on the earth for billions of years. The same water in our rivers and lakes and streams today is recycled across time and space through an intricate natural process of evaporation, transpiration, and precipitation.

**REPORT: HAICO PUBLIC MEETINGS**

**The Board**

By Graham Richard

The activities of HaiCo, the Council of the Haida Nation’s economic development arm, were scrutinized by citizens at two meetings held May 15 and 16, in Hgaguliga and Gwax.

The two public sessions were the first in what will be regular reporting-out by HaiCo to its sole shareholder, the CHN. As sole shareholder, CHN represents all Haida citizens, and it is through this channel that the Haida corporation is accountable to citizens.

Recently two Haida members stepped down from the board. While the circumstances of their departure were cordial, their decision did draw attention to the board’s make-up, and the way those positions were to be filled. This led citizens to ask for clarity of the board’s responsibilities and its relationship with the CHN and citizens.

When a seat on HaiCo’s board is vacant anyone can apply to fill it. A nomination committee of four CHN members, two hereditary chiefs, one Skidegate Band Council member, and one Old Massett Village Council member create a shortlist of nominees from applicants. The board is looking for people who have a professional skill set which complements and enhances HaiCo’s board, as well as an understanding of Haida issues and culture. A good group of HaiCo’s suite of companies and operating procedures is critical.

The board is charged with fulfilling the mission and vision laid out in the CHN’s Letter of Expectations. This eight-page document is available on HaiCo’s web site and outlines the working and political relationship between the CHN and HaiCo. HaiCo’s mission is “to generate a diverse, functioning and sustainable economy on Haida Gwaii for the long term well-being of the Haida people and culture”. Its vision is “a well-governed, diverse and financially successful group of Haida companies that is a model of stewardship, balancing the environmental, social, cultural and economic values upholding the pride of the Haida Nation”. HaiCo is to conduct business with transparency, efficiency, clarity, accountability, fiscal discipline and confidentiality. How these statements are interpreted and play out on the ground is part of the ongoing dynamic discussion between the CHN and HaiCo’s board.

HaiCo’s board meets monthly by teleconference, quarterly in person, and annually on Haida Gwaii. Board members receive a day-rate for each day worked on board business and are reimbursed for board work-related expenses.

HaiCo’s current board includes board chair, University of British Columbia economist Dr Roslyn Kunin; HaiCo CEO, MBA and BSc holder, Kevin Ainsworth; Harvard Certified General Accountant, Paul Wates; renowned artist Skil Kaa’laa, Hlk3um K’sdaam’n Sgaawaa, Kidaajiwse, Reg Davidson; and fourth year Langara College management student Tasha Sarnачuw who is sitting as a youth member. The new members filling the two vacant seats are: Tsaahl hereditary leader, Gaaflayii, Lonnie Young, and Iadu’um Gwaay Gwaan, Dana Bellis, who holds a Masters in Indigenous Studies from the University of Tromsø, Norway.

During last month’s community meetings, HaiCo’s Chief Operations Officer Bob Brash sat alongside the board members to assist with responding to citizens’ questions, suggestions, and concerns.

**NOTE:** The June issue of HaiCo’s quarterly newsletter IINAASSL is now available for download at <hai.co.ca> or follow the links on CHN’s facebook page and web site <haidanation.ca>.
All gassed up - Part 2

In BC the gas industry is booming and hydraulic fracturing, known as ‘fracking’, has become the most commonly used method for extracting unconventional natural gas. This widespread practice is controversial to say the least and community members, politicians, environmentalists, and engineers are examining the growing body of evidence documenting the problems associated with it. What are the implications of fracking operations? What will the impact be on people and communities? And, what will this type of gas extraction do to the environment over the short- and long-term?

What is fracking?
With recent advances in fracking technology, industry can now extract unconventional natural gas found in fine-grained, sedimentary rock formations known as shale. ‘Unconventional gas’ just means that the gas is more difficult and expensive to access than other fuels. Critics such as David Suzuki say that although natural gas may burn cleaner than other fuels, we need strategic land planning to determine what is acceptable. We have to ask, ‘how much can industry take before they start to compromise the integrity of the land?’ Right now, government isn’t asking those questions, instead they’re wondering, ‘how much gas can we drill and how fast can we get to the coast?’

Lana Love, Director of the Lands Department with the Fort Nelson First Nation

Every year we get better at [natural gas extraction]. It gets safer, it gets sounder, it gets more efficient, and it creates thousands and thousands of jobs in our economy…The northeast of British Columbia is home to British Columbia’s economic opportunity of a lifetime. Liquefied natural gas is the industry that will make British Columbia debt-free. Natural gas will create jobs for citizens here in British Columbia, and not just any jobs, high-paying jobs across the province.

Christy Clark, British Columbia Premier

There needs to be some thresholds put in place; we need strategic licensing for the industry, and is granting – Canada’s gas regulator – oversees water disposal of the flowback poses a real concern to communities in the vicinity of fracking operations and is a problem for the industry. Companies have tried dumping it into open fields, offloading it to municipal treatment plants, and containing it in open pits – with the open pit method, some water eventually evaporates leaving a toxic sludge in the pit. Amazingly, British Columbia has exempted fracking from water regulations in Canada. The Oil and Gas Commission – Canada’s gas regulator – oversees water licensing for the industry, and is granting easy access to tonnes of ground- and surface-water.

Fugitive emissions
The environmental impacts of fracking don’t end there: another concern is fugitive emissions – that is, methane emissions leaking out of the ground through the fracking process. Methane, the main component of natural gas, can leach into groundwater and escape into the atmosphere; elevated levels of methane have been recorded in water sources near fracking operations, leaving residents with water that will literally light on fire.

While politicians and industry tout gas as a ‘cleaner’ fuel than oil or coal, critics point their fingers at methane, and scientists caution that the greenhouse-gas-footprint of methane may, in fact, be significantly higher than that of other gases released into the atmosphere. Methane, in fact, has a much higher global warming potential than carbon dioxide. According to scientists, ‘fracking’ has huge potential for leaks.

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Fracking from page 15

The Fort Nelson experience

The Fort Nelson area is targeted for heavy natural gas development. A majority of workers in the region are non-residents – workers fly in and out – and this trend, in addition to the environmental degradation, has community members questioning the viability and benefits of fracking.

The Fort Nelson First Nation is already witnessing impacts from fracking. To explain what the industry is doing in her community, Lana Lowe, Director of the Lands Department with the Fort Nelson First Nation, expertly rattles off numbers: twelve billion litres of waste flowback have been injected back into the earth for disposal; some 90,000 kilometres of land have been cleared for wellhead operations and oil pads; over 11,000 kilometres of land were cleared for new roads by 2011; three new gas plants have been built in the past four years; and thousands upon thousands of trucks are hauling fracking materials in and out of the community of over 4000 people.

The provincial government is responsible for regulating the industry, and grants permits, one at a time, for each aspect of the gas extraction process. With the growth of the industry being permitted in this way, Ms Lowe argues that the cumulative impacts of thousands of fracking operations are not taken into account. Neglecting to consider these combined impacts could lead to serious environmental and social consequences, she said.

“We’re not against fracking or shale gas, but we’re concerned about the lack of planning and lack of management.

There is a balance that can be hit between economics and protecting the land and culture. Responsible development is about keeping it at home,” Ms Lowe said. "Gas companies are eager to get this product to markets in Asia, where it’s selling at a higher price – it’s a money decision for them – that’s how they make decisions. It’s up to us and government to pull in the reins and say it’s not just about the money."

A symbol of resistance

Embroidge pipeline protesters from Haida Gwaii helped build a pit-house and plant a garden directly in the path of the proposed pipeline. Local volunteers Moe Lukensberg, Jay Afbreken, and Jessica Madrid spent time this past May at Unist’ot’en Camp, a resistance community situated 70 kilometres south-west of Houston BC. The camp is on the bank of Wet’suwet’en River where it meets Gossen Creek before flowing into the Babine, Bulkley, and Skeena rivers. Unist’ot’en, Big Frog Clan is one of the Wet’su’weten nation’s five clans and the Unist’ot’en Camp’sfacebook page declares that Unist’ot’en clan members and supporters will protect sovereign Wet’su’weten territory from pipelines proposed to traverse their territory. The pipelines would carry bitumen from the Alberta tar sands and shale gas from hydraulic fracturing projects in the Peace River region. Thefacebook posting explicitly states opposition to tar sands, fracking, shale oil, refineries, pipelines, fuel terminals, and port expansions.

The camp has up to 30 volunteers in residence throughout the year, with skill sets that include everything from web-design to permaculture. Most recently, grade five and six students learned how to plant seeds in the camp’s garden. The Unist’ot’en Camp also hosts a popular annual action-camp to teach safety skills and strategies to protect the land. Last year two hundred people, including visitors from places like the Netherlands, Chicago, and Alberta attended the action-camp. First Nation attendance included people from Bella Coola, Denver, Winnipeg, and Fort McMurray, and, this year, camp residents are extending an invitation to the fourth action-camp which they will hold July 10 – 14. Situated at a river crossing, the camp oversees access to the backcountry. In May RCMP special services and conservation officers arrived at the crossing to check for drinking and hunting and were turned back when they could not answer the question: How will your visit benefit Unist’ot’en people? Canfor, a Jimmy Pattison lumber company with 4,690 employees, ‘owns’ the only road leading into the Unist’ot’en territory. Canfor had their access blocked pending talks to ensure the longevity of berry patches and fishing areas in the Unist’ot’en territory. Camp residents include spokesperson Freda Huson, a member of Unist’ot’en clan, her partner, Toghestiy, and his daughter. They live in a cabin on the north side of the Wet’suwet’en Kwa river.

In that area a new pit-house is under construction. Similar to a Haida house, Wet’su’wet’en pit-houses center around elevating tiers of earth. Roofs made from partially scorched timbers, branches, and soil shelter the families. Household members access the interior through a ventilation- and smoke-hole in the roof and then down a ladder. These dwellings are cool in summer and warm in winter. Many people are needed to dig the pit and raise house posts. Ms Huson and Toghestiy would like to have more pit-houses built and encourage people to occupy the land “before it is completely destroyed”.

The cabin and pit-house have been built directly in the path of the proposed pipeline. If the pipeline plans are modified to avoid those structures and camps, the buildings will still be a rallying point for people opposed to the pipeline. Beyond this practical purpose, the pit-house is also symbolically and culturally inspiring.

Wet’su’wet’en people traditionally used the territory from Burns Lake to Kitimat. This territory accounts for a large portion of the proposed pipeline route; it would be impossible to route the pipeline around the whole territory.

So far, there has been no response from pipeline companies regarding the camp; the companies are focusing their efforts more on the Band Office. Conflict over how to deal with oil and pipeline companies has grown between the camp and the Band, which claims certain administrative authorities that Ms Huson says the Unist’ot’en clan does not recognize. Instead, hereditary leaders hold authority to deny or allow access to territory. All Wet’su’wet’en hereditary leaders have officially opposed all pipelines, Ms Huson said, through the Wet’su’wet’en mining and cultural system.

HOW TO FRACK

1. Well is drilled, sometimes to a depth of a kilometre or more.
2. A mixture of water and chemicals are pumped into the well at high pressure.
3. The pressure cracks the shale.
4. The water and chemicals are then pumped out of the well.
5. Gas is released from the cracked shale and captured at the wellhead.

Unist’ot’en Camp

The three proposed pipelines will terminate in Kitimat

Northern Gateway

Pacific Trails

NatGas Gaslink
Concluding 18 months of Enbridge Joint Review Panel hearings, final oral arguments were presented by the Council of the Haida Nation in Terrace, June 18th.

Following is an excerpt from the statement made by Peter Lantin, President of the Haida Nation also in attendance were Gaaglaay; Sgaan 7iwaans; Terri-Lynn Williams-Davidson, Legal Counsel for Council of the Haida Nation; and Gwaii.

Responsibilities of the Haida Nation

Northern Gateway purports to have heard and responded to some of the concerns expressed by Aboriginal Nations. Yet, Northern Gateway does not appear to understand the responsibilities that flow from being “inextricably linked with the natural environment”.

Let me briefly explain what I mean. The Haida Nation has an ancient culture, borne from one of the richest land and marine areas on the planet. Because of this origin and because of our long-standing relationship with Haida Gwaii, we inherit responsibilities to take care of the land, the surrounding waters and the people who call it home. The Panel heard eloquent submissions from Haida elders Margaret Eagles and Diane Brown and others about the inseparable connections between our culture and Haida Gwaii, and stewardship responsibilities. This is a lesson that my Nonnie (grandmother), Ethel Jones demonstrated when she inspired people from all over the world during the stand at Lyell Island, to take care of, and protect Haida Gwaii, for future generations of all peoples.

This connection is recognized by our neighbours in Haida Gwaii, as represented by Mayor Meriles of New Massett and Mayor Kulesha of Queen Charlotte Village:

“There is a very clear linkage between our natural environment, our ecosystem and the Haida Nation, the Haida, particularly the oceans.”

“The Village of Queen Charlotte respects the hereditary responsibilities and the relationships of the Haida people to Haida Gwaii and we recognize the co-existence of Crown and Aboriginal title.”

Yet, Northern Gateway’s response to Haida oral submissions does not incorporate this same appreciation of Haida hereditary responsibilities into the assessment of whether the project proceeds or not, but instead responds and proposes to address these concerns with oil spill response plans and offering economic benefits.

The elders have been clear that our responsibilities are greater because we have not ceded or surrendered our Aboriginal Title and Rights, and because our Title and Rights are at continued risk of infringement. We have taken every step and have not shied away from conflict to fulfill this responsibility. We have also been to Canada’s highest court to confirm that we have a strong case of Aboriginal Title.

We have also shown that we are more than willing to work hand-in-hand with the Crown to begin reconciling our interests, and to tackle the larger, strategic level decisions to avoid conflict at the operational level. As reconciliation proceeds, our strong case cannot be ignored.

Northern Gateway has advised the Panel to view “with some degree of caution” “assertions of an Aboriginal right to make land or marine use decisions”. Further, Northern Gateway has argued that lands – and by implication marine waters – subject to Aboriginal title can be used for development and that Aboriginal nations do not have “an unfettered right to decide land use”.

In response, we say that we have approached the right to choose how Aboriginal Title lands and waters are used through reconciliation; by building alliances and negotiating shared decision-making with the Crown. It is in the mutual interests of the Crown and the Haida Nation to pursue reconciliation rather than conflict.

We laid the groundwork for reconciliation by fostering relationships with the local communities of Haida Gwaii through the formation of the Gwaii Trust, and later formalizing our cooperative relationships through protocol agreements with the local municipalities, as described by Mayor Kulesha of the Village of Queen Charlotte.

“... The protocol agreement sets out the basis for all of us to work together in a spirit of respectful cooperation, to design a future that supports a healthy environment and a sustainable islands’ economy.”

We further say that Northern Gateway fails to realize the importance of and implementation of strategic level consultation and accommodation through co-management agreements before proof of Aboriginal Title.

We have successfully [challenged] the inadequacy of consultation at the operational level. We established that consultation requires involvement in decision-making at the strategic level to ensure that development does not unjustifiably infringe Aboriginal Title nor jeopardize the inherent limit of Aboriginal title. Northern Gateway’s model of consultation and engagement is consultation at the operational level – too little, too late to protect Aboriginal title and interests from adverse impacts.

To conclude this point, we have made great progress in implementing reconciliation. We have established co-management arrangements with both the Province of British Columbia and Canada. We have jointly negotiated processes for management and stewardship of the lands and marine areas, and developed strategies to move towards and develop a more sustainable island economy. The proposed project throws a wrench into these initiatives and jeopardizes not only the people of Haida Gwaii, but reconciliation in this country as a whole.

... Northern Gateway’s interaction with our people was superficial and nominal with an inability to hear and appreciate that our values, land, waters, culture and future sustainability are at stake. If a spill occurs in the open waters surrounding Haida Gwaii, any oil response plan – even an innovative one – will be ineffective at cleaning up or preventing oil from reaching the coastline. The impacts could be permanent, and long-lasting beyond our lifetimes.

Contrary to what Northern Gateway would have this Panel believe, our people are neither naive nor ill-informed. We have fully assessed Northern Gateway’s application, working with our elders, our traditional knowledge holders, our political and hereditary leaders, our technical staff and our legal advisors to assess the environmental, cultural, social and economic impact of the proposed project.

After expending significant time and resources to review and test the application, compile and submit our evidence, and make oral history submissions and legal argument, we have concluded that the Application is grossly inadequate and incomplete. After expending significant time and resources to review and test the application, compile and submit our evidence, and make oral history submissions and legal argument, we have concluded that the Application is grossly inadequate and incomplete.

Northern Gateway has manifestly failed on all counts.

I must say that we are entitled to the whole island.” Alfred Adams, 1913

Peter Lantin
President of the Haida Nation
Beau Dick disgraced the federal and provincial crown in a dramatic and powerful copper-cutting ceremony held Sunday, February 10th in Micdolly, also known as Victoria. This ancient ceremony was conducted to bring shame against Canada for many reasons, but primarily for its mismanagement of fisheries and specifically the introduction and proliferation of salmon-farming in coastal waters.

Beau Dick is a hereditary chief, community leader, and well-known Kwakwaka'wakw carver from Alert Bay, and has family roots in Haida Gwaii. He has worked with Bill Reid and Robert Davidson, had his work included in Expo ’86, where he danced in ceremonies, and is today featured in the University of British Columbia Museum of Anthropology collection. Many will recall that in 2009 he held a potlatch to honour those Haida who died of smallpox in the 1860s at Bones Bay in Kwakwaka'wakw territory. The potlatch was widely attended and recognized by innumerable witnesses – including many Haida.

Beau Dick’s primary purpose in breaking the copper was to create awareness and “connect the dots between our people so that we can come together,” he explained. “It is important for us all to speak with the same voice so that the [crown] will hear.” The copper-breaking also added his voice to the worldwide Idle No More movement.

In the spirit of working together he sent a word-of-mouth invitation to all First Nations and supporters of Idle No More living on Vancouver Island, the lower mainland, and the Sunshine Coast to join him in walking from Campbell River to the legislature in Victoria. He asserted that what the government is doing to the land and resources is not right.

Immediately following the cutting of the copper and casting a piece of it up onto the legislature’s main staircase, a speech in Kwak’wala was given to the crowd gathered on the lawn. The speech itemized offences of the government against all First Nations, and it was stated that if the government wished to repair their relationship with First Nations it is up to the government to fix the copper. Film footage of the event, posted to YouTube, reveals the passion and vigour, as well as the deep hurt, with which the act was carried out. Observers can be heard gasping, shouting, and weeping.

- Video of copper-breaking: search < Beau Dick + copper breaking >
- A description of the copper-breaking is detailed on the Umista Cultural Society web-site: umista.ca/
- For more photos by Geoffrey McNamara go to: smackphotography.com/