

MEMORANDUM OF UNDERSTANDING BETWEEN LIVING LAKES CANADA AND ʔAKISQNUK



Purpose

The purpose of this Memorandum of Understanding (MOU) between Living Lakes Canada, and ʔakisqnuq is to document the relationship between these organizations specific to water based interests and experiences, and the expectations each hold within said relationship. This MOU will allow, when and where appropriate, a process to combine our efforts for water focused projects that are community based, participatory and culturally congruent and have the approval of Chief and Council and the ʔakisqnuq Natural Resources Department. This MOU between ʔakisqnuq and Living Lakes Canada is a step towards a more collaborative approach to source water protection. It would enable a process to recover an approach to combine efficiencies and resources in joint water stewardship efforts that enhance or maintain watershed and ecosystem health, which help us all build more climate resilient communities. This MOU is necessary to support Project Charters and Agreements for projects currently underway and those in the planning phase.

The Parties

Living Lakes Canada (LLC) is a national network focussed upon the protection, restoration and rehabilitation of the health of lakes, wetlands, rivers, other water bodies, and watersheds across the country. LLC is a Columbia Basin based non-profit charitable organization whose mandate is to empower communities by normalizing community water stewardship to ensure source water and watershed protection, environmental flows for fish and wetland and climate resiliency for communities and ecosystems.

ʔakisqnuq is a First Nations Band, as defined within the Indian Act. It is a member band of the Ktunaxa Nation Council.

The reserve community of ʔakisqnuq, is located within its reserve lands and rests alongside the Columbia River and Lake Windermere.

The ʔakisqnuq administration is governed by 4 council members and 1 chief councillor according to custom election process, representing its lands and waterscapes and its membership.

ʔakisqnuq is guided by the Ktunaxa Vision Statement: "Strong, healthy citizens and communities, speaking our languages and celebrating who we are and our history in our

ancestral homelands, working together, managing our lands and resources, within a self-sufficient, self-governing Nation.

Timeline

This MOU is in effective from signing, for 5 years with annual review.

Responsibilities

Living Lakes Canada (LLC) hosts a number of major projects currently underway within the Columbia Basin, some of which are national in scope—meaning the project is not Columbia Basin specific but a result of a partnership LLC is involved in through its national network.

Current projects include:

- Brilliant Headpond Stewardship Collaborative for Fish Habitat and Community Use;
 - Kootenay Lake Partnership;
 - Upper Columbia Basin Groundwater Monitoring Program;
 - Upper Columbia Basin Water Monitoring Framework and Open Source Data Hub;
 - 2018 BC Lake Monitoring Program;
 - Canadian Aquatic Biomonitoring Network (CABIN) to assess stream health, including by Indigenous Peoples, informed by Indigenous Peoples Knowledges;
 - and the eDNA program.
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- Living Lakes Canada requests direction and partnership from ʔakisq̓nuk band administration with regard to identifying potential priority streams that flow into the ʔakisq̓nuk reserve lands and waterways, therefore are of direct interest to ʔakisq̓nuk for restoration activities that LLC may be able to address in its stewardship work.
 - Living Lakes Canada will include a budget for Band level involvement within each project application. The intention is to support the time and effort required for ʔakisq̓nuk participation and involvement in projects that support their identified needs as well as the projects overall goal.
 - Living Lakes Canada is looking for partnerships with collaboration on Sensitive Habitat Inventory Map (SHIM) and Foreshore Inventory Mapping (FIM), including archaeological and cultural values to be implemented on other lakes within the Kootenays.
 - LLC is seeking collaboration and would like to build new partnerships to expand the Upper Columbia Basin Groundwater Monitoring Program while simultaneously studying groundwater/surface water interactions, and ensure data collected is shared publicly and efficiently, and can effectively inform decision making.
 - Living Lakes Canada request direction and partnership from ʔakisq̓nuk including involvement the Water Data Hub and Framework with representation in the Steering Committee meetings to help identify ʔakisq̓nuk priority water monitoring needs

- Living Lakes Canada request direction and partnership from ʔakisq̓nuk regarding priorities for future lake monitoring within the Ktunaxa traditional territory as it directly flows to/through ʔakisq̓nuk including the establishment of collaborative monitoring programs.
- Living Lakes Canada request direction and partnership from ʔakisq̓nuk regarding CABIN training and or fish habitat restoration trainings on traditional territory including the building of collaborative monitoring and restoration programs.

ʔakisq̓nuk will:

- Determine goals and objectives as they relate to water, through our community based participatory planning processes
- Engage LLC and other partners in Youth Engagement regarding water monitoring and capacity development for water based initiatives currently in process and those in planning phases
- Develop a stronger understanding of both our ground and surface water, inclusive of mapping, health, conservation, stewardship, threats, capacity, rights, impacts, legislation, and licences/wells
- Self govern our on-reserve water for the use and benefit of all living things--*ʔáxam̓is q̓api q̓apsin*
- Advocate for greater water stewardship within Ktunaxa *ʔamakʔis*
- Initiate only water projects that align with ʔakisq̓nuk Land Use and Comprehensive Community Plan, vision, values, goals and objectives
- Seek the latest science/technologies as they relate to water works and monitoring
- Establish relationships with the broader municipalities that share our watersheds, share data, to better understand upstream impacts/influences
- Determine our rights and responsibilities as they relate to water management and conservation.

All with the intention of ensuring that ʔakisq̓nuk has a list of priority projects developed with timelines from which to address the alignment of LLC and partner based projects that have direct and indirect positive impacts upon ʔakisq̓nuk emerging strategic priorities (through processes as detailed above) can be anticipated and thus implemented into annual planning, ensuring focus and commitment in a manageable and actionable manner.

Disclaimers

ʔakisq̓nuk has preference to host and hire Ktunaxa consultants and advisors to support this MOU.

Financial Arrangements

ʔakisq̓nuk will host and disperse funds acquired by LLC for Indigenous programming and grants. ʔakisq̓nuk will charge 12% administration fee on any successful grants. ʔakisq̓nuk is also a registered not for profit. ʔakisq̓nuk participates in the First Nations GST program.

Termination

Either party may terminate this MOU at any time, with or without cause and without incurring any liability or obligation to the terminated party, by giving the other party at least 30 days prior written notice of termination.

Signatures

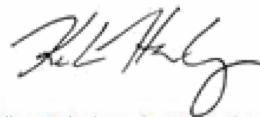


For ?akisq̄nuk

Full Legal Name: Alfred Joseph

Title: Chief

Date: October 2, 2019



For Living Lakes Canada

Full Legal Name: Kat Hartwig

Title: Executive Director - Living Lakes Canada

Date: October 28, 2019