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# MEMORANDUM OF UNDERSTANDING

## BETWEEN

### LIVING LAKES CANADA AND ʔAQʔAM



#### Purpose

The purpose of this Memorandum of Understanding (MOU) between Living Lakes Canada, and ʔaqʔam 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, culturally and strategically congruent and have the approval of Chief and Council. This MOU between ʔaqʔam and Living Lakes Canada is a step towards a more collaborative approach to source water protection. It would enable a process 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.

*ʔaqʔam* is a First Nations Band, as defined within the Indian Act. It is a member band of the Ktunaxa Nation Council. The community of ʔaqʔam, is located within its reserve lands and rests alongside the St. Mary's River as it approaches the Kootenay River, with the Rocky Mountains to the east and the Purcell Mountains to the west. It has a land base of 18,420 acres or 7,461 hectares in total. The ʔaqʔam administration is governed by 4 council members and 1 chief councillor according to custom election process, representing its lands and waterscapes and its membership. ʔaqʔam is guided by its vision statement: *A vibrant, healthy community, speaking our language, governing effectively, and maximizing our lands and resources for the benefit of all living things and future generations, in a manner consistent with qanikitʔi—our values and principles.* As such ʔaqʔam operates a diverse range of programs and services, including the ʔaqʔamnik Elementary school, ʔaqʔamnik Daycare, ʔaqʔamnik After School and Summer Programs, Community Education Services, Community Health, Lands/Natural Resources and Housing and Administrative services in addition to a Culture and Language program. It has completed a Comprehensive Community Plan--ka knitwi•tiyała —Our Thinking which is



reviewed and revised on a 5 years cycle. Water has been identified as a core to its model with “next steps specific to addressing our water needs and concerns, as well as reinvigorating our relationship to our waterway”. ka knitwitiyała is carried out by staff, informing workplans and is championed by ki?tik ka•kin who are band and community members.

## **Timeline**

This MOU is effective from signing, for 5 years with annual review on and about the date this MOU is signed. It is reviewed by designates of the signatories.

## **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 Collaborative and Open Source Data Hub;
  - 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 monitoring program;
  - SHIM – Sensitive Habitat Inventory Mapping for lakes in the Columbia Basin;
  - Columbia Wetland Stewardship Partnership –member- tributary monitoring.
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- Living Lakes Canada requests direction and partnership from ?aqam band administration with regard to identifying potential priority streams that flow into the ?aqam reserve lands and waterways, therefore are of direct interest to ?aqam 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 ?aqam 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 as many communities move from surface water sources to ground water.

- Living Lakes Canada request direction and partnership from ʔaąam including involvement on the Columbia Basin Water Monitoring Collaborative and open source data hub with representation on the Steering Committee meetings to help identify ʔaąam priority water monitoring needs.
- Living Lakes Canada request direction and partnership from ʔaąam regarding priorities for future lake and stream monitoring within the Ktunaxa traditional territory as it directly flows to/through ʔaąam including the establishment of collaborative monitoring programs.
- Living Lakes Canada request direction and partnership from ʔaąam regarding CABIN training and or fish habitat restoration trainings on traditional territory including the building of collaborative monitoring and restoration programs.
- Living Lakes Canada will provide quarterly reports on all and any projects collaboratively undertaken, either in briefing, or in person as requested by leadership.

ʔaąam will:

- Determine our goals and objectives as they relate to water, through our Community Strategic Planning processes.
- Engage LLC and other partners to advance our progress towards potable water for all of community.
- 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.
- Advocate for greater water stewardship within Ktunaxa amakis.
- Initiate only water projects that align with our Community Strategic Plan vision, values, goals and objectives.
- Seek the latest science/technologies as they relate to floodplain mitigation and in-stream works.
- 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 ʔaąam 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 ʔaąam strategic priorities (as detailed above) can be



anticipated and thus implemented into annual planning, ensuring focus and commitment in a manageable and actionable manner.

### Disclaimers

?aqam has the right to host and hire preferred consultants and advisors to support this MOU.

### Financial Arrangements

?aqam will host and disperse funds acquired by LLC for Indigenous programming and grants.

?aqam will charge 12% administration fee on any successful grants they host.

?aqam is also a registered municipality.

?aqam participates in the First Nations GST program.

### Risk Sharing

Any data and/or reports that are collected and/or produced as part of joint ?aqam/LLC projects or programs will be submitted to chief and council for review prior to sharing with any 3rd party.

?aqam will provide a written permission through a resolution or direction to their staff regarding sharing data and or reports with third parties or publicly.

### Signatures



For ?aqam  
Full Legal Name: Joe Pierre  
Title: Nasu?kin (Chief)  
Date: Jan. 24, 2020



For Living Lakes Canada  
Full Legal Name: Kat Hartwig  
Title: Executive Director  
Date: Dec 3, 2019

