



FAX COVER

FROM:

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ATTENTION : First Nations Leaders

Message :

We are keeping First Nations leaders informed of our efforts to encourage the federal government to bring the First Nation Framework for Safe Drinking Water to be a reality sooner rather than later.

SDWF open letter regarding the First Nations drinking water regulatory framework

The Safe Drinking Water Foundation (SDWF) is calling on the Federal Government, Indian and Northern Affairs Canada (INAC) and the Honourable Minister of INAC, Chuck Strahl, to ensure that the now long overdue regulatory framework on First Nations Drinking Water is released in a timely manner. Furthermore, SDWF is calling on INAC to ensure that the regulatory framework contains a First Nations Drinking Water Commission, a First Nations Drinking Water Tribunal, and drinking water standards that meet or exceed the Canadian Drinking Water Guidelines.

For nearly a decade, the Safe Drinking Water Foundation (SDWF) received and investigated several reports of First Nations Communities exposed to drinking water below current Canadian guidelines. The Canadian Government was informed by SDWF on an ongoing basis regarding these situations as well as the health risks involved to exposed communities. The concerns of SDWF have been further confirmed by various reports, including those released by the Auditor General, the Expert Panel on First Nations Drinking Water, and the Standing Senate Committee on Aboriginal Peoples. Other non-governmental organizations, First Nations communities, the media, and individual Canadian citizens have also communicated their distress and anxiety about water quality. There is serious concern that the recommendations and concerns of these various groups will not be addressed in the upcoming regulatory framework on First Nations drinking water. The release of this framework has been delayed for too long, and we are calling on the Honourable Minister of INAC, Chuck Stahl, to ensure its timely release. Furthermore, we are calling on MPs of all parties to ensure that this document is released in a timely manner.

The objectives, goals, and policies contained in the Regulatory Framework must address the concerns mentioned above, and it must be developed in consultation with First Nations communities. We stress the urgency of delivering this framework as **every day without responsible management and regulation of First Nations drinking water is one day closer to another Kashechewan.**

With the expectation that this regulatory framework will be released shortly, SDWF has taken this opportunity to reflect on its own experiences, the presentations to and the conclusions of the Expert Panel, various additional Government reports, peer-reviewed scientific publications, media reports, and consultations with the Federal Government and the Assembly of First Nations (AFN). SDWF strongly supports the Expert Panel recommendations for a First Nations Water Commission and Tribunal, and drinking water standards. SDWF has long advocated the need for a more transparent, accountable, and responsible decision making process, that is backed by national drinking water standards.

There are key elements from the Expert Panel recommendations that must be included in the regulatory framework to ensure safe drinking water in First Nations communities including:

- 1) That the obligation to consult with First Nations is honoured by the Federal Government during the development of the regulatory framework
- 2) That a regulatory body, such as the First Nations Water Commission is established to make certain that:

- a. Indian and Northern Affairs Canada provides adequate funding to construct and operate water treatment plants that consistently meet the Canadian Drinking Water Guidelines
 - b. The Commission is responsible for licensing water and wastewater facilities, inspection, investigation, enforcement and policy advice
 - c. The Commission has the power to investigate complaints arising from the conduct of any of the partners thus providing complete accountability
 - d. Aboriginal customary laws are incorporated into the management of drinking water and source water
 - e. The Commission and legislation be developed in a manner that moves toward increased First Nations self-government
- 3) That a First Nations Water Tribunal be created to oversee approvals, orders, and unresolved complaints from First Nations members and the federal government
 - 4) That drinking water standards for First Nations Communities are established and enforced that are equal to, or more stringent than the Canadian Drinking Water Guidelines

Furthermore, an effective regulatory framework must also:

- 1) Recognize that the provision of safe drinking water is an essential element of public health and primary health care
- 2) Implement a sustainable and targeted safe drinking water surveillance system to monitor water bacterial and mineral quality on an on-going basis
- 3) Implement an effective and efficient response plan when drinking water quality standards are not met
- 4) Implement a targeted reporting system to inform the regional medical officer of health, the environmental health officers, and other key partners as indicated
- 5) Sustain programs to ensure safe drinking water for all individuals who do not have access to a central treatment system

Prime Minister, the SDWF is encouraging First Nations communities, particularly the Chiefs and Councils, to carefully consider any policy options presented by the Honourable Minister Chuck Strahl, and to settle for nothing less than a regulatory framework that will ensure safe drinking water for First Nations Communities. It is the hope of SDWF that the refusal of the Government to back neither the Kelowna Accord or the United Nations Declaration on the Rights of Indigenous Peoples, and the Government's refusal to have aboriginal leaders involved in the First Ministers Meeting, are not indicative of the manner in which the Government will address water quality issues in First Nations Communities. It is our hope that the recommendations of the Auditor General, the Expert Panel on First Nations Drinking Water, the Standing Senate Committee on Aboriginal Peoples, and the concerns of the Assembly of First Nations, First

Nations Communities, and various non-government organizations, including the SDWF, will be recognized and addressed in the upcoming Report.

Prime Minister, it is a rare situation when Government reports publicly acknowledge that the drinking water problems facing First Nations are very real and entirely unacceptable in a country as wealthy and socially accountable as Canada. This same acknowledgment, however, provides a clear opportunity for the Government, organizations such as SDWF, First Nations communities, and other concerned Canadians to be well informed and to work together to create a regulatory framework that ensures safe drinking water, and respects the unique status of First Nations communities within Canada.

Yours faithfully,

The Safe Drinking Water Foundation

cc. All MPs; All MLAs; All Senators; All FN Community leaders; AFN and all provincial FN organizations

Safe Drinking Water Foundation Water Quality Survey
Fax completed survey to 306-934-5289

Please circle "Yes" or "No" to answer the following questions:

Do you feel your drinking water is safe? Yes No

Do you feel the quality of your drinking water has improved since 2003? Yes No

This article claims that \$1.6 billion has been "pumped" into FN water projects since 2003. Have you seen any of these dollars in your community? Yes No

Here at SDWF we have witnessed severe cut backs of water projects by INAC since the Harper government took office. Have you received cut backs of water projects in your community? Yes No

We believe INAC is totally responsible for drinking water quality on reserves in Canada. Yes No

We believe Chief and Council are totally responsible for drinking water quality on reserves in Canada. Yes No

We believe the province's guidelines for drinking water apply to FN communities in Canada. Yes No

Does your community get its drinking water from a ground or a surface source? _____

We would like a member of the Advanced Aboriginal Water Treatment Team from SDWF to contact us and discuss our drinking water challenges with us,

Please call: Name: _____ Phone: _____

Community: _____

We would like to help SDWF operate more cost effectively and receive electronic updates and information from SDWF via email, please send to Email address: _____

Ēkosi Pitamā,



Hans B... Louis Delor Thomas Missens
M. H. H. M... Robert Pratt

For further information you may contact SDWF Aboriginal Advanced Water Treatment Team members directly:

Tony Steinhauer, Water Keeper, Saddle Lake Cree Nation, AB, 780-614-0916

Bob Pratt, Water Keeper, Gordons First Nation, SK 306-835-2136