

# 2016 COMMUNITY EXCELLENCE AWARDS APPLICATION PARTNERSHIPS

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*Filled Friday, June 17, 2016*

## **Name of Local Government**

Regional District of Okanagan-Similkameen

## **Project/Program Manager Name**

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**The Mayor/Chair is aware that I am submitting this application on behalf of my local government.**

Yes

**Project/Program Title:**

South Okanagan Similkameen Protocol Agreement

**Project Summary Paragraph**

*Please provide a summary of your project/program in 150 words or less.*

The South Okanagan Similkameen Protocol Agreement was signed on June 21, 2013 by Penticton Indian Band (PIB), Osoyoos Indian Band (OIB), Lower Similkameen Indian Band (LSIB) and the Regional District of Okanagan-Similkameen (RDOS). The agreement outlines that the Parties will celebrate their cultural differences, while recognizing that they have overlapping and mutual interests and that their decisions may impact one another. The Parties acknowledge their mutual interest and responsibility to ensure the proper stewardship of the ecosystems in the region, for future generations. The agreement encourages a positive Government to Government relationship to identify, consult and address common concerns and mutual interests, and such other issues of importance which may arise.

**Project Analysis**

**1. OBJECTIVE**

*Please explain the decision-making and thought process behind your decision to take on this initiative.*

In March 2013 the RDOS hosted a Community to Community Forum with the PIB, OIB and LSIB. The objective of the day was to begin to work towards creating a trusting and unified environment in which to establish common ground on future goals and priorities at the regional scale. As the day began, it quickly became clear that the First Nations Parties wanted to discuss the importance of signing a Protocol Agreement with the RDOS which would lay out the foundation for a mutual respectful working relationship, and to recognize and respect each other's governance.

The RDOS had negotiated the Protocol Agreement with its First Nations neighbours in 2006, however it was never ratified. At that time, there were members of the RDOS Board who did not support the signing of the agreement. When the RDOS decided at the last minute not to sign the agreement in 2006, trust and relationships between the Parties were significantly damaged.

Reigniting discussions about the protocol agreement became the focus of the 2013 Community to Community forum, which resulted in the Chair of the RDOS Board committing to discuss a resolution of the outstanding agreement with the First Nation neighbours within 60 days.

At the April 4, 2013 RDOS Board meeting the Board resolved to proceed with entering into the Protocol Agreement with the Parties. On June 21, 2013, National Aboriginal Day, the South Okanagan Similkameen Protocol Agreement was signed.

## **2. CHALLENGES**

***Please provide examples of challenges you faced in taking on this program/project and how you overcame them.***

The 2005-2008 RDOS Board prioritized establishing a better relationship with local First Nations. Following two Community to Community (C2C) Forums in 2006/2007 a Protocol was created, and endorsed; however, the signing never occurred. Several municipalities within the RDOS received legal advice concerning wording in the Agreement and would not sign until the issue of wording was resolved. The signing of the agreement went ahead without the RDOS, creating resentment and mistrust by the Bands. By 2008 the Board reached consensus that the Protocol would be beneficial. A request for an amendment to remove reference to Aboriginal Rights and Titles was received and an amended protocol was presented to the Bands, which was declined. The RDOS Board maintained their position regarding the wording. The Parties continued to work together, with a somewhat tenuous relationship.

At the 2013 C2C meeting, the Bands were adamant that a Protocol Agreement was key if trust and relationships were to be strengthened. The day's agenda was 'thrown out the window' and the impromptu discussion set the Parties on a path towards creating true and honest relationships.

The contentious clause in the Agreement generally stated that the Bands have distinctive constitutional rights, including Aboriginal title and rights that flow from prior and organized occupation of their territory, and that give rise to corresponding constitutional obligations on the Crown, including upholding the honour of the Crown through reconciliation, accommodation and consultation.

To address that concern, the Parties agreed to provide a non-derogation clause in the Agreement.

### **3. BENEFITS**

***Please provide examples of how this program/project benefited the community.***

The South Okanagan Similkameen Protocol Agreement is an important step forward for the region in truly establishing an ongoing working relationship founded on the basis of mutual respect and understanding. The Agreement formalizes the commitment to continue Government to Government cooperation and confirms the Parties' profound desire to continue to live and work together harmoniously.

A Joint Council, which includes the Band Chiefs, the RDOS Chair, Vice-Chair and a third RDOS Director member, was formalized. The Joint Council meets twice per year. At the same time, a Steering Committee, which includes senior staff from the Bands and the RDOS, was also formalized. The committee is an ongoing working group which meets every second month to discuss topics of common interest and makes recommendation to the Joint Council.

Through these meetings trust between the Parties has been strengthened, and communications have been increased greatly. The motto of these groups has evolved to "working together is better". The Parties have participated in Community to Community forums discussing topics of "Enowkinwixw" (trust building), "Land Matters", and most recently "Tourism".

### **4. INNOVATION**

***Tell us why you consider this project/program to be an innovative and/or creative initiative.***

Considering the difficulties and years it took to achieve a signed Protocol Agreement, the strides forward since the signing have been significant. Cooperatively the Joint Council and Steering Committee have collaborated on issues like, Free Roaming Horses, Zebra and Quagga Mussels, Land Use Referrals, Regional Heritage Strategic Plan, Emergency Services, Regional Transit, Increasing FortisBC rates, and the local Regional Airport.

The groups celebrate the anniversary of the Protocol Agreement signing each June. The first anniversary was celebrated at the 38th annual Elders Gathering in Penticton, and the second anniversary was honoured at the 2015 Annual General Assembly in Penticton. Plans for the third anniversary event are currently underway.

Stemming from discussion at the Joint Council and Steering Committee a Referrals Working Group has been formed including membership from all of the Parties. The intent of the group is to assist with identifying and communicating about issues regarding land use planning referral processes.

Currently the groups are working together towards cultural endeavours which will benefit all of the communities.

## **5. GOALS**

***What did you set out to accomplish with the program/project? How effectively did you meet your goals?***

The initial goal of entering into a Protocol Agreement between the RDOS and local Bands was to establish a better working relationship and a framework for communication.

Since the Protocol Agreement signing, not only has this goal been met, it has been exceeded. Relationships have been strengthened between the RDOS and local Bands. Trust has been built and communication channels have been opened. The Parties genuinely have a very friendly relationship now.

The Steering Committee meets bi-monthly to discuss issues of common concern, as well as just to share information about what each organization is working on. Through these meetings various joint initiatives have been sent up to the Joint Council. Some of these initiatives are a joint letter to the Honourable Christy Clark regarding FortisBC Rate Increases and how they are affecting citizens in the region. Also, a joint letter has gone to the Ministry of Environment requesting that the Federal and Provincial governments take immediate action to prevent the spread of Zebra and Quagga mussels to the province.

## **6. SUSTAINABILITY**

***What measures have you put in place to ensure the continued operation of this initiative?(e.g. staff time, resources, financial)***

The success of the South Okanagan Similkameen Protocol Agreement has been such that the Parties are eager to work patiently and continuously together on issues of common concern. Since relationships have been developed and strengthened, the momentum continues.

Local leaders now consider one another and consult with one another. The silos between organizations are coming down, and the groups are working more and more together for a common vision for the region.

The Parties are committed to celebrating the South Okanagan Similkameen Protocol Agreement anniversary each year, and by doing so, it's a reminder to the Parties of the importance of working together in a spirit of common respect and cooperation by recognizing and celebrating diversity, while cooperating to achieve mutual prosperity.

## **7. TRANSFERABILITY**

### ***How is this program/project transferable to other local governments?***

Member of the Steering Committee have met with the Upper Similkameen Indian Band (USIB), and have welcomed them to join the South Okanagan Similkameen Protocol Agreement. The USIB is interested in joining, and there is a strong hope that in time they will.

USIB Chief and Council are invited to all Joint Council, Steering Committee and Referrals Working Group meetings, and have attended many of these meetings as guests, participating on the Referrals Working Group.

At the 2014 Annual Elders Gathering staff included a booth at the event showcasing the South Okanagan Similkameen Protocol Agreement and all of the good work which has taken place. Members from far reaching Bands were extremely interested, and the Protocol Agreement was shared as an example document which they may use for their regions.

Neighbouring local governments have inquired about our Protocol Agreement and its initiatives, which the RDOS is always pleased to share.

## **8. KNOWLEDGE SHARING**

### ***What helpful advice would you share with other communities looking to embark on a similar project?***

The South Okanagan Similkameen Protocol Agreement has been an extremely positive step forward for everyone in our region. While in the past the Parties worked in isolation of one another within their respective jurisdictions, we now have established positive Government to Government relationships. The Parties consult and address one another on issues of common concern and mutual interest.

The Parties have learned about one another's governance which has helped us to understand one's mandates, and restraints.

The Parties now recognize and celebrate diversity while cooperating with each other to achieve mutual prosperity.

## 9. TELL US MORE

***Please share any other information you think may support your submission.***

### PROTOCOL AGREEMENT

The purpose of the Protocol Agreement is to provide a framework for:

- formalizing Government to Government relationship;
- recognizing and celebrating diversity, while cooperating with each other to achieve mutual prosperity;
- consultation, communication, information sharing, education and cooperation between the Parties; and
- collaborative decision making or negotiations in appropriate areas of common interest.

September 2013 The Joint Council, which includes the Band Chiefs, the RDOS Chair, Vice-Chair and a third RDOS Director member, was formalized. The Joint Council meets twice per year.

At the same time, the Steering Committee, which includes senior staff from the Bands and the RDOS, was also formalized. The committee is an ongoing working group which meets every second month to discuss topics of common interest and make recommendation to the Joint Council.

June 2015 the South Okanagan Similkameen Referrals Working group was created comprising staff members of the PIB, OIB, LSIB, the RDOS and member municipalities. The group advises the Steering Committee and Joint Council and is working to identify issues regarding referral processes.

## 10. PARTNERS

***a) Please list all the partners involved in this initiative. (no word limit)***

Penticton Indian Band

Osoyoos Indian Band

Lower Similkameen Indian Band

Regional District of Okanagan-Similkameen, which is comprised of eight Electoral Areas covering the South Okanagan-Similkameen, along with 6 municipalities, including the City of Penticton, the District of Summerland, the Towns of Oliver, Osoyoos, Princeton, and the Village of Keremeos.

***b) Why did you choose to work with this/these particular partner(s)?***

The RDOS has joined with the Penticton Indian Band, Osoyoos Indian Band and the Lower Similkameen Indian Band in the South Okanagan Similkameen Protocol Agreement because these are the Bands which fall in to the borders of the Regional District of Okanagan-Similkameen.

The RDOS Board places a high importance on developing relationships with its First Nation neighbours.