

ALBERNI-CLAYOQUOT REGIONAL DISTRICT Inclusive Regional Governance

MODELS EXPLORATION GRANT REPORT

APRIL 2025



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT



huu ayahḡ



Yuutuʔitʔath



Uchucklesaht



HESQUIAHT
FIRST NATION



hupačasath
First Nation



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EXECUTIVE SUMMARY

The Alberni-Clayoquot Regional District's (ACRD) Inclusive Regional Governance initiative is funded by the Ministry of Housing and Municipal Affairs, Models Exploration Grant. The ACRD has been engaging six non-Treaty First Nations in the regional district in a conversation to support their inclusion at the ACRD table and their participation in regional decision-making processes, including identified issues of mutual interest and concern (e.g., emergency preparedness and response, regional transportation, climate adaptation). The purpose of the broader project is to identify pathways for non-Treaty First Nations interested in joining a regional district Board. The Ministry of Housing and Municipal Affairs is supporting five regional districts (Regional District of the Central Okanagan, Capital Regional District, Central Coast Regional District, and Nanaimo Regional District) on similar regional inclusive governance projects.

The ACRD's 2021-2024 Strategic Plan identifies the importance of fuller participation in local governance for First Nations in the region. Including non-Treaty First Nation neighbours in regional governance will enrich the ACRD's ongoing work on shared challenges and opportunities, help improve regional service delivery like emergency services, transportation, waste management.

In 2024, the ACRD Inclusive Regional Governance project activities included:

- Preparing an Inclusive Regional Governance Orientation Guide – a resource tool for mutual understanding.

- Hosting three Community Forums to discuss the initiative, interests and priorities with project participants. The meetings were held at Tla-o-qui-aht Nation, Tseshaht First Nation and in Ucluelet on Yuułu?ił?ath territory.
- Outreach interviews and a supporting survey delivered to project participants.

Collectively, the outreach interviews, survey, and Community Forums gathered perspectives from:

- The four Maa-nulth Treaty Nations located in the ACRD – Elected Chiefs, Councillors, and senior staff from Hupačasath First Nations, Yuułu?ił?ath Government, Uchucklesaht Tribe, Toquaht Nation.
- Six non-Treaty Nations located in the ACRD – Elected Chiefs, Councillors, and senior staff from Hupačasath First Nation, Tseshaht First Nation, Tla-o-qui-aht First Nation, Ahousaht First Nation, Ditidaht First Nation, and Hesquiaht First Nation.
- Three ACRD member municipalities – District of Tofino and District of Ucluelet Chief Administrative Officers, City of Port Alberni Councillor.
- ACRD Directors and senior staff.

From the start of the inclusive regional governance project, the ACRD recognized that this work would require extensive engagement and ongoing relationship building with all involved. The ACRD continues to advance discussions to build shared understanding, trust, mutual respect, and shared responsibility to foster a more inclusive regional governance process.

Through the project work, several core themes emerged to be carried into future work. These included:

- **ʔiisaak (respect).** The 10 First Nations in the ACRD are Nuu-chah-nulth peoples, who have lived along the Pacific west coast of Vancouver Island for time immemorial. There are deep connections and family ties between First Nations. Their world view is grounded in respectful relations, honouring connections to land, water and each other. The ACRD structures and ways of doing business are compartmentalized and would benefit from respectful relations.

The ACRD holds the inclusive regional governance initiative as an important step towards reconciliation, helping the region build strong, collaborative relationships with First Nations based on trust and mutual respect.

- **Self-representation.** Alternative pathways are desired for non-Treaty First Nation participation on the ACRD Board. There is shared recognition that First Nations should have a voice and participate in land use and resource decisions that potentially affect their interests and territories.
- **Collaboration and mutual benefits.** There is need for tools that will support neighbours in working better together at regional district and municipal levels *and* with non-Treaty First Nations. Essential regional services sharing, collaboration and partnerships, benefit all.
- **Regional Partnerships.** ACRD Board table is already large, currently consisting of 14 Directors. A larger number of seats and votes at the ACRD Board table may make delivering ACRD business more challenging. Clear understanding will be needed on representatives' functions, reach, and voting parameters to support effective regional partnerships. Structures will be needed to support adequate consideration and good decision-making.
- **Reach and Representation.** In Treaty-making negotiation process, Treaty Nations territories were reduced from what was considered full area of traditional territories. First Nations traditional territories overlap in lands and resources. This may impact areas of ACRD service delivery and agreements with First Nations. There will need to be clarity on what may happen in practice, where there are areas of overlap between defined rights and asserted rights.

OVER THE COURSE OF THE REGIONAL INCLUSIVE GOVERNANCE INITIATIVE, PARTICIPANTS ALSO SAID:

“(There is a) desire to learn, support growth and build trust between cultures... sharing in cultural ways through meals, social events, cultural gatherings, to support personal relationship building, understanding and trust.”

“Full participation as an ACRD member would honour Indigenous Nationhood status.”

“There is richness of shared learning, understanding and laughter, when we are all at the table together.”

1. INTRODUCTION

Inclusive Regional Governance Initiative

The Alberni-Clayoquot Regional District (ACRD) is one of five regional districts currently examining Inclusive Regional Governance. The ACRD's initiative is a five-year project which started in 2021 and is funded by the Ministry of Housing and Municipal Affairs. The project purpose is to "identify pathways for any First Nation interested in joining a regional district (RD) Board, not just those with a modern treaty". The Ministry understands that some amendments to the *Local Government Act* (LGA) will likely be required to facilitate full participation of interested First Nations on RD Boards, as well as address barriers to participation identified by Treaty First Nations currently on RD Boards. Additionally, it is understood that a legal agreement is likely needed to authorize First Nations to join RD Boards and to clarify parameters that are necessary to facilitate participation on the board"¹.

With the adoption of the *Declaration on the Rights of Indigenous Peoples Act* in 2019, the Province has committed to supporting inclusive regional governance by advancing non-Treaty First Nations participation in regional district boards. Currently, the provincial *Local Government Act* limits regional district membership to Treaty Nations.

The Ministry of Housing and Municipal Affairs is supporting five regional districts on similar projects, including the Regional District of the Central Okanagan, Capital Regional District, Central Coast Regional District, and Nanaimo Regional District. The Union of British Columbia Municipalities (UBCM), First Nations and

several regional districts directly requested that the Ministry of Housing and Municipal Affairs explore how First Nations could become voting members of regional districts without concluding a modern Treaty that specifies regional district membership.

The ACRD is a federation of three member municipalities (Port Alberni, Tofino, Ucluelet), four Treaty First Nations (Huu-ay-aht, Yuułu?ił̓p̓ath̓, Uchucklesaht Tribe Government, Toquaht Nation) and six electoral areas ("A" Bamfield, "B" Beaufort, "C" Long Beach, "D" Sproat Lake, "E" Beaver Creek, "F" Cherry Creek). The ACRD is engaging six non-Treaty First Nations in the region, including Hupačasath First Nation, Tseshaht First Nation, Tla-o-qui-aht First Nation, Ahousaht First Nation, Ditidaht First Nation, and Hesquiaht First Nation, in a conversation to support their inclusion at the ACRD table and their active participation in decision-making processes.

The ACRD is an active partner in this journey and sees inclusive regional governance as core to delivering services more effectively and in alignment with partners. Regional Board Strategic Plan 2024-2027 has committed the ACRD to 'achieve mutual benefits from partnering with First Nations, municipal governments, and community partners by sharing and leveraging our resources, developing, and implementing effective communication practices, and aligning our efforts towards common goals' (Strategic Plan, Goal 3.0).

¹ Ministry of Housing and Municipal Affairs. Letter dated August 15, 2024, to provide clarity on scope and expectations for the project mandate.

The ACRD's inclusive governance initiative is intended to support the participation of First Nations in ACRD decision-making while also establishing a foundation to better understand how new decision-making systems could be created together. This effort to facilitate increased participation of First Nations in ACRD governance is an important and measurable step towards reconciliation and building strong relationships with First Nations based on trust and mutual respect, partnerships and working together on shared goals and issues of mutual interest (e.g. emergency preparedness and response, regional transportation, climate adaptation).

Report Purpose

The ACRD received a Models Exploration Grant from the Ministry of Housing and Municipal Affairs for the inclusive regional governance project.

Over the course of this project, the ACRD has submitted the following updates to the Ministry:

- August 30, 2023 - Inclusive Regional Governance Study Interim Report
- April 5, 2024 - Commitment No. 51RS2316- Inclusive Regional Governance Final Report
- August 13, 2024 - Inclusive Governance Interim Project Report 2024

This report summarizes project activities and findings between January 2024 to January 2025.



2. APPROACH

Project Initiation

The ACRD’s inclusive regional governance project was guided by a Core Team who met approximately every 2-3 weeks to provide project direction, share information and refine the details of outreach delivery. The Core Team consisted of the ACRD’s Chief Administrative Officer, General Manager of Administrative Services, Board Chair and EcoPlan consultant team.

The Core Team met 17 times between January 2024 to January 2025. The guidance of the Core team was invaluable to support this project in exploring a path toward collaboration and regional inclusive governance.

At the project start, the Core Team and EcoPlan developed a two-page pamphlet and fact sheet to introduce the initiative, outline the rationale for it, and summarize some of the opportunities and challenges the project sought to address.

See Appendix A Introduction Pamphlet and Appendix B Fact Sheet.



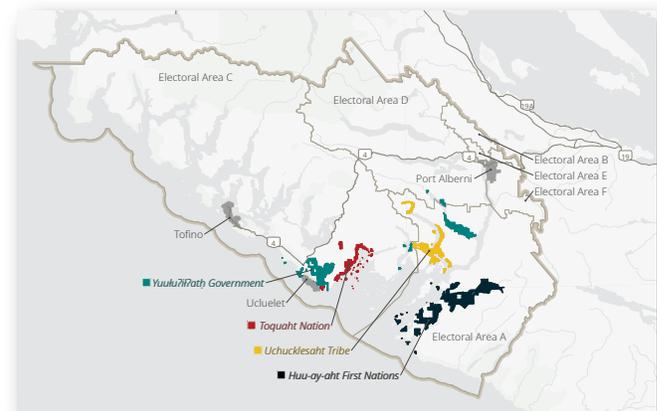
Orientation Guide

An Inclusive Governance Orientation guidebook was developed to provide a resource tool for mutual understanding between communities.

The Orientation Guide serves as a tool to provide an overview of the inclusive regional governance initiative, background information on the Maa-nulth Treaty Nations joining the ACRD and highlights the different government structures and processes within the region including the ACRD, Treaty First Nations and non-Treaty First Nations. This is now a public document that is available on the ACRD website at [Inclusive Governance](#). This orientation and communications tool provided important context and was distributed to ACRD staff, member governments, and non-Treaty First Nations in the ACRD, along with meeting invitations and requests for interviews.

On September 11, 2024, the ACRD Board of Directors received the ACRD Inclusive Regional Governance Orientation Guide. This is a living document that will continue to be updated as inclusive governance in the region is advanced and as new information becomes available.

See Appendix C Orientation Guide, August 2024



3. COMMUNITY FORUMS

Community forums were organized for delivery with ACRD members and representatives from non-Treaty First Nations. The following meetings were hosted during this project:

April 4th, 2024 – Hosted in Tla-o-qui-aht First Nation Health Centre

This meeting gathered 13 ACRD members and representatives from non-Treaty First Nations in the region. The April 4th meeting was cancelled in respect of the death of a hereditary leader from one of the communities who also had deep connections to a second non-Treaty First Nation. The appropriate response was *?iisaak* (respect). It was expressed at the meeting that the preferred next step would be to take the presentation and discussions directly to the non-Treaty First Nations Chiefs and Councils.

June 20th, 2024 – Delegation to Tseshaht First Nation elected Chief and Council

A delegation presentation was made to Tseshaht First Nation elected Chief and Council by ACRD Board Chair, John Jack and Chief Administrative Officer, Daniel Sailland. They introduced the initiative and Tseshaht First Nation discussed priorities and desired next steps. Tseshaht First Nation requested that ACRD share information on potential services, cost recovery and apportionment formulas applied to Maa-nulth Treaty Nation members. Additional feedback from this meeting is summarized in Section 4.

October 18th, 2024 – Hosted in Yuułu?it?ath Territory at the Ucluelet Community Centre and online

A total of 24 participants attended this meeting, including representatives from seven of the 10 First Nations in the region. Participants included elected and administrative leadership from ACRD, Yuułu?it?ath Government, Huu-ay-aht First Nations, Uchucklesaht Tribe Government, Hupačasath First Nation, Tseshaht First Nation, Tla-o-qui-aht First Nation, Ditidaht First Nation, District of Tofino, District of Ucluelet, City of Port Alberni, Electoral Area Directors for Area “B” Beaufort, “C” Long Beach, “D” Sproat Lake, “E” Beaver Creek, and “F” Cherry Creek. This meeting introduced the project and responded to questions. The ACRD’s Chief Financial Officer presented information on services participation, cost recovery and apportionment formulas applied to Maa-nulth Nation participants. See *Appendix D for Meeting Notes*.

January 23rd, 2025 – Hosted in Tseshaht First Nation Administration Building and online

This meeting gathered 20 ACRD members and representatives from non-Treaty First Nations in the region. At this meeting, participants heard non-Treaty Nations interests, priorities and desired next steps. Participants expressed good will and desire to cooperate. There is recognition that each non-Treaty First Nation has different interests, needs and desires for service participation. See *Appendix D for Meeting Notes*.



4. OUTREACH SURVEY AND INTERVIEWS

The ACRD and consultant team co-developed an outreach survey that sought to gain insights to inform future inclusive regional governance directions in the ACRD.

Outreach survey questions were designed to gain understanding on:

- Service and governance opportunities for inclusive, collaborative action with ACRD and non-Treaty First Nations
- What approaches or models for service delivery and inclusive governance might work best in the ACRD?
- Lessons learned on what has worked and what could be improved with services and governance in the ACRD.

See Appendix E for the ACRD Inclusive Governance project survey questions.

The outreach survey was shared with all the project partners including ACRD Directors, non-Treaty First Nations, Treaty First Nations, local governments and key staff.

Between April and October 2024, EcoPlan conducted outreach interviews using a semi-structured interview format where the survey questions were asked in order, but with flexibility and openness to support a more conversational approach. Except for two respondents, who submitted their responses via a fillable survey PDF, all respondents opted to participate in an outreach interview.

In total, 15 respondents participated in interview surveys, representing the following communities and organizations:

Treaty Nations

- Huu-ay-aht First Nations, Yuułu?it̓?ath Government, Uchucklesaht Tribe, Toquaht Nation (Elected Chiefs, Councillors, and senior staff)

Non-Treaty First Nations

- Ahousaht Nation – Elected Chief and senior staff

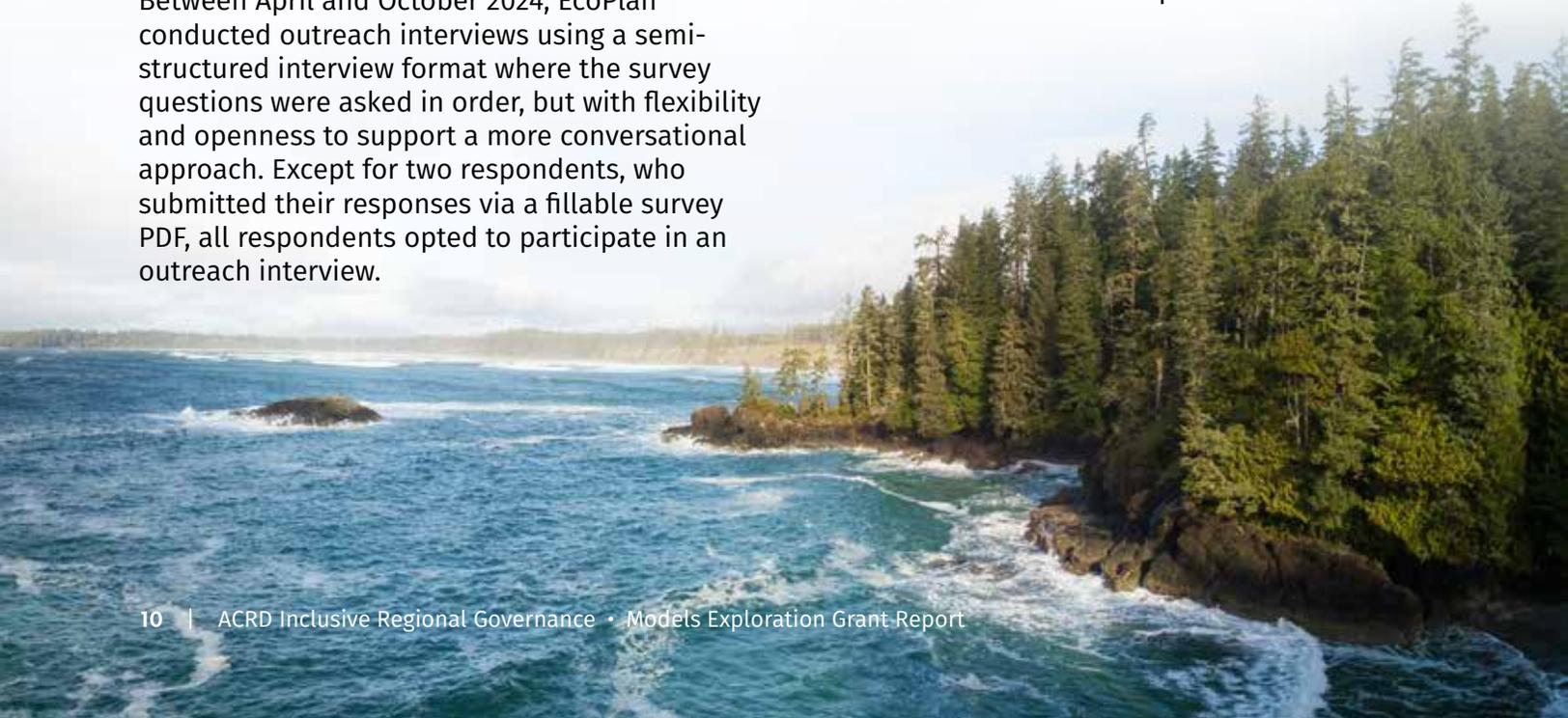
ACRD member municipalities

- District of Tofino and District of Ucluelet Chief Administrative Officers, City of Port Alberni Councillor

ACRD

- Two Electoral Area Directors (Areas D and E), ACRD Senior Staff

In addition, Tseshaht First Nation elected Chief and Councillors provided preliminary feedback in a meeting with ACRD Chair John Jack and CAO Daniel Sailland, held on June 20, 2024. This feedback is included in a separate sub-section.



Findings

86% of respondents stated that Non-Treaty First Nation participation on the ACRD board is either **important** or **very important**².

Half of all respondents identified **service provision** as the most important role of the ACRD from the perspective of inclusive regional governance, when asked to rank the importance of ACRD's three main roles (service provision, planning support, regional advocacy) from the perspective of inclusive regional governance.

- For **Treaty First Nations**, **service provision** was noted as the most important role for the ACRD, followed by **regional advocacy**. **Planning support** was noted as being the least important role for the ACRD in inclusive governance.
- For the **non-Treaty First Nations**, **planning support** was identified as being the most important role, although it was noted that all three services are important (service provision and regional advocacy).
- For **ACRD staff, Directors and member municipalities**, **service provision** was noted as the most important role followed by **planning support**, with **regional advocacy** being noted as the least important role of the three.

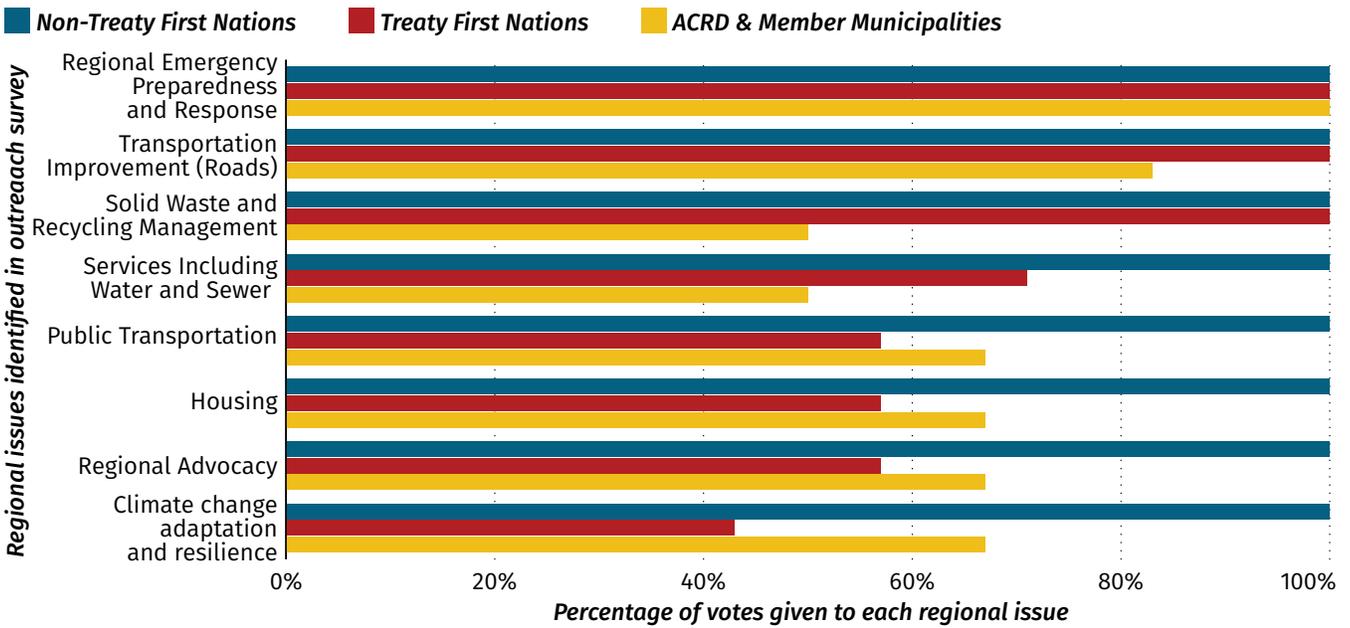


When asked to identify which regional issues present the most opportunities for more inclusive, collaborative action:

- **100%** of respondents identified **Regional Emergency Preparedness and Response** as the regional issue that presents the most opportunity for inclusive collaborative action. Tofino is recognized as a leader in this regard, due to the necessity of their response to extreme risk of tsunamis. Collaboration here will be crucial because some First Nations have less ability to fund services and staffing for emergency response services. Changes to the *Emergency and Disaster Management Act* may also provide some opportunities for First Nations, local and regional government collaboration.
- **94%** of respondents identified **Transportation Improvements** as a regional issue that presents opportunities for more inclusive, collaborative action. This was highlighted in 2023 during the two-week highway closure due to the Cameron Lake Fire. The creation of an alternative road to the west coast to provide a secondary access route has been identified as a regional priority.
- **100%** of First Nation respondents including both Treaty and non-Treaty First Nations identified **solid waste and recycling management** as a regional issue that presents opportunities for more inclusive, collaborative action, compared with only 50% of respondents from ACRD and member municipalities.

² N=15: Very Important = 8, Important = 5, Don't know/Unsure = 1, Not Important = 1. Representatives from one Treaty Nation shared concerns/ considerations, around potential impacts, if non-Treaty Nations participate in decision-making and voting at ACRD Board.

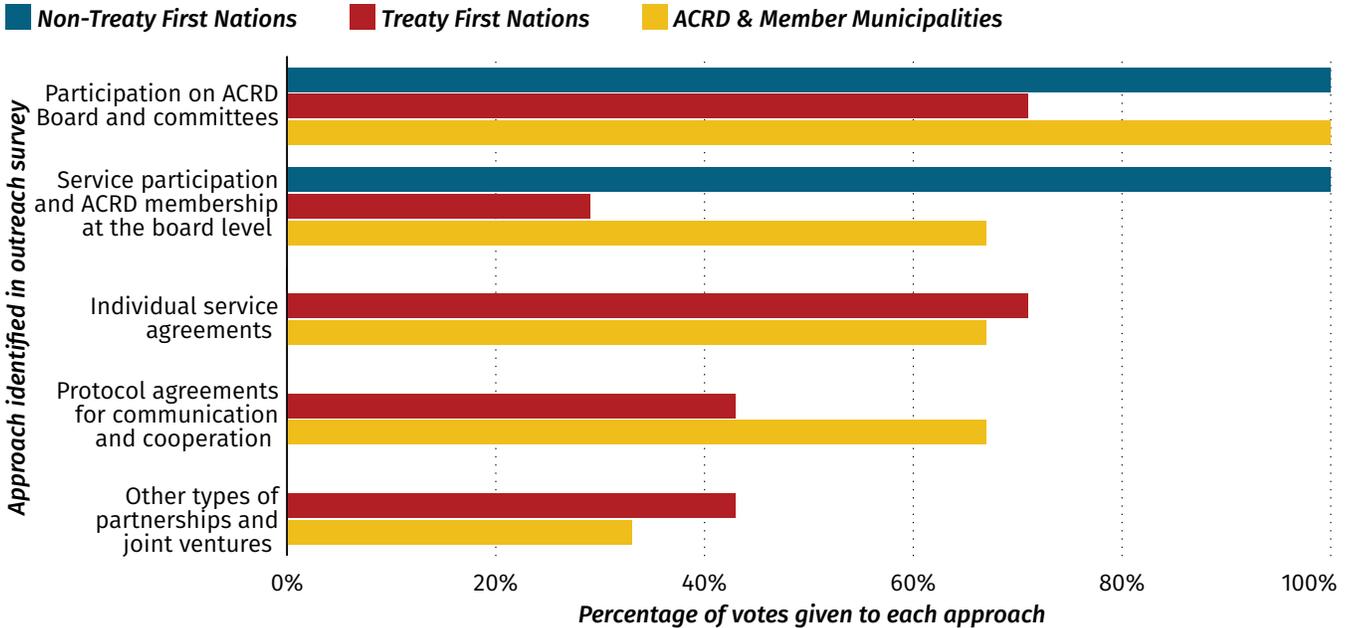
Regional Issues Identified as Presenting the Most Opportunities for More Inclusive, Regional Governance



▲ FIGURE: Chart showing participants views on which regional issues present the most opportunity for more inclusive, regional governance.

90% of respondents identified **participation on ACRD board and committees** as an approach that would work best to support more inclusive regional governance for non-Treaty First Nations.

Approaches That Will Work to Best Support More Inclusive Regional Governance



▲ FIGURE: Chart showing participants views on which approaches they believe will support more inclusive regional governance.

Findings By Respondent Category (Community/Organization Type)

Treaty Nations

Elected Chief and senior staff from Huu-ay-aht First Nations, Yuułuʔiłʔatḥ Government, Uchucklesaht Tribe, and Toquaht Nation participated in outreach interviews. Key interests raised included the following:

Alternative Pathways for First Nations Participation on ACRD Board

There was an acknowledgement that the Treaty process takes decades and is onerous to complete. Treaty is not a realistic process for all First Nations and there is a need for alternative pathways for non-Treaty First Nations to participate in ACRD decision-making, to the extent they wish. There was also an acknowledgement that ACRD's Treaty Nations do not want to be perceived as representing, or speaking for the interests, of non-Treaty First Nations.

Of Treaty First Nation respondents:

- **5 of 7 (71%)** identified **participation on ACRD Board and Committees** as being an approach that would work best to support more inclusive regional governance for non-Treaty First Nations. Representatives from one Treaty Nation shared concerns around impacts to decision making and voting. Potential challenges with making decisions (with more people at the Board table), and potential for providing services to areas where territories are overlapping, were identified as areas of concern.
- **5 of 7 (71%)** identified **Individual Service Agreements** as being an approach that would work well to support more inclusive regional governance for non-Treaty First Nations.
- **Only 2 of 7 (29%)**, representing one First Nation, identified **Service Participation and ACRD Membership at the Board Level** as being an approach that would work well to support more inclusive regional governance for non-Treaty First Nations.

Land and Resource Use and Decisions within Territories

Non-Treaty First Nations currently have limited voice, participation, influence and decision-making roles on land use, planning decisions and resource uses within traditional territories. Limited avenues for participation in land use decisions within the regional district, electoral areas, municipal and on Crown Land (i.e., forest timber lands). Land collaborations are valuable and worth exploring, for example where ACRD owns the land and a First Nation builds on it, or vice-versa. Treaty First Nation respondents identified housing development initiatives, including the servicing of lands for building housing, as additional type of partnerships and joint ventures to explore.

Tools for Working Better Together

Clear governing agreements will be needed to define the reach of topics, areas, and geographic limitations for participation in discussions and voting. How decisions are to be arrived at through clearly defined voting powers is essential to mutual understanding at the start. There will need to be consideration of boundaries for decision-making and the extent of influence First Nations may have within and outside of territories. Having a say in what happens in traditional territories, plus protocol recognition and respect for lands and resources will require tools that are acceptable to all, to facilitate working better together.

ACRD Board of Directors Size and Voting

First Nations representation at the ACRD table is regarded as progress and having numerous benefits. However, the ACRD Board table is already large, currently consisting of 14 Directors. A larger number of seats at the ACRD Board table may make delivering ACRD business more onerous and challenging. Clarity on proposed representatives' functions, reach and voting parameters would need to be updated, particularly with consideration of overlapping First Nations territories and rural electoral areas.



Practical Infrastructure and Service Delivery Area

ACRD Board business is currently largely focused in the Alberni Valley, not the west coast. The Alberni Valley is where infrastructure and services are concentrated. Due to proximity of services in the Alberni Valley, Tseshaht and Hupacasath First Nation are likely to benefit most from ACRD Board participation. For some First Nations, service delivery relationships, shared ventures and involvement in decision-making with neighbouring municipal partners, will be more practical. For more remote non-Treaty Nations, different infrastructure such as medical transport, marine docks, and dedicated parking in nearby communities, are unique and practical services to explore.

- All Treaty First Nations respondents identified **Transportation Improvements** and **Solid waste and recycling management** as regional issues that present the most opportunities for inclusive, collaborative action.

Traditional Territories

Traditional territories overlap in lands and resources between Nations. Territories that have not been resolved with Treaty and non-Treaty Nations. There are different claims, which have risk of raising issues at the regional district level, with certain land-based activities and services such as, aquifers, forest licenses, parks management. Concerns were raised about what may happen in practice where there are areas of overlap between defined rights (Treaty Nations) and asserted rights (non-Treaty Nations). During the Treaty-making negotiation process, territories were negotiated and reduced from what were considered full areas of traditional territories. Territories may raise issues on topics such as service area delivery, infrastructure extensions and agreements with First Nations. The ACRD is focused on regional services delivery and not the treaty negotiations (Provincial and Federal jurisdictions).

Non-Treaty Nations

Ahousaht First Nation's Elected Chief Councillor and Executive Director and CFO participated in outreach interviews. Key interests raised included the following:

Sovereignty in Decision Making

All Nations need to be fully involved in decisions that affect their interests and territory within the Nuu-chah-nulth region. Genuine consultation, participation, and sovereignty in decision making is required, with a voice and a vote on decisions.

It is important for communities to know that when they take part in ACRD regional level conversations, they are not giving up their autonomy, legal rights or decisions made as a First Nation. First Nations can participate in regional conversations and only take part in topics that choose to take part in (affecting their interests).

Collaboration

There is a benefit to information sharing and co-identifying opportunities for collaboration in the region. Land use planning is an area where participation is especially important, in addition to region-wide service provision. It was noted that Ahousaht carries out advocacy at a Nation-level and that they would not look to ACRD for this.

Impacts of Climate Change

Ahousaht shared that impacts of climate change are being felt in their remote community, noting the "skyrocketing cost of living". More than any other respondents, Ahousaht representatives identified **climate change adaptation and resilience** and **housing** as being key issues that present opportunities for more inclusive, regional governance.

Tseshaht First Nation elected Chief and Council participated in a delegation meeting with ACRD Chair John Jack and CAO Daniel Sailland on June 20th, 2024. Key interests raised at this preliminary meeting included the following:

Apportionment Formulas

There is an interest in knowing cost recovery currently applied to Maa-nulth Nations.

Expanded Service Delivery

There is a desire to collaborate on sewer and water servicing that is in geographic proximity to Tseshaht First Nation lands and where it makes sense for expanded service areas. In addition, Chief and Council expressed a desire to be investors in the new pool; expanded emergency services; Handy Dart transportation service to the community; and garbage and recycling pick up.

ACRD Board/ Committees Participation

There is a desire to shape depth of understanding at ACRD Board. Currently, Tseshaht participates on ACRD Airport Committee, Landfill Working Group, and Sproat Lake Planning Commission. Participation in these committees have proven to be areas of mutual benefit for collaboration.



Member Municipalities

District of Tofino and District of Ucluelet Chief Administrative Officers and a City of Port Alberni elected Council member participated in the outreach interviews. Key interests raised included the following:

Representation

It is important to work together with all regional partners and First Nations at the ACRD Board and Committee levels, to guide decisions on future growth, provision of essential services, and respectful land uses in traditional territories. Without First Nations participation at the ACRD table, it compromises ACRD's ability to do their work.

- All municipal respondents identified **participation on ACRD Board and Committees** as being an approach that would work best to support more inclusive regional governance for non-Treaty First Nations.

Collaboration

Effective delivery of services requires cooperation between neighbours. Municipalities and First Nations rely on each other for support such as for emergency services. The *Emergency and Disaster Management Act* will offer more opportunities for service improvements and collaboration between ACRD, First Nations and municipal governments. In rural and more isolated communities, working well together and sharing limited resources, is essential particularly in emergencies.

- Of the three main roles of a regional district (service provision, planning support, regional advocacy), all municipal respondents identified **service provision** as being the most important role for the ACRD. Essential regional level services for collaboration include emergency, water, sewer, transit, roads, housing, and health services.

Economic Diversification

There are mutual benefits that can be realized from working together. For example, access to port, seafood processing facilities, and growing the 'blue economy' could be mutually beneficial economic activities and ventures to pursue together.

Balancing Individual Interests and the Whole

Regional governance requires balancing interests. Trying to deliver all needs of individuals can undermine the regional partnership. There will need to be efforts and approaches to align communities and support each other's region-wide needs, for benefit of the whole.

Inclusive Governance with Local Governments

The *Community Charter* does not permit holding a seat at the ACRD Board table for those that are not 'duly elected', which is also a concern for local governments who are in service agreements and partnerships with neighbouring First Nations. There should also be consideration to allow inclusive governance to expand to participation at the municipal government level, too. There are existing service areas that make most sense for municipal and First Nations partnership.

ACRD Directors and Staff

Two electoral Area Electoral Directors participated in outreach interviews. In addition, one ACRD staff person completed the survey online. Key interests raised included the following:

Mutual Benefits of Harmonizing Services

All ACRD residents are neighbours that depend on each other and there are mutual benefits to working together and sharing resources like emergency management, response, transit services and much more.

Self-representation

First Nations should be able to have a voice and participate in decisions that potentially affect their interests and territory. Currently, decisions are made about First Nations lands and territories, where there is not adequate time for Directors to consult First Nations. Nations should have self-representation and voting rights to speak to their interests.

- All ACRD Directors and Staff respondents identified **participation on ACRD Board and Committees** as being an approach that would work best to support more inclusive regional governance for non-Treaty First Nations.

“There is a richness of shared learning, understanding and laughter, when we are all at the table together.”

Colonial Structures

First Nations’ world view is grounded in respectful relations, honouring connections to land, each other, and resources. ACRD structures and ways of doing business are compartmentalized and would benefit from respectful relations. There are cultural differences and structures in place that don’t support meaningful participation or equitable delivery of services and well-being for all residents. There is a desire to make things better.

Respectful Relationship Building

There is an awareness of racism in the community that takes its toll on everyone and collective well-being. Being witness to truthful past, problematic legacies and present harms, is important. There is a desire to learn, support growth and build trust between cultures. Desire to share in cultural ways through meals, social events and cultural gatherings, to support personal relationship building, understanding and trust. Wish to bring farmers, fishers, gleaners and ways to share food among all neighbours, to build relationships, trust and create more connection.

Weighted Voting and Size of Board

The weighted voting system is challenging, where municipalities have more voting power than electoral areas. ACRD Board has limited time to consider complex issues, large volumes of information/reports and adequately consult constituents. There are too many decision makers at the ACRD Board table (14 Board members). Structures to support adequate consideration and good decision-making, is a concern





5. REFLECTIONS AND LEARNINGS

From the start of this project, the ACRD recognized that this would be an initiative that would require extensive engagement and relationship building with all involved. The ACRD continues to advance discussions to build understanding, trust, respect ʔiisaak, and shared responsibility to foster a more inclusive regional governance process.

The ACRD has sought to gain insights to inform future inclusive regional governance directions in the region. On December 18, 2024, the Ministry of Housing and Municipal Affairs hosted a meeting with regional districts participating in inclusive regional governance projects to share reflections on past experiences when Treaty Nations joined the Regional District. Questions sought reflections on what works well, challenges, areas of regional district structures that are of greatest interest to First Nations. In preparation for this Provincial meeting, the ACRD Core Team responded to questions.

See Appendix F Responses to Ministry Questions

6. NEXT STEPS

In 2024, the ACRD's inclusive regional governance initiative held community-to-community conversations, between the ACRD and non-Treaty First Nations, to discuss options for collaboration and voice in decision-making. The following actions are proposed as possible immediate next steps, that would not require legislative changes and would allow the ACRD to act on requests that have been heard from non-Treaty First Nations:

- Prepare a discussion document outlining 'Quick start' projects that that the ACRD could action with non-Treaty First Nations, without legislative changes (e.g., protocol agreements, services delivery agreements specific to interests heard from non-Treaty Nations, community visits, semi-annual Community Forums). Quick start projects are intended to be low cost/low barrier projects that provide a 'learning-by-doing' opportunity, support continued relationship building, and build momentum for future work by putting the regional inclusive governance project 'on the ground.'
- Summarize examples of current apportionment methods and formulas applied to Maa-nulth First Nations, to provide tangible service delivery cost recovery examples, which might be applied to non-Treaty Nations services of interest.
- Prepare and facilitate a community forum for delivery in April/May 2025, to discuss actions that can be currently taken and services of interest to advance between ACRD and non-Treaty Nations.
- Coordinate follow up ACRD delegations/ presentations to elected Chief and Councils, as requested by non-Treaty First Nations including Hupačasath First Nation, Tla-o-qui-aht First Nation, Ahousaht First Nation, Ditidaht First Nation, Hesquiaht First Nation, and Tseshaht First Nation.

Building relationships and partnerships with First Nations, based on trust and ʔiisaak (respect), to work together on shared goals, takes time. There is desire and good-will expressed by all, to continue building relationships between ACRD and non-Treaty First Nations.



7. APPENDICES

Appendix A Introduction Pamphlet

Appendix B Fact Sheet

Appendix C Orientation Guide August 2024

Appendix D Community Forums Meeting Notes

Appendix E Outreach Survey Questions

Appendix F Responses to Ministry Questions

WHY?

The legislation under which the ACRD operates (*Local Government Act*) restricts regional board membership to Treaty First Nations. With the adoption of the *Declaration on the Rights of Indigenous Peoples Act* in 2019, the province has committed to addressing this issue and supporting inclusive regional governance by advancing First Nations participation in regional district boards.

The ACRD's 2024-2027 Strategic Plan identifies the importance of fuller participation in local governance for First Nations in the region. Engaging non-Treaty First Nations on the ACRD board will support and enrich important work in the region on shared challenges and opportunities, such as climate change, housing, health and wellbeing, transportation, and regional services like recycling and solid waste.

PROJECT DETAILS

The ACRD began work on this project last year and has already started meeting with non-Treaty First Nations in the region. The ACRD is also sharing information with other regional districts who are working together with the province on this initiative, including the Capital Regional District, Nanaimo Regional District, and the Regional District of Central Okanagan. Work will continue over the spring and summer on this exciting project as we work together to make the ACRD a more inclusive regional government.

MORE INFORMATION?

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ALBERNI-CLAYOQUOT REGIONAL DISTRICT Inclusive Regional Governance

FREQUENTLY ASKED QUESTIONS

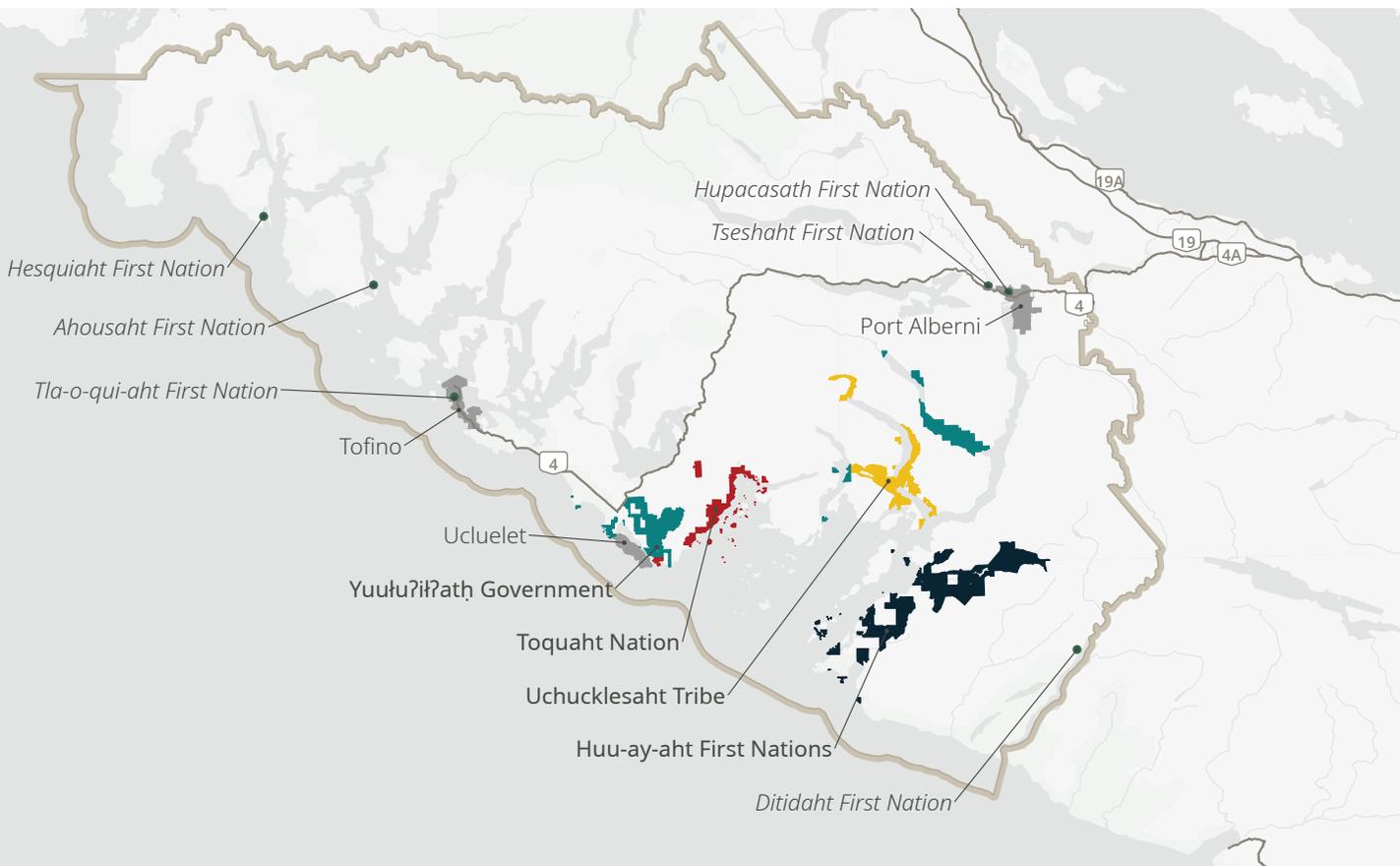
What is the ACRD Inclusive regional governance initiative?

The Alberni-Clayoquot Regional District (ACRD) is a federation of three municipalities (Port Alberni, Tofino, Ucluelet), four Treaty First Nations (Huu-ay-aht First Nations, Yuuʔiʔath Government, Uchucklesaht Tribe, Toquaht Nation), and six electoral areas. The inclusive regional governance project is working to engage six non-Treaty First Nations in a conversation about involving them in ACRD decision-making on issues of mutual interest and concern (e.g., emergency preparedness and response, regional transportation, climate adaptation).

Who are the six non-Treaty First Nations in the ACRD?

The six non-Treaty First Nations include Hupačasath First Nation, Tseshaht First Nation, Tla-o-qui-aht First Nation, Ahousaht First Nation, Ditidaht First Nation, and Hesquiaht First Nation. The map shows principal communities of the six non-Treaty First Nations in the ACRD (i.e., reserve lands are not shown). The map also shows the four Treaty Nations and three municipalities who are members of the ACRD board.

Both Treaty and non-Treaty First Nations in the ACRD are Nuu-chah-nulth peoples who have



lived along the Pacific west coast of Vancouver Island since time immemorial. For generations, Nuu-chah-nulth people flourished, sustained by the abundant marine, terrestrial and coastal resources of the region and were part of an extensive trade network, with routes weaving east through Vancouver Island and beyond. After contact, the establishment of the reserve system and the *Indian Act* (1876) severely restricted traditional forms of governance, land management, and claims to traditional lands were ignored.

Why is the ACRD undertaking the project?

The ACRD's 2021-2024 Strategic Plan identifies the importance of fuller participation in local governance for First Nations in the region. Including non-Treaty First Nation neighbours in regional governance will enrich our work on shared challenges and opportunities, help improve regional service delivery like emergency services, transportation, waste management. This is an important step towards reconciliation, helping our region build strong, collaborative relationships with First Nations based on trust and mutual respect.

Today, legislation under which the ACRD operates (*Local Government Act*) limits regional board membership to Treaty First Nations. With the adoption of the *Declaration on the Rights of Indigenous Peoples Act (Declaration Act)* in 2019, the province has committed to supporting inclusive regional governance by advancing First Nations participation in regional district boards amongst many other actions outlined in the 2022 *Declaration Act* Action Plan.

Are other regional districts in B.C. doing similar work?

Yes. The Ministry of Municipal Affairs is supporting five regional districts on similar projects, including the Regional District of the Central Okanagan, Capital Regional District, Central Coast Regional District, and Nanaimo Regional District are undertaking similar work.

What's the timeline?

Project work is proposed to conclude with a final report to the ACRD Board and the Ministry of Municipal Affairs on next steps and the path forward over the winter of 2024/2025.

Who's paying for it?

The ACRD received a funding grant from the Ministry of Municipal Affairs for this project.

What happens next?

Depending on the approach taken, and the approaches developed in other regional districts, amendments to the provincial *Local Government Act* would be required if non-Treaty First Nations were to become sitting members of regional district boards.

More information?

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ALBERNI-CLAYOQUOT REGIONAL DISTRICT

Inclusive Regional Governance

ORIENTATION GUIDE

AUGUST 2024



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT



huu'ayaht



Yuutu?it?ath



Uchucklesaht



HESQUIAHT
FIRST NATION



hupa'asath
First Nation



Please note that this is a living document that will be regularly updated as new information becomes available, or as relationships further develop and new inclusive governance opportunities, programs, and actions occur.

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1. INTRODUCTION AND OVERVIEW

The Alberni-Clayoquot Regional District (ACRD) is a federation of three member municipalities (Port Alberni, Tofino, Ucluelet), four Treaty First Nations (Huu-ay-aht, Yuułu?it?ath, Uchucklesaht Tribe Government, Toquaht Nation) and six electoral areas (“A” Bamfield, “B” Beaufort, “C” Long Beach, “D” Sproat Lake, “E” Beaver Creek, “F” Cherry Creek). One of 27 regional districts in BC, the ACRD provides residents with a range of services (e.g., water, sewer, 911, emergency management) that a single municipality or rural area cannot provide on its own and helps advocate and give voice to important and shared issues in the region with higher levels of government (i.e., the Province and federal government).

With the adoption of the *Declaration on the Rights of Indigenous Peoples Act* in 2019, the province has committed to supporting inclusive regional governance by advancing non-Treaty First Nations participation in regional district boards. Currently, the provincial *Local Government Act* limits regional district membership to Treaty Nations.

The ACRD is an active partner in this journey and is working on an inclusive regional governance project to engage six non-Treaty First Nations in the region (Hupačasath First Nation, Tseshaht First Nation, Tla-o-qui-aht First Nation, Ahousaht First Nation, Ditidaht First Nation, and Hesquiaht First Nation) in a conversation about helping get their voices (and votes) at the ACRD table.

This Inclusive Regional Governance – Orientation Guide is meant to support this initiative and to help local elected officials and staff as well as residents and citizens in moving down the path towards more inclusive regional governance.

The specific goals of this Inclusive Regional Governance – Orientation Guide are to:

- Provide an overview of the ACRD’s inclusive regional governance initiative.
- Provide an overview of the four Treaty Nations who are now members of the ACRD and the six non-Treaty Nations that the regional inclusive governance initiative is looking to bring to the ACRD table.

- Provide background information on governance processes and systems within the region (ACRD, Treaty First Nations, non-Treaty First Nations).

1.1 Regional Inclusive Governance

The ACRD is a federation of three municipalities (Port Alberni, Tofino, Ucluelet), and four Treaty First Nations (Huu-ay-aht First Nations, Yuułu?it?ath Government, Uchucklesaht Tribe, Toquaht Nation), and six electoral areas. The ACRD is working on an inclusive regional governance project sponsored by the province that is working to engage six non-Treaty First Nations in the region (Hupačasath First Nation, Tseshaht First Nation, Tla-o-qui-aht First Nation, Ahousaht First Nation, Ditidaht First Nation, Hesquiaht First Nation) in a conversation about helping get their voices at the ACRD table and their active participation (and votes) with any regional service they choose to become a participant in.

The provincial *Local Government Act* under which the ACRD operates, restricts regional board membership to Treaty First Nations. Although the *Local Government Act* has provisions that allow non-treaty or historic treaty Nations to participate in the regional governance model as non-voting/non-members in an “observer” or advisory capacity. Currently, the opportunities for a more meaningful voice at the table are limited.

With the adoption of the *Declaration on the Rights of Indigenous Peoples Act* in 2019, the province has committed to supporting inclusive regional governance by advancing First Nations participation in regional district boards.

The Union of British Columbia Municipalities (UBCM), First Nations, and several regional districts have directly requested that the Ministry of Municipal Affairs explore how First Nations could become voting members of regional districts without concluding a modern treaty that specifies regional district membership.

The ACRD's 2024-2027 Strategic Plan aims to achieve mutual benefits from partnering with non-Treaty First Nations in the region. Engaging non-Treaty First Nations on the ACRD board will support and enrich important work in the region on shared challenges and opportunities, such as climate change, housing, health and wellbeing, transportation, and regional services like recycling and solid waste.

The regional inclusive governance initiative is intended to support the participation of First Nations in ACRD decision-making while also establishing a foundation to better understand how new decision-making systems could be created together. This effort to facilitate increased participation of First Nations in ACRD governance is an important and measurable step towards reconciliation and building strong relationships with First Nations based on trust and mutual respect, partnerships and working together on shared goals.



Photo: CCby-nc-nd, Province of BC

REGIONAL INCLUSIVE GOVERNANCE: A PROVINCE-WIDE INITIATIVE

After BC's adoption of the Declaration on the Rights of Indigenous Peoples Act in 2019, a Declaration Act Action Plan was created. The Action Plan is an 89-point plan that includes goals, outcomes, and tangible actions needed for meaningful progress in reconciliation from 2022-2027. One of the actions (1.11) is to "Support inclusive regional governance by advancing First Nations participation in regional district boards."

To be implemented and supported through the Ministry of Municipal Affairs, the ACRD's initiative is one of four taking place across the province. The others are Capital Regional District, Nanaimo Regional District, and the Regional District of Central Okanagan. The ACRD is sharing information regularly with the other regional districts and with the province as the regional governance action moves forward.

2. FIRST NATIONS IN THE ACRD – OUR STORIES

The 10 First Nations in the ACRD are Nuu-chah-nulth peoples who have lived along the Pacific west coast of Vancouver Island for time immemorial.

For generations, Nuu-chah-nulth people flourished, sustained by the abundant marine, terrestrial and coastal resources of the region and were part of an extensive trade network, with routes weaving east through Vancouver Island and beyond.

After contact, Nuu-chah-nulth people were greatly impacted by disease and the ownership and use of traditional lands and resources as new laws and management regimes were imposed. The establishment of both the reserve system and the *Indian Act* (1876) severely restricted traditional forms of governance and land management. Claims to traditional lands were ignored, and Nuu-chah-nulth peoples were gradually confined to five small reserves. Some communities were forcibly amalgamated, and some were moved to reserves outside of their traditional territories.

2.1 The Maa-nulth Treaty

The Maa-nulth Treaty is one of only a few modern-day treaties signed in British Columbia, and the first on Vancouver Island. It is also unique in that it encompasses a group of Nations, whereas other treaties (Tsawwassen, Tla'amin, Nisga'a) involved only one Nation.

The final Maa-nulth Treaty includes five Nations:

- Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations (Kyuquot Sound area)
- Huu-ay-aht First Nations (Bamfield area)
- Toquaht Nation (Ucluelet area)
- Yuułʷiłʷatʰ Government (Ucluelet area)
- Uchucklesaht Tribe (near the mouth of Alberni Inlet)

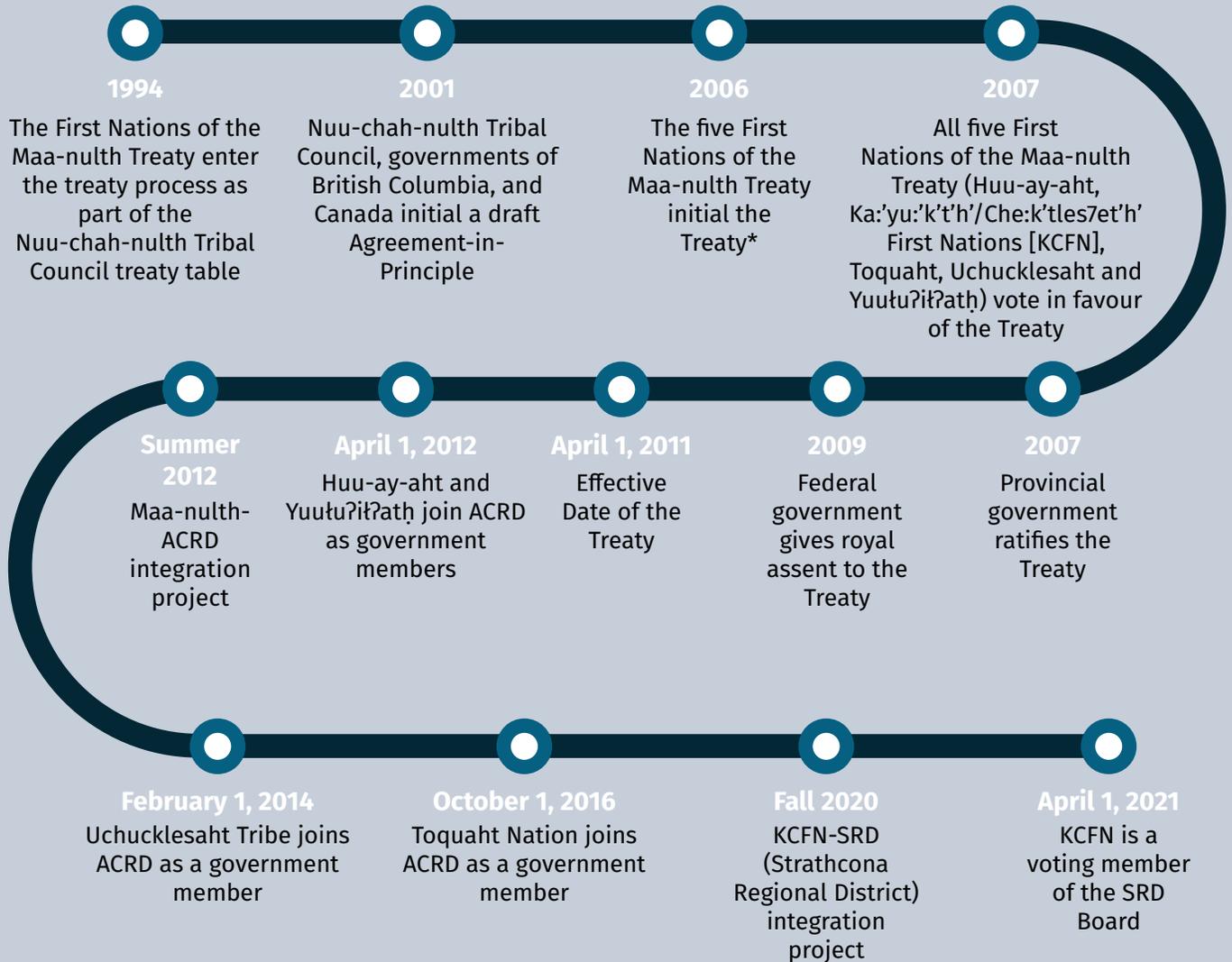
All but Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations (KCFN) have their Treaty Lands within the boundaries of the ACRD.

The Maa-nulth First Nations Treaty was negotiated as part of the BC Treaty Commission's six-stage treaty process. This was a tri-partite negotiation involving the Federal Government, the Province of BC, and the Maa-nulth First Nations Treaty Society.



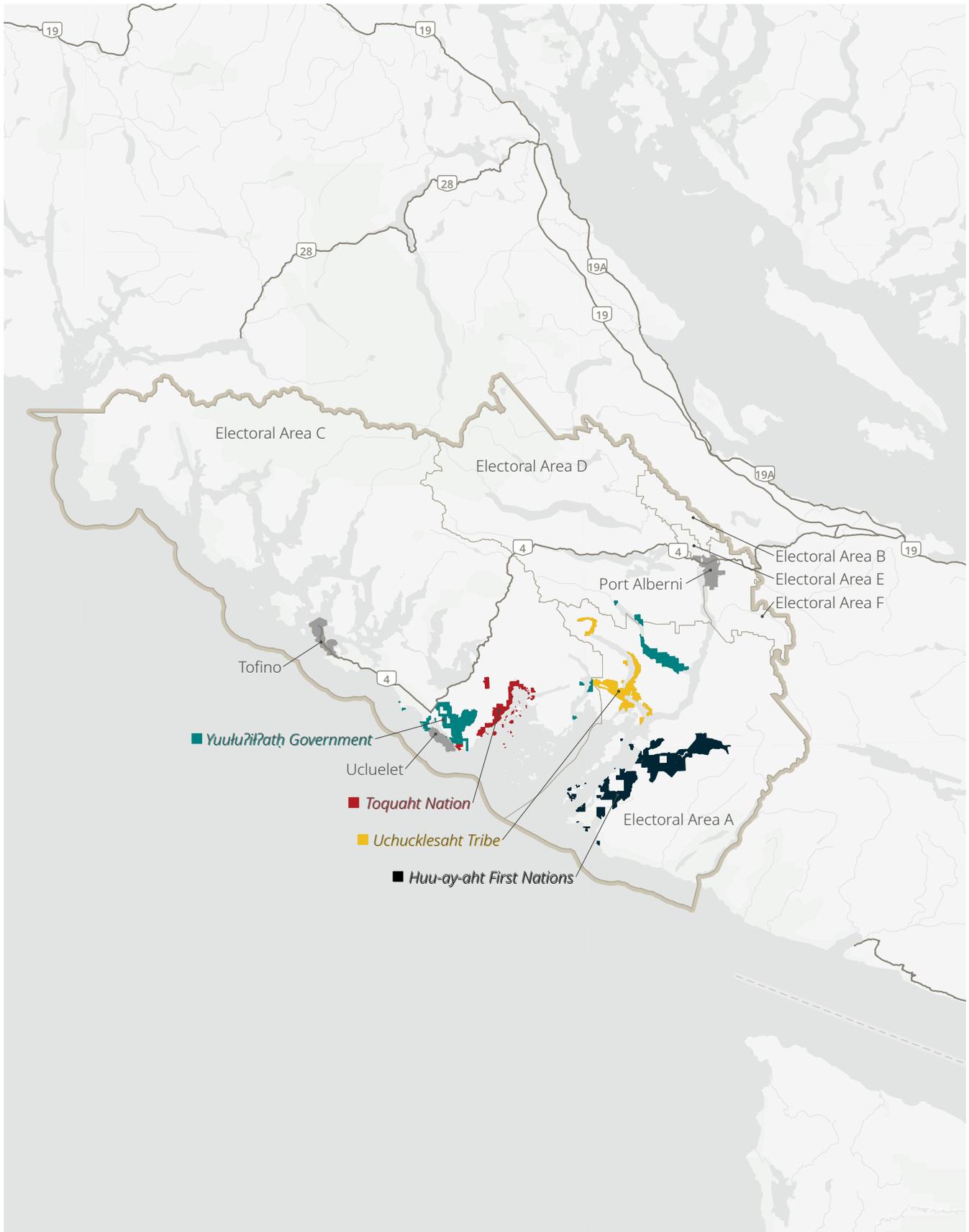
The Maa-nulth First Nations Treaty was initiated in 2006 with an effective date of April 1, 2011. The Treaty first had to be voted on by Nation members and then ratified by both the provincial legislature and federal parliament. The timeline that follows marks some of the milestones in the process.

TIMELINE



* Six of the 12 First Nations negotiating as part of the Nuu-chah-nulth Tribal Council approved the Agreement-in-Principle. Five of these First Nations joined together to form the Maa-nulth First Nations Treaty Society.

MAP: ACRD and Treaty Nations



Treaty Details

The Maa-nulth Treaty is a detailed legal document that lays out the governing powers of each Treaty Nation. Each of the five Treaty Nations has their own Constitution, which spells out the rights and responsibilities of its citizens and provides for standards consistent with other governments in Canada. This means they have the authority to enact laws and govern themselves. These Nations are no longer under the jurisdiction of the federal government's *Indian Act*.

Each Constitution also spells out law-making powers about a broad range of issues including:

- Lands and land management
- Social development (including education)
- Protection and enhancement of culture
- Heritage and language
- Public administration
- Taxation and financial accountability

The Maa-nulth Treaty is based on a concurrent law-making model, which acknowledges federal and provincial laws and clarifies whose laws prevail in situations of conflict. The laws formed under each Nation's Constitution, however, have the highest priority when it comes to internal matters. Though there are some areas where provincial and federal law prevails, the Maa-nulth Nation's governing authority is more significant than other BC local governments (i.e., municipalities and regional districts).

- **Federal Laws and Provincial Laws:** As a legislative authority within Canada, the Huu-ay-aht, Yuułu?itʔath, Uchucklesaht Tribe and Toquaht Nation governments are included in the Canadian federal system. The Treaty does not alter the Canadian Constitution, including Aboriginal rights outlined in Sections 25 and 35. The Canadian Charter of Rights and Freedoms applies to all Maa-nulth Members. In the case of conflict, federal and provincial laws prevail over Maa-nulth legislation for issues related to childcare, post-secondary education, health, social development, marriages, order, peace and safety, emergency preparedness, public works, regulation of businesses, and traffic, transportation, parking, and highways. For other issues, Maa-nulth legislation prevails. The BC Building Code applies to Treaty Lands. Federal and provincial environmental assessment laws apply to Treaty Lands, and both Canada and BC have retained the authority to manage fish, wildlife, and migratory birds within their respective habitats. Canada has concurrent tax authority on Treaty Lands (i.e., income tax) and the Province has vacated from property tax on Treaty Lands through a side agreement.
- **Taxation:** Each Maa-nulth Nation has the authority to levy taxes on Treaty Lands. The tax exemptions previously provided under the *Indian Act* will be phased out for Maa-nulth members.



TREATY LAND: THE DETAILS

- **Additional Lands:** Additional lands can be acquired through purchases. Certain lands that were pre-approved in the Treaty process automatically become Treaty Lands.
- **Public Access:** Existing roads within Treaty Lands are listed as Crown corridors and excluded from the Treaty Lands. Private landowners are assured access to their properties. The public has continued access to non-private Treaty Lands including for recreation and non-commercial use. While Treaty Lands can be designated private under certain conditions, key recreation sites cannot be converted without BC's consent.
- **Foreshore:** The government of BC has ownership of the foreshore. Maa-nulth Nations have law-making authority (consistent with the leases) over the marine and freshwater foreshore areas adjacent to their Treaty Lands, in the same way a municipal authority does.
- **Off-Treaty Lands:** The Treaty provides a role for Maa-nulth Nations within their territories beyond Treaty Lands. This includes the opportunity to be consulted and have input on decisions regarding resource management, commercial tenures, resource revenue sharing as well as planning and management for protected and conservation areas, environmental assessments and the harvest of renewable resources.

- **Treaty Lands:** Treaty Lands are owned with a few key differences in the character of ownership compared with fee-simple lands elsewhere in BC:
 - Each Nation has law-making authority and is the governing body of their Treaty Lands;
 - Expropriation is limited and can only be done in accordance with the Treaty; and
 - Treaty Lands and Maa-nulth rights to land are protected by Section 35 of the Canadian Constitution.

FIGURE: Comparison of Treaty Lands and Indian Act lands

| | <i>Under the Indian Act</i> | <i>Under Treaty</i> |
|--------------------------------|-----------------------------|---|
| Land Ownership | Crown | Maa-nulth own land |
| Land Registration | CIRNAC / ISC | Lawmaking authority for land registration |
| Expropriation | Yes | Limited expropriation |
| Sub Surface Ownership | None | Yes |
| Land Management | None | Yes |
| Law Making | None | Yes |
| Economic Development | Limited | Yes |
| Protection of Land Base | None | Certainty in Constitution |
| Submerged Land | None | Say in protection |
| Watershed Land | None | Say in protection |

Treaty and Regional Governance

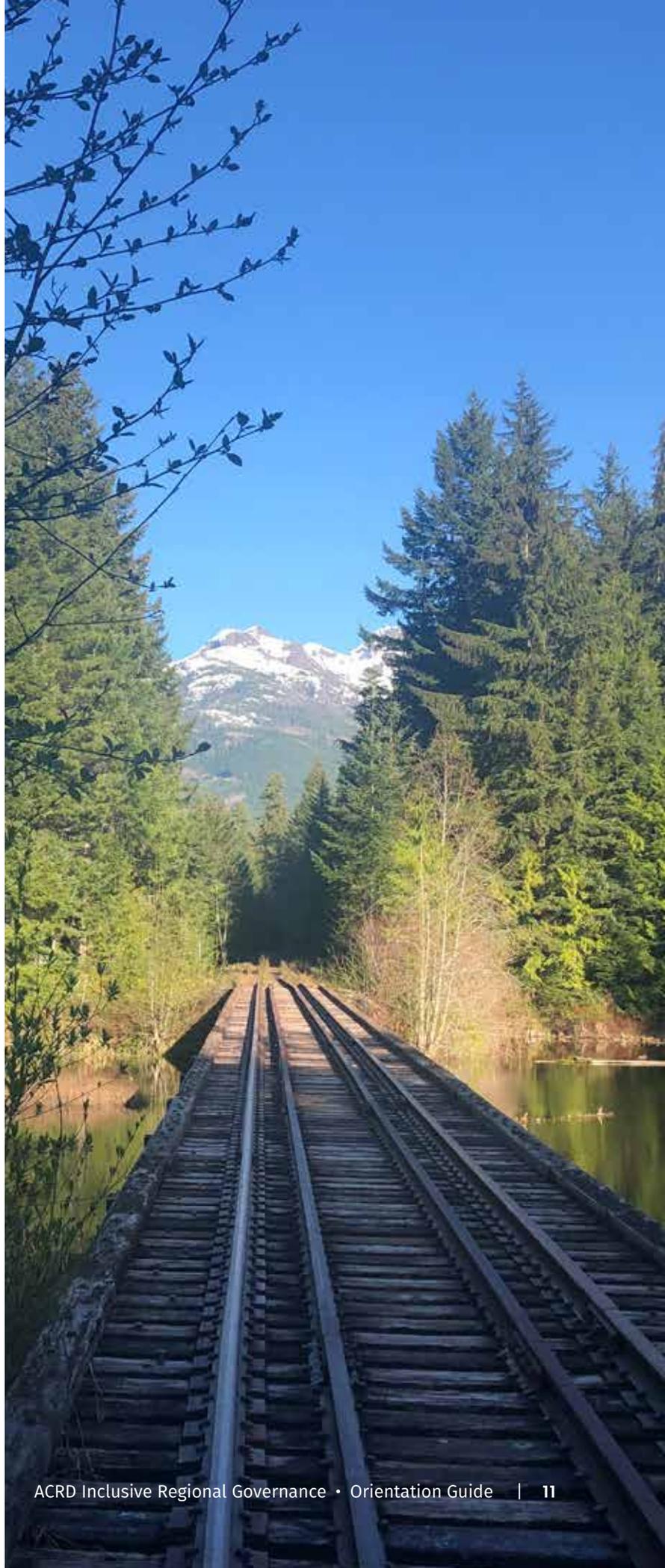
Chapter 14 of the Maa-nulth Treaty deals with regional governance and includes specific provisions on how Treaty Nations interact with the regional district they fall within. The Treaty required that First Nations of the Maa-nulth Treaty participate in two service areas of the regional district that are necessary for regional district membership: General Government Services and Regional Hospital District.

General Government Services

includes the administrative costs of running the regional district government. Specific costs under the service are directors' indemnities, administrative salaries, office and building costs, audit, insurance, and legal fees.

The purpose of the **Regional Hospital District** is to raise funds for capital expenses and new hospital facilities within the region.

Since joining the ACRD, Maa-nulth Nations have become participants in other services. These are outlined in Section 3.2, Services.



2.2 Treaty First Nations

While each Nation is unique, Maa-nulth Treaty Nations do share some common governance structures. Each of the four Treaty Nation government have three main components:

- a Legislative branch
- an Executive branch
- a People's Assembly

This organization has some similarities to BC's provincial system and in some ways resembles a municipal government.

Hereditary leadership still plays an important role in Maa-nulth Treaty Nations governance (as it does for non-Treaty Nations). Traditionally, they were the caretakers for the lands, waters, and resources of their haa-huulthii¹. A relatively complex concept, haa-huulthii represents the domains of Hereditary Chiefs – that which they have traditional authority over and responsibilities for. This includes physical features like lands and resources, but also the customs, values, and teachings related to these areas that have been passed down through generations. Today, each Maa-nulth Treaty Nations government maintains a Ḥawiiḥ Advisory Council which represents this traditional governance and acts as an advisory body to the Maa-nulth Treaty Nation government where they sit. Membership numbers vary for each of the Treaty First Nations. Many of the non-Treaty First Nations in the ACRD also incorporate traditional governance approaches which are explored in Section 2.3.

The Executive branch is comprised of the Legislative Chief and any individual members of the Legislature identified to hold specific positions. The Executive branch is directly accountable to the Legislative branch and is responsible for representing Treaty Nations in all intergovernmental relations, including relations with other First Nations. They are responsible for implementing the laws and general operational oversight of their communities.

The Legislative Chief acts as Executive Chief and has authority and responsibility for representing their Treaty First Nation with local, provincial, federal, other First Nations, and Indigenous organizations nationally and internationally. This includes:

- Ensuring citizens are informed on social, political, and legal issues affecting their Nation.
- Developing and maintaining systems of communications.
- Ensuring their Constitution, laws, and policies are adhered to and enforced.
- Managing and administration of their Nations' governments.

Treaty Nation citizens are represented through a People's Assembly, which convenes at least once annually to hear financial information and set out strategic objectives for the upcoming year. Every citizen has the right to attend and speak at the Assembly. The body can also pass a resolution requiring a referendum on any issue to go to the Legislative Chief.

¹ Spellings of ha'huulthii vary between communities and individuals. Alternative spellings include Ha'huulthii, ha'huulthii, haḥuutii, and ḥaḥuuti.

Huu-ay-aht First Nations

Huu-ay-aht First Nations is a modern treaty Nation whose lands stretch from Tsusiat Falls on the west coast of Vancouver Island in the south to the Deer Group Islands in the north in the Imperial Eagle Channel and in the north, to Coleman Creek in the Alberni Inlet, this includes the villages of Bamfield and Anacla.

Huu-ay-aht citizens number close to 900 and primarily reside around the village of Anacla, the Nation's principal community close to Bamfield, as well as in Port Alberni, the closest population centre. Today, around 10% of Huu-ay-aht citizens live on their land. The balance of their citizens live across Vancouver Island, in the Vancouver area, and beyond.

Among the Huu-ay-aht First Nation, the ḥawiiḥ Council is integrated by the Hereditary Chiefs who represent seven houses (one member per house). They provide the Huu-ay-aht Government with advice and take care of protocol during cultural events. The Huu-ay-aht Government has seven elected Councillors, two of which are the Chief Councillor and the ḥawiiḥ Councillor.

On April 1, 2012, Huu-ay-aht joined the ACRD as a government member. In addition to the Treaty-mandated General Government Services and Regional Hospital District services, Huu-ay-aht is a service participant for fire protection in the village of Anacla through a contract. In addition, Bamfield water system services a small portion of Huu-ay-aht Treaty Lands in Anacla. The ACRD provides solid waste hauling services from Anacla and other Huu-ay-aht First Nation businesses by service agreement.

In 2022, the Bamfield Marine Science Centre and Huu-ay-aht opened their new Wastewater Treatment Plant. The ACRD and Huu-ay-aht are now exploring the benefits, community interests, and process of connecting the community of Bamfield to the treatment plant through a service agreement or other service approach.





Yuułuꞑitꞑatꞑ Government

The Yuułuꞑitꞑatꞑ Government is located in the community of hitaꞑu on the west coast of Vancouver Island, on the eastern shore of Ucluelet Inlet across from Ucluelet. Their government jurisdiction extends over nearly 5,500 hectares of Treaty Settlement Land surrounding the community of hitaꞑu, as well as territory north of Ucluelet, in the Effingham Inlet and along the Nahmint River. There are currently approximately 700 Yuułuꞑitꞑatꞑ Citizens located in hitaꞑu, Port Alberni, Nanaimo, Victoria, Vancouver, Campbell River, and across Canada and the United States. The Yuułuꞑitꞑatꞑ Government's Legislature branch is made up of eight members, including six elected members, one chief councillor and one ꞑawiiꞑ. There is also a ꞑawiiꞑ Advisory Council.

On April 1, 2012, Yuułuꞑitꞑatꞑ joined the ACRD as a government member. In addition to the Treaty-mandated General Government Services and Regional Hospital District services, Yuułuꞑitꞑatꞑ sits on the ACRD's West Coast Solid Waste Working Group, which was established in 2019. It also includes representatives from Ucluelet, Tofino, Parks Canada, Toquaht, and Tla-o-qui-aht. This group assessed the effectiveness of waste management in the region to find opportunities for improvement.

In the fall of 2022, the Yuułuꞑitꞑatꞑ (hitaꞑu) began receiving the Sort'nGo residential roadside waste collection service for the first time through the ACRD through a service agreement. Previously, the community disposed of their household waste in larger containers without waste separation. This new service includes three-stream roadside collection including organic waste, recycling, and garbage.

Yuułuꞑitꞑatꞑ is a service participant in the E911 Telephone Service and West Coast Transit Service.

Toquaht Nation

Toquaht means “people of the narrow place in front”, “people of the long narrow beach”, or “people of the narrow channel” in Nuuchahnulth. Historically, Toquaht people lived among seven traditional village sites within the 38,000-hectare traditional territory, encompassing Toquaht Bay, Mayne Bar and Western Barkley Sound. Their main summer village was *túkʷaa*, situated at the mouth of Ucluelet Inlet. Toquaht Treaty Settlement Land now totals 1,815 hectares, including 355.4 hectares of land that was recently added through negotiations with the province.

Toquaht Nation has approximately 170 Citizens in total with about 20% living in the community of Macoah (*máʔaʔuuʔa*) which is located along the northern shore of Barkley Sound (*hʔsuuʔisukqin*). It is Toquaht Nation’s only populated village. Macoah had been uninhabited for a time, but Citizens moved back to the area in the 1990s when nine homes were built there. It is one of Toquaht Nation’s primary goals is to bring the *masčim* (the people) back home to the *ħaħuuti* (territory). Currently, most Citizens live in Ucluelet, Port Alberni, Nanaimo, and Victoria.

Toquaht Nation’s Council comprises two hereditary “standing” seats and three elected members who serve four-year terms. Toquaht has five corporations including Marina & Campground LTD., Toquaht Enterprises Ltd.

(forestry), Toquaht Developments Ltd. (sawmill), Toquaht Management Ltd. (asset management), and Barkley Sound Shellfish Ltd.

On October 1, 2016, Toquaht Nation joined the ACRD as a government member. In addition to the Treaty-mandated General Government Services and Regional Hospital District services, Toquaht sits on the ACRD’s West Coast Solid Waste Working Group which was established in 2019. It also includes representatives from Ucluelet, Tofino, Parks Canada, Yuułuʔiłʔatḥ, and Tla-o-qui-aht. This group assessed the effectiveness of waste management in the region to find opportunities for improvement, including the implementation of organics diversion.

The ACRD has two licenses from Toquaht First Nation for the Salmon Beach septic field and access road right of way lease. Services provided to Salmon Beach include garbage collection, power distribution, recreation, security, sewage, transportation, and water.

Toquaht is also involved as a service participant in the West Coast Multiplex facility. This service is currently inactive until the Society can obtain the funding necessary to construct the building.

Toquaht is a service participant in the West Coast Transit service.



Uchucklesaht Tribe

Uchucklesaht Tribe has two villages located in Barkley Sound, southwest from Port Alberni. The first village is past the Uchucklesaht Inlet on the West side of Barkley Sound and is called Cowishulth. The second village, Hilthatis, is located at the head of Uchucklesaht Inlet. Uchucklesaht Tribe has 313 enrolled citizens. Some citizens live in the village of Ehtlateese, however, the majority of Uchucklesaht citizens live in the City of Port Alberni, where Uchucklesaht Tribe offices are located. Uchucklesaht is working to update its Official Community Plan and complete a Housing Needs Report. Uchucklesaht's Department of Lands & Resources recently initiated Uchucklesaht's first comprehensive Climate Action Plan.

The Uchucklesaht Legislative branch is made up of one Chief Councilor, two ḥawiiḥ and three elected councilors. The Uchucklesaht holds a People's Assembly twice a year for citizens to attend and participate.

Uchucklesaht owns properties in Port Alberni, including the landmark Thunderbird Building on Argyle Street and the former Redford Elementary School now called Nuuci.

On February 1, 2014, the Uchucklesaht Tribe joined the ACRD as a government member. Uchucklesaht participates in Treaty-mandated General Government Services and Regional Hospital District services. Uchucklesaht is also a service participant in the Sproat Lake Marine Patrol and the Alberni Valley Regional Airport.



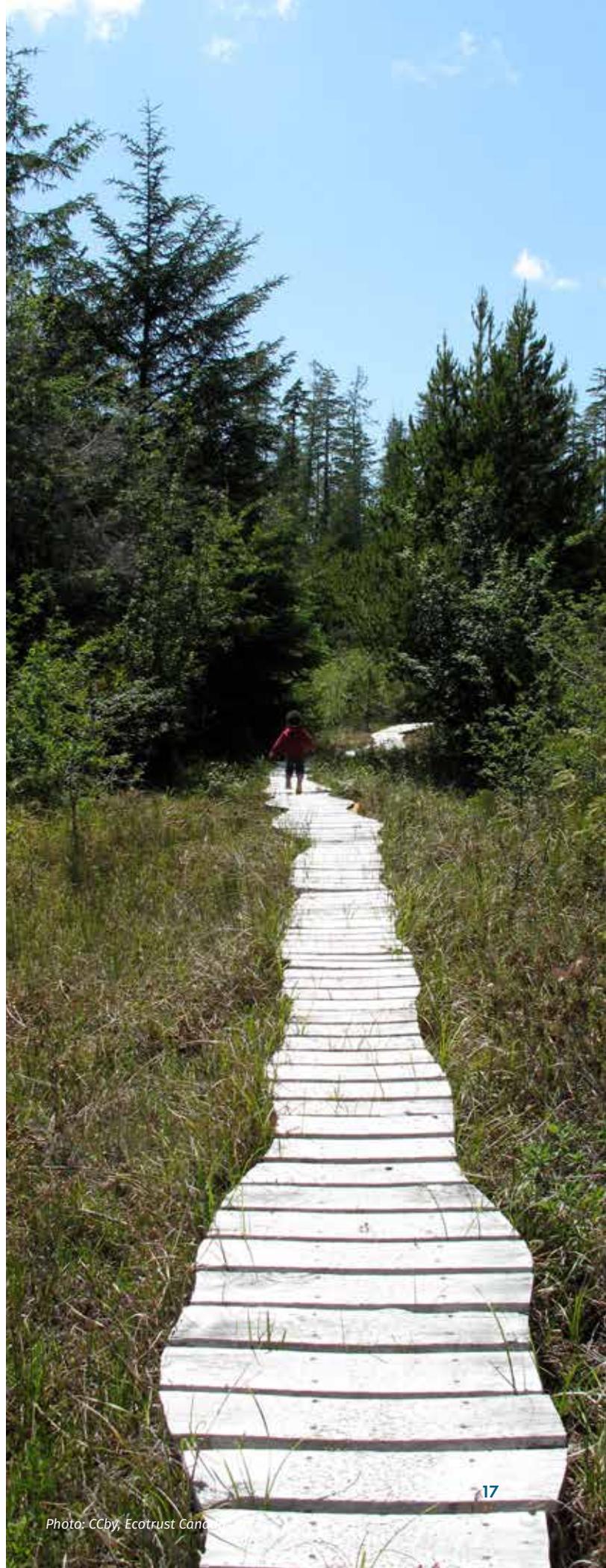
2.3 Non-Treaty First Nations

Ahousaht First Nation

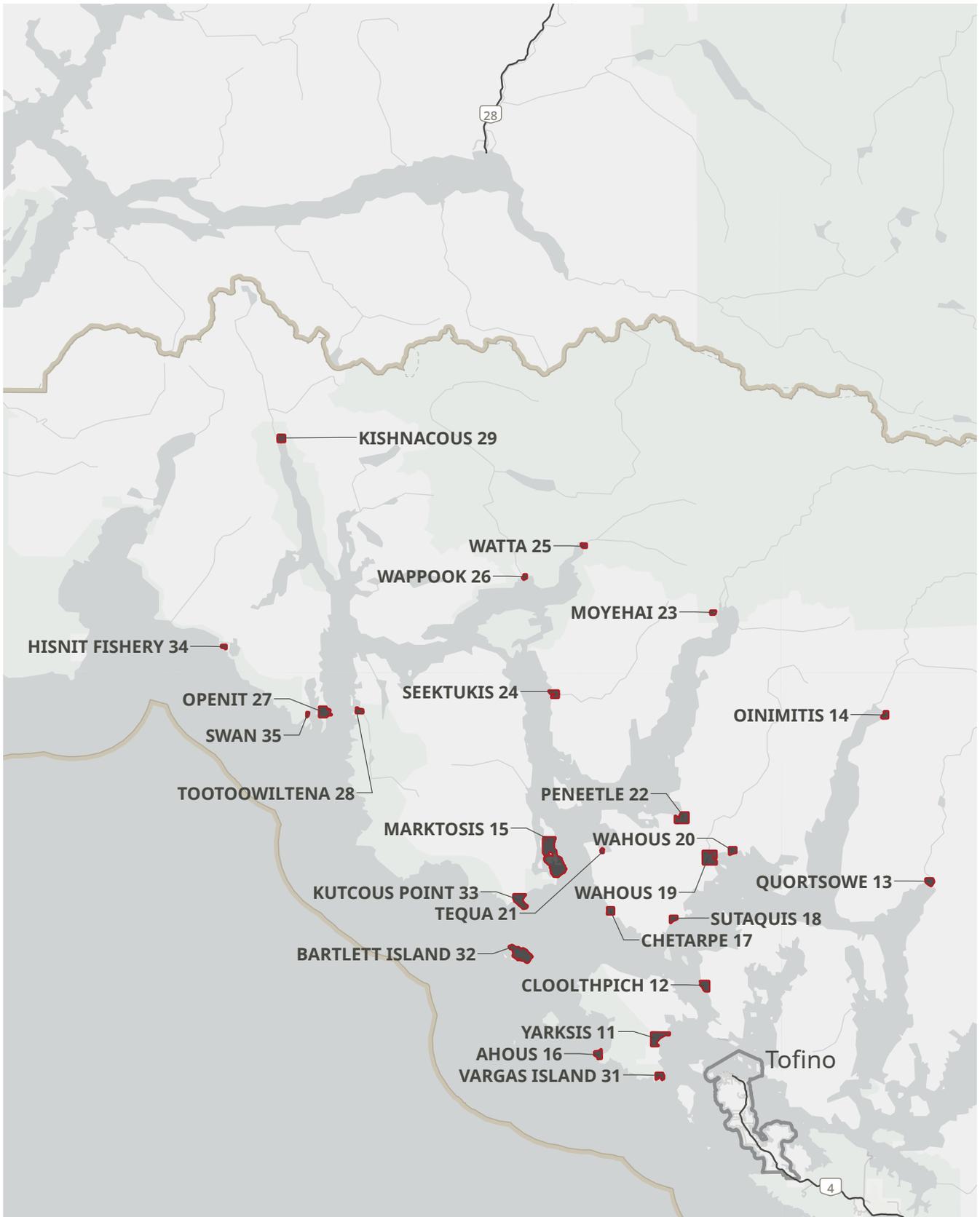
Ahousaht First Nation has a total registered population of 2,241, with 758 community members living on reserve, 100 living on other reserves, and 1,381 off reserve. Ahousaht has 24 reserves, with the community of Maaqutusiis on the southeastern tip of Flores Island being one of the primary homes for Ahousaht members. Maaqutusiis is accessible by a 30 to 40-minute water taxi ride from Tofino. The District of Tofino is the closest hub for food and health services and serves as the main access point to the community of Maaqutusiis.

Ahousaht First Nation is governed by both ḥawiiḥ (hereditary Chiefs) and an elected council. There are three principal ḥawiiḥ of Ahousaht and three chiefs that represent Nations that amalgamated into Ahousaht. The elected council has a custom electoral system and has one Chief Councilor and twelve Councilors. The Maaqutusiis Hahoulthee Stewardship Society (MHSS) is a non-profit organization that manages the lands, resources, and economic opportunities within the territory of the Ahousaht community. Through the Maaqutusiis Hahoulthee Enterprises Inc., they own the Tofino Wilderness Resort, Ahous Adventures, Ahous Hakuum, and Ahous Fuel Stop.

MHSS, Chief and Council, and Ahousaht community members created a Land Use Vision for their ḥaḥuukii (territory) in 2017. In 2022, Ahousaht completed the construction of their new wastewater treatment plant in Maaqutusiis. Ahousaht is negotiating land and resource agreements outside of the treaty process.



MAP: Ahousaht reserves



Ditidaht First Nation

Ditidaht First Nation territory expands from Cowichan Lake to Nitinaht Lake, along the coast between Bonilla Point and Pachena Point and encompasses a considerable distance offshore. Ditidaht First Nation has a total registered population of 770 people, with 166 community members living on reserve, 61 community members living on other reserves, and 543 community members live off reserve. Ditidaht First Nation has a custom electoral system with four-year terms and with one Chief and four Councilors.

Ditidaht First Nation has 17 reserves, with most community members living in the Malachan 11 reserve on the northern end of Nitinaht Lake. The community is accessible by unpaved active logging roads. The Carmanah Main forest service road connects the community to Port Alberni 72 km to the north. Parts of the road are excluded in the forest service agreement omitting much needed grading and regular maintenance on it.

The Ditidaht Economic Development Corporation manages economic development for the Ditidaht Nation, including tourism, forestry, and fisheries opportunities. Tourism is an important aspect of the community's economy with the Nitinaht campground, Nitinaht Lake being a popular destination for windsurfing, and the community serving as an access point to the West Coast Trail. In 2017, new road signage was created part-way to the community to make it easier for community members, tourists, and others to navigate throughout a portion of the region. These signage efforts were part of a

larger conversation with regional and provincial partners around road improvements and upgrades. To navigate safely throughout the territory, road signage improvement is needed from Franklin River to the main community of Malachan IR#11.

Ditidaht has a Community Plan and an Economic Development Strategy, which are both living documents that guide the Nation's development.

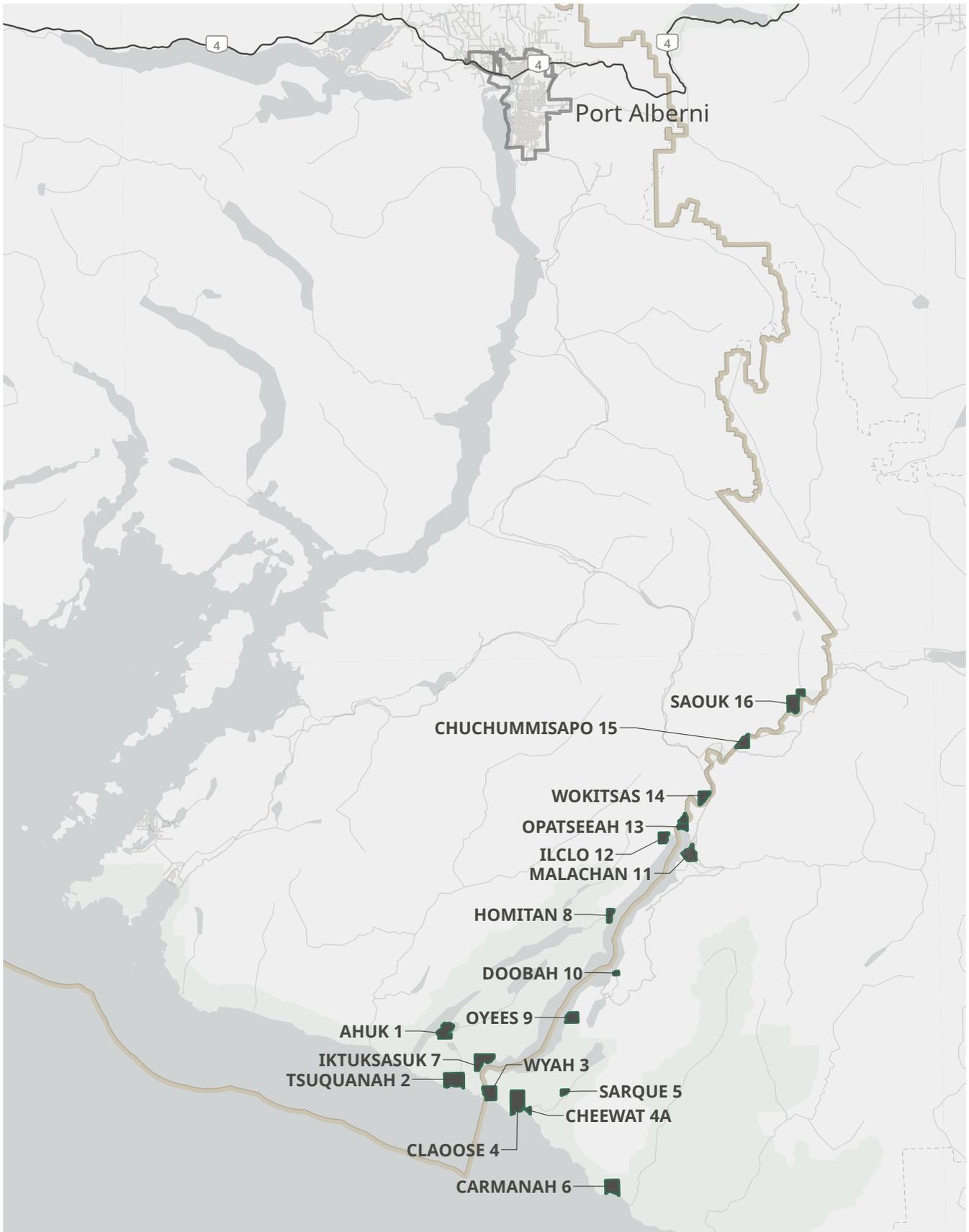
Currently, residential solid waste is collected weekly and brought to Cowichan Valley Regional District landfill. In 2021, a new recycling station was created in the community. Community water supply is from groundwater.

The Ditidaht treaty table is in Stage 5 negotiations and continues to make significant progress in their negotiations. This includes protecting and securing the ecological integrity and biodiversity of Ditidaht lands, as well as their rights, culture and way of life through shared decision-making arrangements. The Parties are also concentrating on reviewing draft treaty chapters to update the Agreement in Principle (AIP) that was signed together with Pacheedaht First Nation in June 2019.

The Ditidaht and Pacheedaht AIP was signed on June 28, 2019, setting out the basis for finalizing treaty negotiations, with separate treaties for each nation. Ditidaht will have ownership of approximately 6,106 hectares of land, including former reserves, and a capital transfer of approximately \$39.9 million.



MAP: Ditidaht reserves



Hesquiaht First Nation

Hesquiaht First Nation is the most northerly and most remote of the Nuuchah-nulth Nations in the Clayoquot Sound. Their territory expands from Refuge Cove to the Hesquiaht Peninsula in northern Clayoquot Sound. Hesquiaht First Nation has 753 total registered members, with 116 community members living on reserve, 31 community members living on other reserves, and 605 community members live off reserve.

Hesquiaht First Nation has five reserves, with Hot Springs Cove being the most inhabited reserve. Hot Springs Cove is accessible by seaplane or by boat from Tofino.

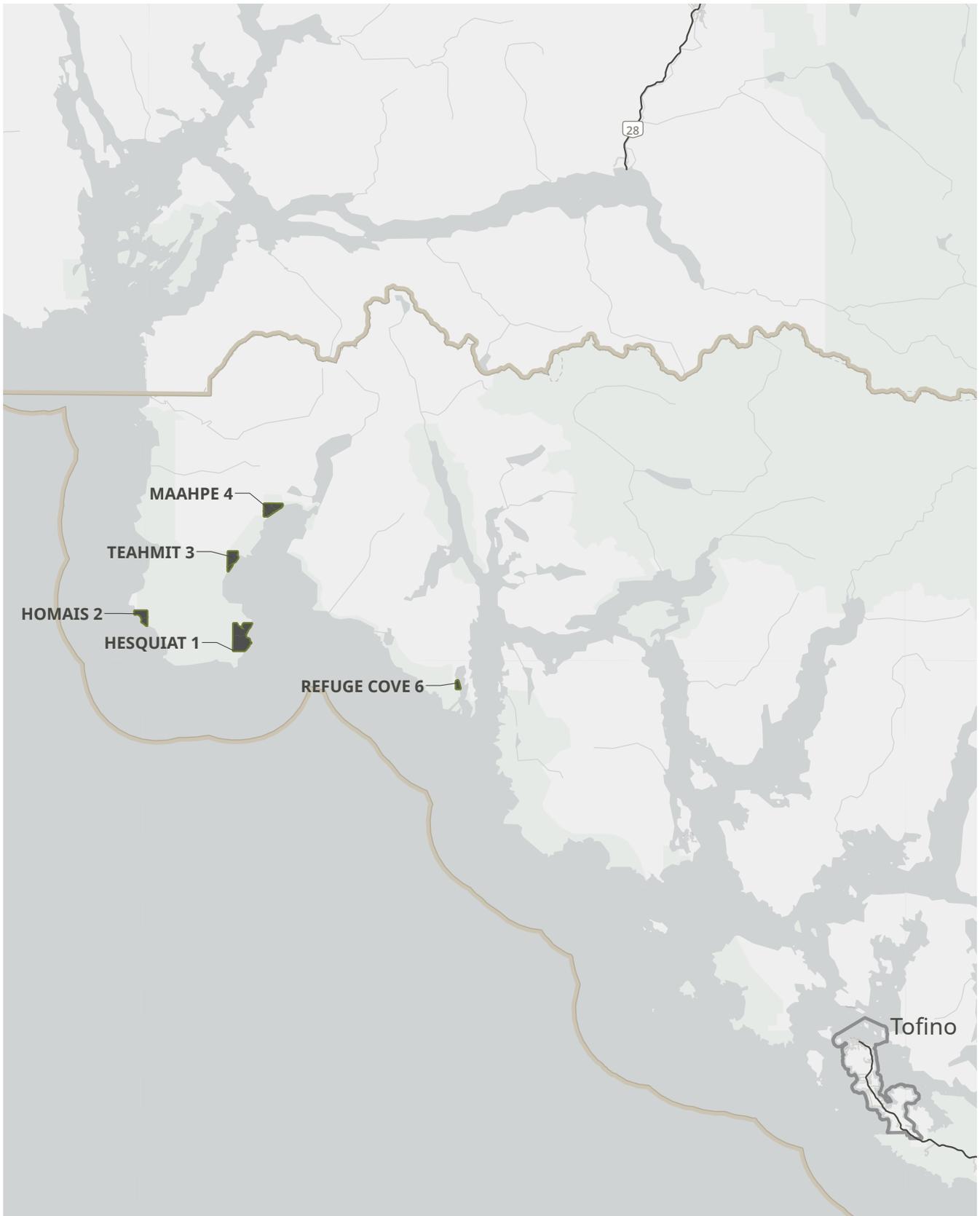
Hesquiaht First Nation is a member of the Nuuchah-nulth Tribal Council, which is in Stage 4 of the treaty negotiation process. Hesquiaht First Nation has a custom electoral system with one Chief and six Councillors. Traditionally, Hesquiaht is led by four Ḥawiiḥ (Hereditary Chiefs).

Tourism is an important part of Hesquiaht's economy as the Hot Springs are a popular destination. Hesquiaht owns a Lodge and a campground for tourists to visit. The community has previously had long-term boil-water advisories in place. The Ah'ta'apq Creek Hydro project allowed the community to transition away from diesel as an energy source and created five long-term jobs.

Hesquiaht First Nation is working to develop a land use and care plan for its territory. The District of Tofino is the closest hub for food and health services and serves as the main access point to the community.



MAP: Hesquiht reserves



Hupačasath First Nation

The Hupačasath First Nation is in the Alberni Valley and the six non-treaty Nations to the city center. The Hupačasath First Nation is an amalgamation of original tribes, including the Muuhulthaht, Klehkoot and Ahahswinis peoples. With a total registered population of 370 people, with 133 community members living on reserve, 22 live on other reserves, and 215 live off reserve.

Hupačasath has five reserves, three of which are unoccupied. Ahahswinis 1 is Hupačasath's main residential reserve, located on River Road within the municipal boundary of Port Alberni and 150 members are living there. The Ahahswinis 1 reserve is situated next to the Somass River with Highway 4 on the southern end and Beaver Creek Road cutting through the reserve. Located north of Sproat River Bridge on Highway 4, the Klehkoot 2 reserve is also inhabited by some community members. The portion of the Klehkoot 2 reserve that is inhabited is accessed by Highway 4, located about six kilometres west of Ahahswinis 1 and lies outside of the municipal boundaries of Port Alberni.

Hupačasath First Nation follows the two-year term Indian Act's election system and has one Chief Councillor and three Councillors. They are in Stage 4 of the treaty negotiation process and have completed numerous forestry agreements with the province. Hupačasath First Nation has a land use plan that was created in 2003. The land use plan defines their land and forest values, along with management objectives at the territorial level.

Hupačasath First Nation currently has service agreements with the City of Port Alberni and is collaborating with the municipality for recreational programming and other social, economic, cultural, and environmental initiatives. The City of Port Alberni's wastewater is pumped, via several pump stations, to an aeration lagoon on the south side of the Somass River. The ACRD provides potable water services for the Ahahswinis 1 reserve, with plans to expand service areas to Klehkoot 2 reserve. The water is obtained from two high-quality surface courses, China Creek, and Bainbridge Lake, with

an intake on the Somass River for use during peak demands.

In 2022, Hupacasath First Nation called on the City of Port Alberni to create a protocol when dealing with both Hupačasath First Nation and Tseshaht First Nation.

The ACRD owns the Alberni Valley Sort'nGo Centre, which a contractor operates. This landfill facility is the nearest to Hupačasath First Nation. HFN Environmental Waste Disposal Services is owned and operated by Hupačasath First Nation and offers commercial and residential garbage collection services to its community members.

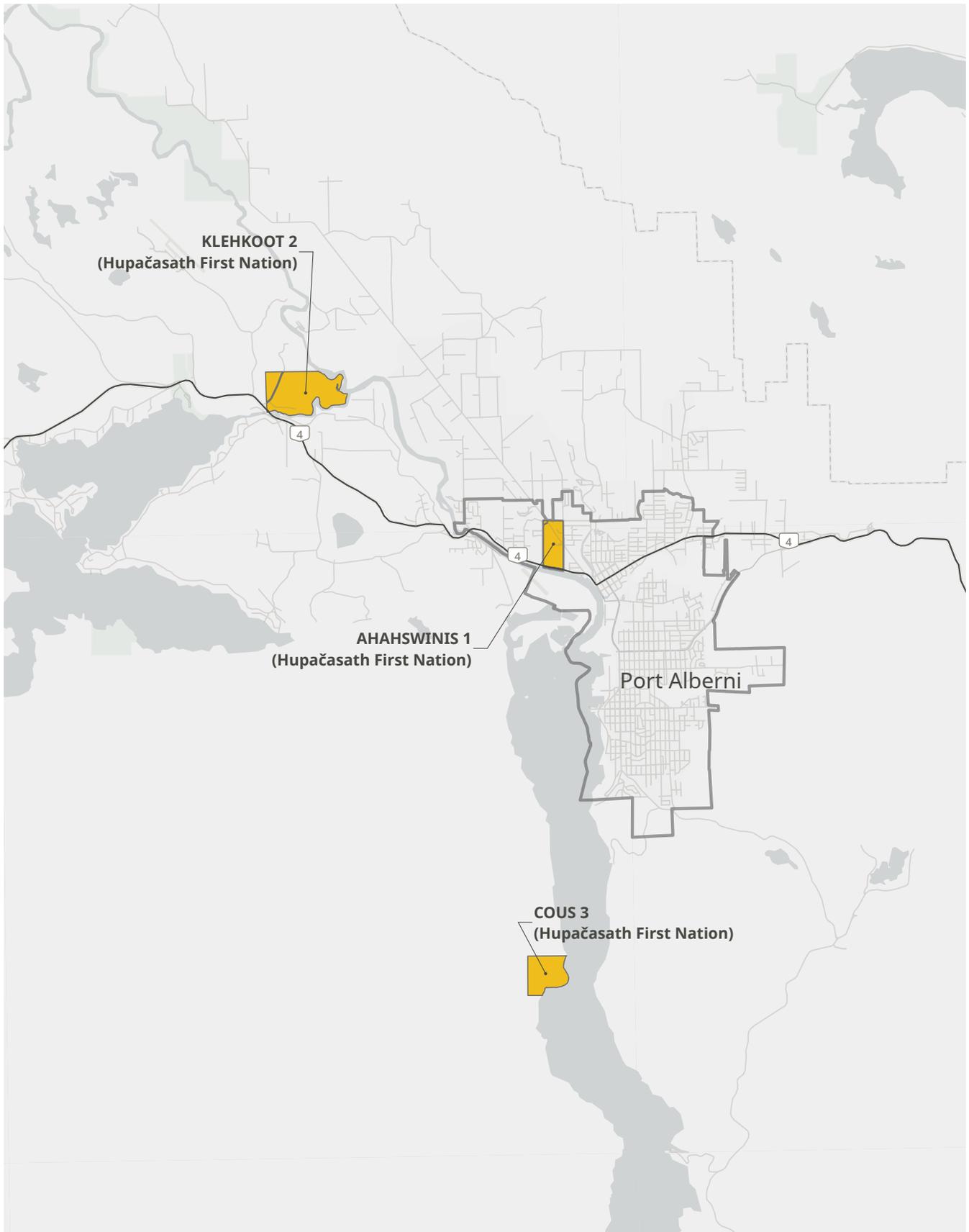


Photo: CCby, Kevstan

MAP: Hupačasatht reserves



MAP: Hupačasath reserves – Port Alberni area





Tla-o-qui-aht First Nation

Tla-o-qui-aht First Nation territory expands from the west coast through Clayoquot Sound and along the Kennedy Lake Watershed. Tla-o-qui-aht First Nation's administration is in the Tofino area and is close to a variety of city center services.

The total registered population of Tla-o-qui-aht First Nation is 1,214, with 394 community members living on reserve, 55 community members living on other reserves, and 765 community members living off reserve. Tla-o-qui-aht has 12 reserves with most community members living in the communities of Tyhistanis, Esowista, and Opitsaht. The Tyhistanis and Esowista communities are located along Highway 4 within the Pacific Rim National Park Reserve on the way toward Tofino. The community of Opitsaht is located on Meares Island and is accessible by boat from Tofino. The Tin-Wis 11 reserve is located within the boundaries of the District of Tofino. It is the site of the Nation-owned Tin Wis Resort as well as the location of the offices of the Tla-o-qui-aht First Nation and Economic Development Corp.

Tla-o-qui-aht First Nation continues to be governed under the guidelines of the hereditary system, with *Hawiih* (Hereditary Chiefs) being the traditional leadership that govern the Tla-o-qui-aht Lands, Resources, Cultural Activities of the Tla-o-qui-aht people. Tla-o-qui-aht First Nation has eleven councillors and one Chief councillor, who serve a four-year term in their positions.

The ACRD is responsible for the Long Beach Airport Water System which supplies water to the Tla-o-qui-aht communities of Tyhistanis and Esowista. The District of Tofino obtains its drinking water from four rain-fed creeks on Meares Island, where the community of Opitsaht is located. The water is piped across the seabed to the treatment facilities in Tofino and distributed through 38 km of water mains.

After decades of discharging untreated sewage into the Pacific Ocean at Duffin Passage, the District of Tofino is currently building a Wastewater Treatment Plant, which will serve the District, Tla-o-qui-aht First Nation, and could connect service to Parks Canada in the future.

In 2022, Tla-o-qui-aht First Nation introduced the ACRD's Sort'nGo residential roadside waste collection service to the communities of Esowista to Ty-Histanis. This three-stream roadside collection service collects organic waste, recycling, and garbage. The organics are transported to Tofino airport for composting, recyclables are brought to the recycling depot in Tofino, and the garbage is brought to the ACRD-owned and contractor-operated West Coast Landfill.

Tla-o-qui-aht sits on the ACRD's West Coast Solid Waste Working Group which was established in 2019. It includes representatives from Ucluelet, Tofino, Parks Canada, Yuułu?iḷ?atḥ, and Toquaht. This group assessed the effectiveness of waste management in the region to find opportunities for improvement, including the implementation of organics diversion.

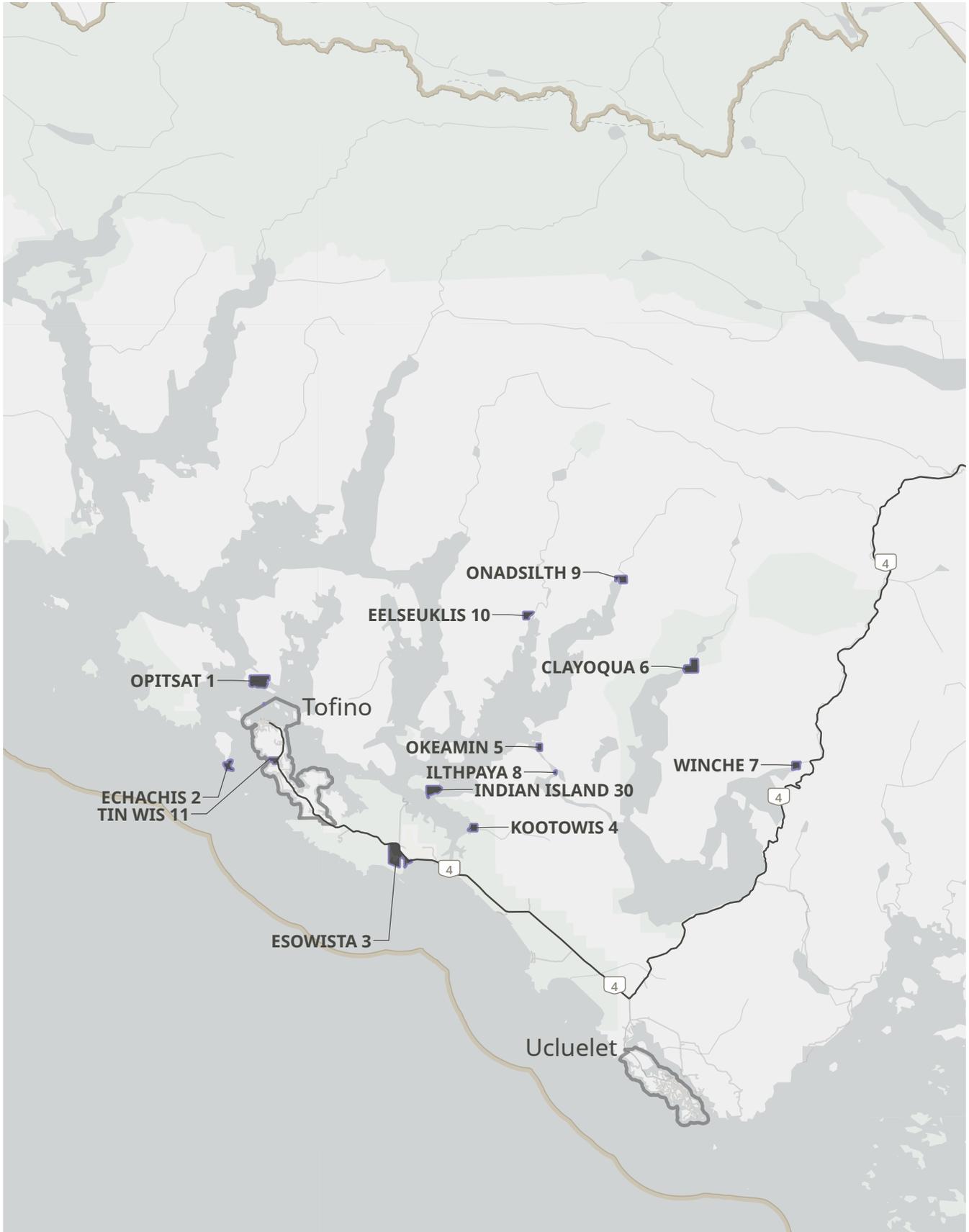
Tla-o-qui-aht and ACRD are in progress with developing a Memorandum of Understanding for the Long Beach Airport.

Tla-o-qui-aht is negotiating independently with the federal and provincial government on issues outside of the treaty process and in 2021 signed the hisiikcumyín Pathway Agreement with the province.

The Tla-o-qui-aht Economic Development Corporation owns the Tin Wis Resort, Micro Hydro Power, Hithuiis Spirit Construction LTD., Tsawaak RV Resort & Campground, and TFN Seafoods. Tla-o-qui-aht First Nation also has a Tribal Parks Allies program where businesses within can contribute a 1% Ecosystem Service Fee to Tla-o-qui-aht Tribal Parks. The revenues generated by the Tribal Park Allies program is accounted separately from Tla-o-qui-aht First Nation operating revenues.



MAP: Tla-o-qui-aht reserves



Tseshaht First Nation

Tseshaht First Nation's territory expands from the Alberni Valley to Broken Group Islands. With a registered population of 1259, with 454 people living on reserve, 41 people living on other reserves, and 764 people living off reserve. Tseshaht First Nation is in Stage 4 of the treaty negotiation process. Tseshaht First Nation has had a custom electoral system since 2004, with one Chief Councillor and eight Councillors. Chief Adam Shewish was the most recent Ḥawiiḥ (Hereditary Chief) to the Tseshaht First Nation.

Tseshaht has eight reserves, with the largest and most populated reserve being Tsahaheh 1 along the bank of the Somass River, located north of the City of Port Alberni. The Alberni 2 reserve is located south of the Port Alberni municipal border. Tsahaheh 1 is 328 hectares and extends along the Somass River and McCoy Lake. Highway 4 cuts across the community with Riverbend Bridge, also known as Orange Bridge, crossing the Somass River into the community. McCoy Lake Road and Hector Road also cross through the community.

The community owns the Tseshaht Market, the last full-service gas station between Port Alberni and Ucluelet or Tofino. Tseshaht First Nation also owns and manages five forest companies and three Limited Liability Partnerships, that are managed through Tseshaht Forestry Corporation.

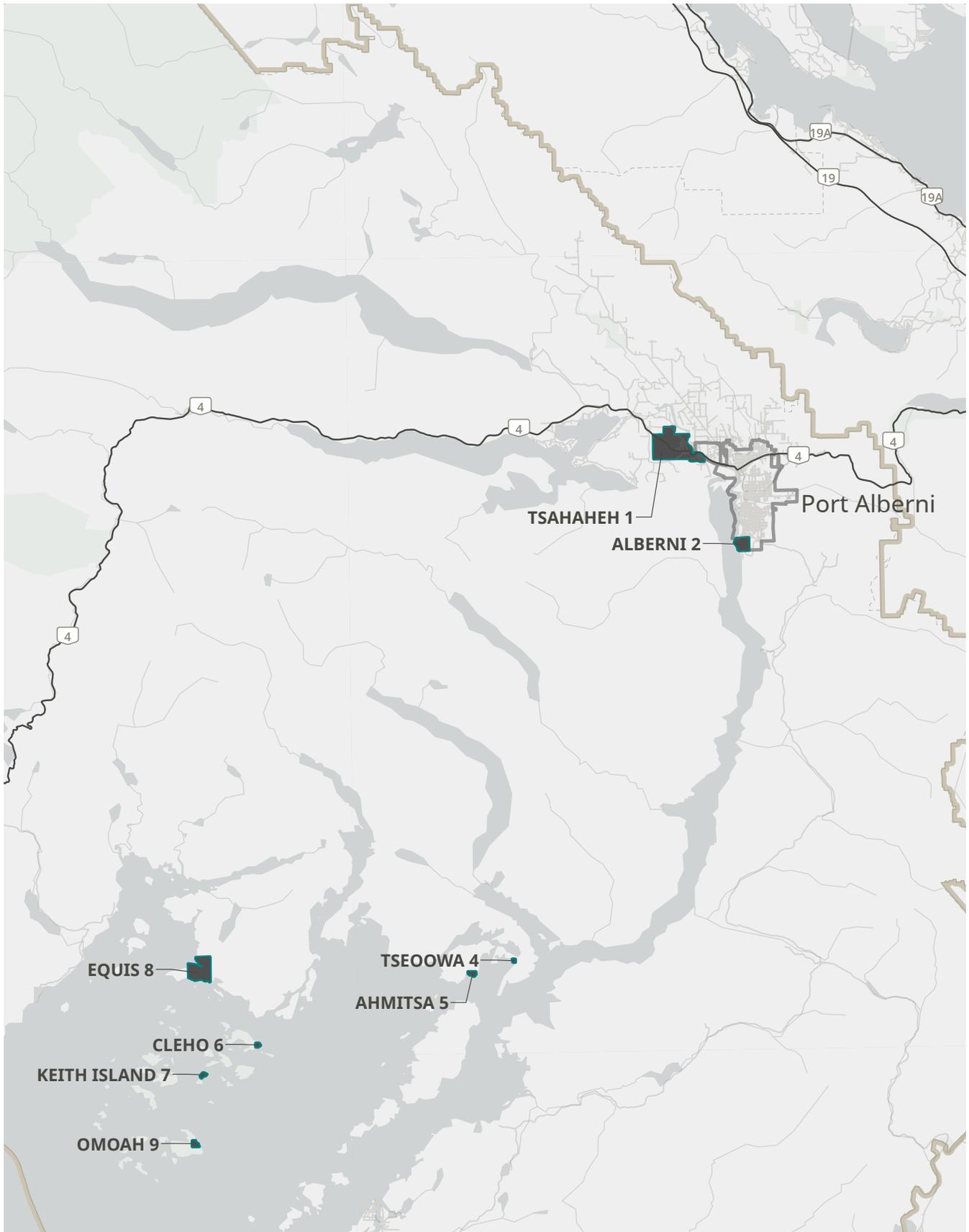
Tseshaht First Nation completed a Comprehensive Community Plan in 2020 and has a Strategic Plan for 2021 to 2025. One of the stated objectives in Tseshaht's Strategic Plan is to develop and ratify a Land Use Plan.

Tseshaht has many signed agreements and relationship documents with other governments and organizations including a Government-to-Government Accord with the ACRD and the City of Port Alberni (2019). Tseshaht First Nation currently has service agreements with the City of Port Alberni and collaborates with the municipality for recreational programming and other social, economic, cultural, and environmental initiatives. The City of Port Alberni's wastewater is pumped, via several pump stations, to an aeration lagoon on the south side of the Somass River. In 2014, Tseshaht First Nation received funding for a 3.3-kilometre expansion to its sewage infrastructure to extend service to the Tseshaht Market. The ACRD provides bulk water to Tsahaheh Reserve # 1 and has plans to expand the water service area to Alberni Reserve # 2. The water is obtained from two high-quality surface courses, China Creek, and Bainbridge Lake, with an intake on the Somass River for use during peak demands.

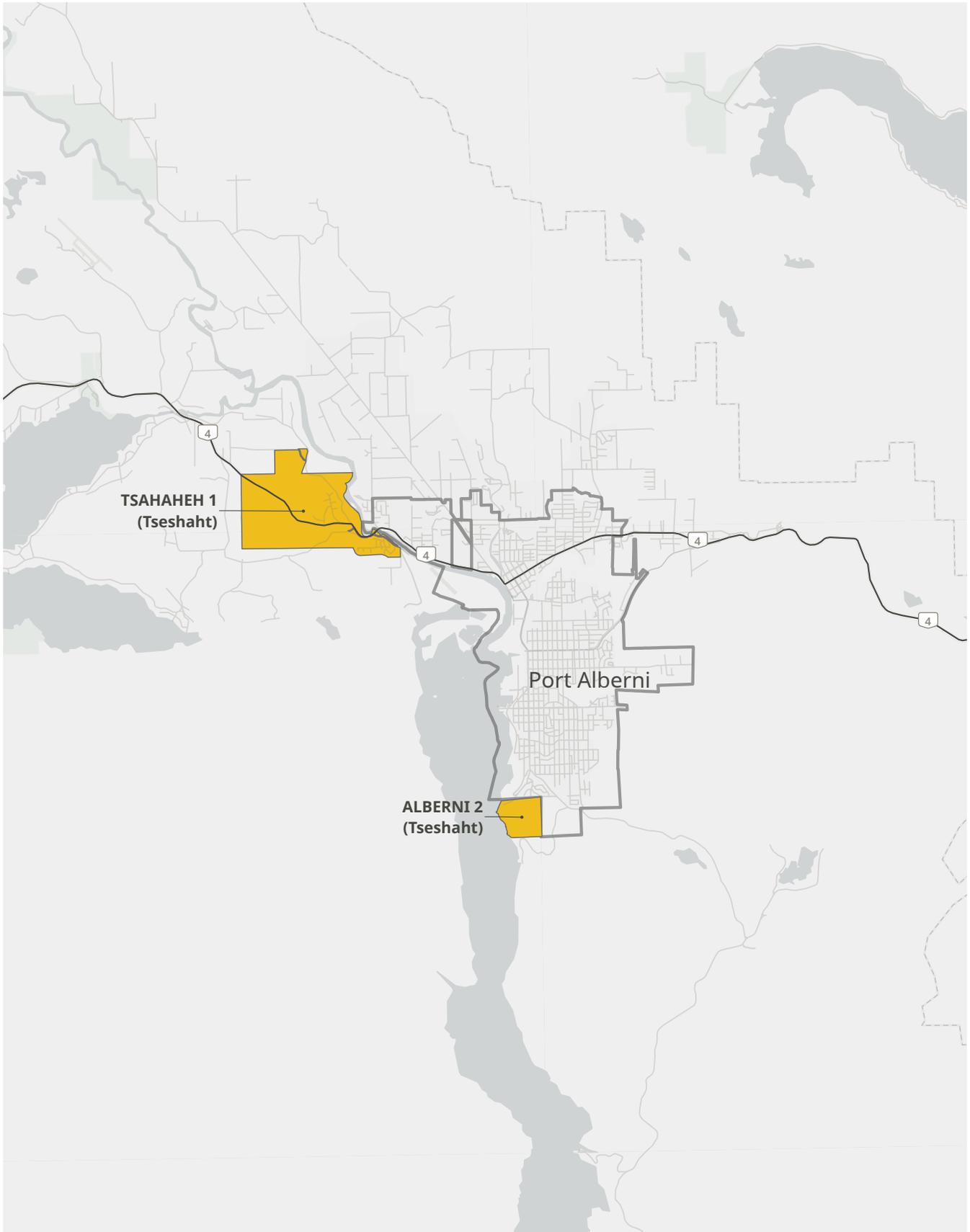
The ACRD is under contract to operate residential roadside waste collection program in Tseshaht, which brings waste to the ACRD-owned Alberni Valley Sort'n Go Centre.



MAP: Tseshaht reserves



MAP: Tseshaht reserves – Port Alberni area



3. ALBERNI-CLAYOQUOT REGIONAL DISTRICT

The ACRD serves a population of approximately 33,500 residents with 59 regional and local services, including water and sewage systems, fire protection, land use planning, parks, bylaw enforcement, recreation, broadband infrastructure, and emergency planning and response.

The ACRD is one of 27 regional districts in British Columbia. Regional districts provide a political and administrative framework for delivery of regional services.

Regional districts generally, have three main roles:

1. Provide region-wide services such as waste management, emergency services and undertaking other governance and advocacy activities on behalf of the entire region.
2. Provide inter-municipal or sub-regional services, such as recreational facilities where residents of a municipality and residents in areas outside the municipality benefit from the service, such as parks, trails and recreation.
3. Act as the general local government for electoral areas and provide local services such as water supply and fire protection to unincorporated communities within the electoral areas.

Regional district services are funded by property taxes, parcel taxes, user fees, grants, and other sources of revenue. Regional districts must show equivalence between benefits and costs of services. Each service has a cost recovery formula. The costs of each service provided by the ACRD are recovered only from the area that benefits from the service.



The powers, functions and activities of regional districts are defined and incorporated by its own letters patent that is a form of order in council adopted by the Lieutenant Governor on advice from the provincial cabinet. The powers of regional districts are set out in two provincial acts: *Local Government Act* and *Community Charter*. The *Community Charter* focuses on core areas of a municipality's authority and powers, including interaction with a regional district. The *Local Government Act* sets out the powers, activities and responsibilities of regional districts and municipalities. While regional districts and municipalities have similar powers, the scope of powers of regional districts is more limited.

Regional districts have a role in infrastructure and can enter into agreements, including partnering with external entity for the purpose of service delivery and can own the infrastructure (i.e. water and sewer services). Regional districts have powers to regulate, prohibit or impose requirements on land use, long-term community plans and land management, however they do not have a direct role in approving subdivision of land.

3.1 ACRD Organizational Structure

The ACRD is a federation consisting of member municipalities: Port Alberni, Tofino, Ucluelet; Treaty First Nations: Huu-ay-aht First Nations, Yuułu?ił̓aṭṭ̓ Government, Uchucklesaht Tribe Government and Toquaht Nation; and six electoral areas: "A" - Bamfield, "B" - Beaufort, "C" - Long Beach, "D" - Sproat Lake, "E" - Beaver Creek, "F" - Cherry Creek. The ACRD is within the territory of 10 First Nations, being Ahousaht, Ditidaht, Hesquiaht, Hupačasath, Tla-o-qui-aht, and čišaaṭaṭṭ̓ (Tseshaht First Nation) in addition to the four Treaty First Nations that are ACRD federation members.

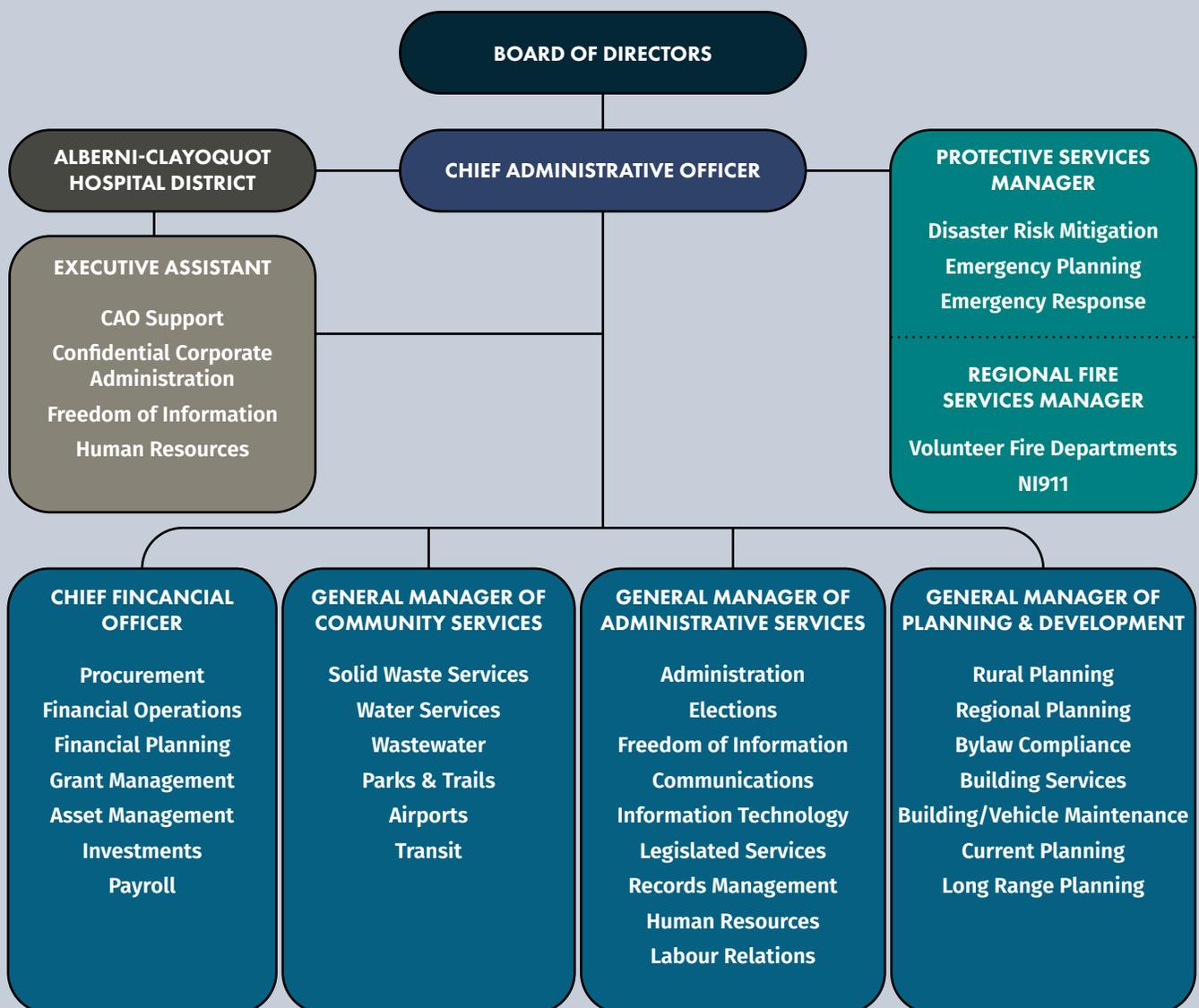
The ACRD is governed by a 14-member Board of Directors that represent the member jurisdictions. The Board



of Directors adopts bylaws and policies which provide the financial, regulatory and administrative framework to govern and deliver services. Administration and delivery of services are provided by a team of professional staff, led by the Chief Administrative officer.

ACRD staff are organized under four main divisions: finance, community services, administrative services, and planning & development. The Chief Administrative Officer oversees all staff activities and acts as the link between staff and the Board of Directors.

FIGURE: ACRD Organizational Structure



Board of Directors

The Board of Directors consists of a chair, who is elected from the directors, with responsibilities set out in the legislation. Each electoral area has one elected director, and Treaty First Nations (as defined in the Local Government Act) may join the regional district and appoint one or more individuals from its governing body to the regional board based on its modern treaty. The 3 municipal and 4 Treaty First Nations directors serve on the regional board until the appointing body decides to change the appointment, while directors from the 6 electoral area serve a four-year term.

ACRD Committees

The ACRD maintains several topic or issue specific committees. Committees do not have decision-making authority but do make recommendations to the ACRD Board for decision. There are two types of committees. Standing committees are long-term advisory groups that meet regularly on specific topics (e.g., agriculture, parks, solid waste, emergency management) or for specific areas in the region. Select committees are a temporary, issue-specific group that meets only for the duration of the topic under discussion (e.g., Alberni Valley Aquatic Centre Advisory Committee). Committees meet at the call of the Board Chair or Committee Chair.

In addition to these committees, each electoral area in the ACRD has an Advisory Planning Commission. These bodies review development applications within their areas including rezoning, subdivisions, development permits, and all other planning activities under Part 26 of the *Local Government Act*.

STANDING COMMITTEES:

- Alberni Valley & Bamfield Services Committee
- West Coast Committee
- Electoral Area Directors Committee
- Personnel Committee
- Agricultural Advisory Committee
- Bamfield Area Services Committee
- Salmon Beach Committee
- Beaver Creek Water Advisory
- Bamfield Parks Commission
- Sproat Lake Parks Commission
- Agricultural Development Committee
- Alberni Valley Regional Airport Advisory Committee
- Transportation Advisory Committee
- Solid Waste Management Plan Committee
- Accessibility Committee
- Alberni-Clayoquot Regional District Emergency Program Executive Committee

SELECT COMMITTEES:

- Alberni Valley Aquatic Centre Advisory Committee

ADVISORY PLANNING COMMISSIONS:

- Bamfield
- Beaufort
- Long Beach
- Sproat Lake
- Beaver Creek
- Cherry Creek

3.2 Services

The ACRD serves approximately 33,500 residents with 59 regional and local services, including water and sewage systems, fire protection, land use planning, parks, bylaw enforcement, recreation, broadband infrastructure, and emergency planning and response.

Individual jurisdictions choose to participate in regional district services when it is in their best interests to do so. They can have a service agreement with the regional district, which are limited to those service(s). When members join the regional district in deeper collaboration, they are referred to as ‘service participants’ who are part of the ‘service area’. Together, members in the service area, make decisions through their regional district directors (the representatives of the jurisdiction), for the delivery and operations of services. Service participants organize delivery of services on a cost-recovery basis in the service area.

Service areas and service participants in the ACRD are summarized in the table.

TABLE: ACRD services and service participants

| <i>Service</i> | <i>Description</i> | <i>Service Participants</i> |
|--------------------------------------|--|---|
| General Government Services | Includes administrative costs of running the Regional District government. This includes administration services, human resources, office equipment and supplies, information technology and Directors expenses. Participation in the service is mandatory for all jurisdictions, including Huu-ay-aht, Yuułuʔiłʔatḥ, Toquaht, and Uchucklesaht. | All ACRD members |
| Electoral Area Administration | This includes the administration of Canada’s Community-Building Fund as well as communication services to individual electoral areas and elections. | All Electoral Areas |
| Salmon Beach Services | Services provided to Salmon Beach include garbage collection, power distribution, recreation, security, sewage, transportation, and water. The ACRD has 2 licenses from Toquaht First Nation for the Salmon Beach septic field and access road right of way lease. | Portion of Electoral Area C |
| Regional Hospital District | The purpose of the hospital district is to provide the local share of 40% funding for capital costs associated with construction, acquisition and maintenance of hospital facilities and major equipment within regional boundaries. To date this has included West Coast General Hospital, Tofino General Hospital, and Bamfield Health Centre. Island Health, with funding from the province pays the other 60% and operates the facilities. | All ACRD members |
| E911 Telephone Service | The North Island 911 Corporation which administers the 911 service on behalf of six regional districts in central and northern Vancouver Island and on the upper Sunshine Coast of British Columbia. The ACRD has one member on this board. | All ACRD members except Huu-ay-aht, Toquaht, Uchucklesaht |

| <i>Service</i> | <i>Description</i> | <i>Service Participants</i> |
|-----------------------------------|--|--|
| Regional Library | The Vancouver Island Regional Library (VIRL) District provides services for the region. The VIRL is a service administered on behalf of 28 member municipalities and 10 regional districts. There are three branches in the ACRD, in Port Alberni, Tofino, and Ucluelet. | All Electoral Areas |
| Grants-in-Aid | The ACRD provides grants-in-aid once a year to assist registered non-profit and other organizations that provide programs and services which serve the local community or provide a regional benefit. Huu-ay-aht, Toquaht, Uchucklesaht and Yuułu?ił?ath can participate on a grant-by-grant basis if they choose. | All municipalities, all Electoral Areas |
| Regional Parks and Trails | Presently, there are few regional parks in the ARCD Regional Park system. There is an expanding network of trails, and recognition that it would be a way to link communities and assist with economic development and tourism efforts. Currently includes Mount Arrowsmith Park, China Creek Park, Alberni Inlet Trail, Log Train Trail, and the West Coast Multi-Use Path. | All ACRD members except Treaty First Nations |
| Community Parks and Trails | Includes Bamfield Community Park (playgrounds, community gardens, gazebos, campground, information centre, cookhouse, covered picnic area, paved sports arena, memorial pavilion, boat launch & moorage and green spaces), South Long Beach Community Park (waterfront park), South Long Beach Multi-Purpose Path, Sproat Lake Community Park (bike park, playground, ball field, pickleball court, picnic area, trails, boat launch, public dock and green spaces), Beaver Creek Community Park (equestrian riding ring with paddocks, trails and green spaces) and Cherry Creek Community Park (trails and green space). | Portions of Electoral Areas A, C, D, E, F |
| Regional Planning | The ACRD undertakes regional planning to provide reviews and recommendations associated with Provincial government referrals. This includes Agricultural Land Commission applications, Ministry of Transportation and Infrastructure subdivision referrals, Provincial crown lease and miscellaneous referral requests. The service also includes regional mapping and air photography. | All ACRD members except Treaty First Nations |
| Building Inspection | Building inspection services are currently provided to all electoral areas. This service provides building and plumbing inspection and enforcement in compliance with the BC Building Code regulations and ACRD zoning and building bylaws. The District of Tofino, District of Ucluelet and City of Port Alberni provide their own building inspection services. Periodically, this service can be provided to the City of Port Alberni and Treaty First Nations and requested through contracts. | All Electoral Areas |

| Service | Description | Service Participants |
|---|--|--|
| Rural Area Land Use Planning (Management of Development) | This service provides development planning for all electoral areas including Official Community Plan (OCP) and zoning bylaw updates. OCP amendments, zoning map and text amendments, development permits, temporary use permits, development variance permits, and the Board of Variance are also administered through this service. | All Electoral Areas, Tofino (Clayoquot Sound) |
| Economic Development | ACRD currently has an economic development grants program. The grant is provided to the City of Port Alberni to support its Economic Development Officer, who provides service to the region. Each jurisdiction determines how much it is going to contribute each year. Port Alberni and Ucluelet both have their own economic development functions. Treaty Nations also have separate development corporations and provide their own economic development services. | All Electoral Areas |
| Sproat Lake Marine Patrol | Provides boating safety awareness through community outreach as well as seasonal staff/ summer kiosk at Sproat Lake Provincial Park Boat Launch. Regular boat patrols, beach clean-up, conducting water samples and general assistance are also provided through this service. | Port Alberni, Uchucklesaht, Electoral Areas B, D, E, F |
| Animal Control | Respond to dangerous dog complaints in Sproat Lake, Beaver Creek, and Cherry Creek | Electoral Areas D, E, F |
| Noise Control | Respond to noise complaints in Sproat Lake, Beaver Creek, and Cherry Creek. | Electoral Areas D, E, F |
| Street Lighting | The ACRD provides street lighting to the following areas Arvay Road, and South Long Beach. | Portion of Electoral Areas C & E |
| Waste Management (Alberni Valley & Bamfield) | The ACRD offers a three-stream waste service in areas throughout the regional district, which includes roadside pickup for organics, recycling, and garbage automated cart collection. The Alberni Valley Landfill, 3rd Avenue Recycling Depot and Bamfield Transfer Station operations are also provided through this service as well as planning, compliance, diversion initiatives and reporting requirements. The ACRD provides solid waste hauling from Anacla and other Huu-ay-aht First Nation businesses by service agreement. The ACRD collects recycling for Tseshaht and Hupacasath First Nations (no service agreement). | Port Alberni, Electoral Areas A, B, D, E & F |

| <i>Service</i> | <i>Description</i> | <i>Service Participants</i> |
|--|---|--|
| Waste Management (West Coast) | The West Coast Waste Management service relates to the operation of and planning for the West Coast landfill. The ACRD also provides curbside recycling and garbage collection to Tofino, Ucluelet, and Area C (Long Beach). Planning, regulatory compliance, diversion initiatives and reporting are also covered under this service. Three-stream waste collection services are also provided to Yuułu?ił?ath (Hitacu) and Tla-o-qui-aht. | Tofino, Ucluelet, Electoral Area C |
| Emergency Planning (Alberni Valley) | This service develops, maintains, and implements emergency plans and other preparedness, response and recovery measures for emergencies and disasters within the Alberni Valley. | Port Alberni, Electoral Areas B, D, E, F |
| Emergency Planning (Long Beach) | Establishment and maintenance of an emergency management organization, and to develop and implement emergency plans and other preparedness, response and recovery measures for emergencies and disasters. | Electoral Area C |
| Emergency Planning (Bamfield) | Providing preparation, response and recovery from emergencies and disasters within Electoral Area A (Bamfield). | Electoral Area A |
| Fire Protection (South Long Beach) | The South Long Beach Fire Service is provided to residences, businesses, and light industrial properties in a portion of Electoral Area C adjacent to the District of Ucluelet. The Ucluelet Volunteer Fire Brigade provides this service through a contract with the ARCD. | Portion of Electoral Area C |
| Fire Protection (Bamfield) | The community of Bamfield receives fire protection services from the Bamfield Volunteer Fire Department. The department also provides services to a portion of the Huu-ay-aht lands in the village of Anacla through a contract. | Portion of Electoral Area A |
| Fire Protection (Sproat Lake) | The Sproat Lake Volunteer Fire Department (SLVFD) provides fire protection and first responder services to specified area of Electoral Area D. The SLVFD provides fire protection services to Klehkoot reserve (Hupacasath First Nation) through contract. | Portion of Electoral Area D |
| Fire Protection (Beaver Creek) | The Beaver Creek Volunteer Fire Department (BCVFD) provides fire protection and first responder services to a specified area within Beaver Creek. | Portion of Electoral Area E, B, F |
| Bamfield Water System | The Bamfield Water System supplies water to residences, businesses, and the Marine Station. Two small water lines cross Bamfield Inlet to service West Bamfield and Burlo Island. The system services a small portion of Huu-ay-aht Treaty Lands and a fish hatchery at the head of Grappler Inlet. | Portion of Electoral Area A |

| <i>Service</i> | <i>Description</i> | <i>Service Participants</i> |
|--|---|---|
| Millstream Water System | Millstream is a small residential community located approximately 3.5 km north of the District of Ucluelet. This service provides potable water to the community of Millstream. | Portion of Electoral Area C |
| Beaver Creek Water Systems | Provides potable water to the Beaver Creek community. | Portion of Electoral Area E |
| Long Beach Airport Water System | Long Beach Airport Water System supplies water to the airport service buildings, and the Long Beach Golf Course. | Tofino, Ucluelet, Electoral Area C |
| Alberni Valley Regional Airport | The Alberni Valley Regional Airport service operates and maintains Registered Aerodrome CBS8 to the Canadian Aviation Regulations. Upgrades including runway widening and expansion have enabled expanded operations and improved access. | Port Alberni, Electoral Areas B, D, E, F, Uchucklesaht |
| Long Beach Airport | Long Beach/ Tofino Airport (CYAZ) is used by small commercial and private crafts. Operated and maintained to a certified standard as per the Canadian Aviation Regulations. | Tofino, Ucluelet Electoral Area C MOU with Tla-o-qui-aht- In progress |
| HandyDART | A custom transit (HandyDART) service within the Alberni Valley with a door-to-door transportation service for eligible clients. | Port Alberni, Electoral Areas B, D, E, F |
| West Coast Transit | This service provides a fixed route transit, seven days a week, connecting the communities of Ucluelet, Tofino, Hitacu, Ty-Histanis, Esowista and Electoral Area C (Long Beach). | Tofino, Ucluelet, Electoral Area C, Toquaht, Yuułuʔiłʔatḥ |
| West Coast Multiplex | Operation of a recreational multiplex facility on the west coast overseen by the West Coast Multiplex Society. This service is currently inactive until the society can obtain the funding necessary to construct the building. | Tofino, Ucluelet, Electoral Area C, Toquaht |

** Other agreements and licenses may be in place or in progress with ACRD services

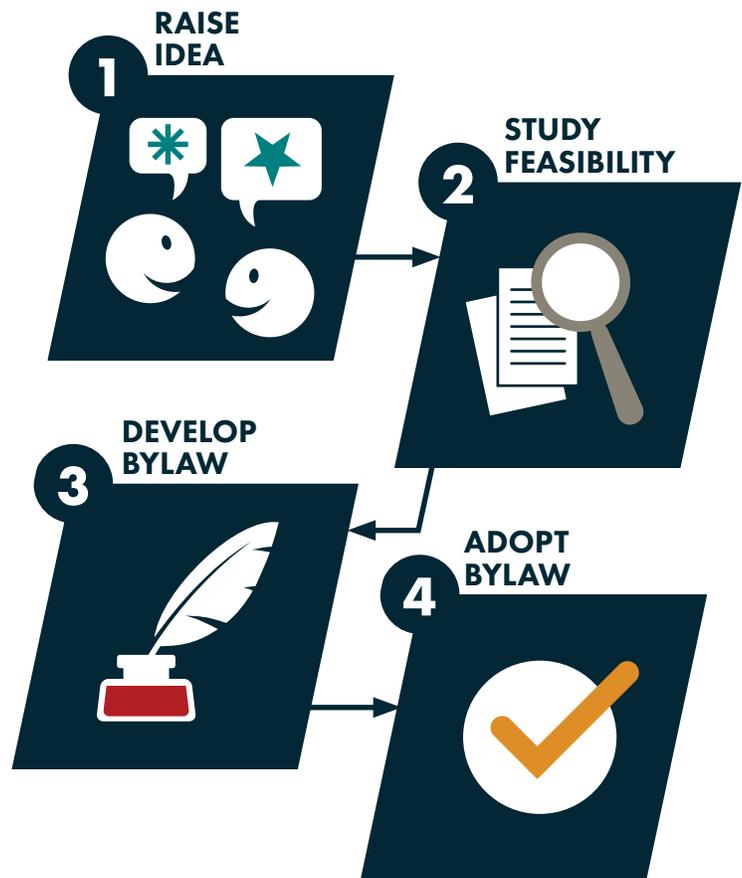
Service Creation

Each regional district has the authority to create, review, and withdraw the services it provides, except for those mandated by the Province.

Establishing a service begins with the identification of a service need. From there, the feasibility of the service is typically studied to clarify the purpose and identify the scope, establish costs and delivery standards, establish a process for review, etc. Once the service has been deemed feasible, a service-establishing bylaw is created.

If all relevant parties favour the bylaw in an unweighted corporate vote, the bylaw is adopted, and the service becomes active. Adopted bylaws need the approval of the Inspector of Municipalities and each of the local areas that intend to participate. Local approval can happen through a referendum or be given on behalf of the local area by council, the electoral area director, or the board itself.

FIGURE: Service establishment process



Budgeting and Apportionment

Regional districts must show equivalence between benefits and costs of services. Each service has a cost recovery formula. Determining how all these costs are distributed among funds is known as cost allocation. How the revenues are collected is up to the regional government – the ACRD has the power to develop its own funding formulas and change them if, and when, necessary. No service can budget for a deficit.

Apportionment defines the method used to determine contributions from service participants. Historically, property taxes have been the most common apportionment method, using a system of calculation known as converted assessment. A converted assessment is calculated by taking the assessed value of a property (based on BC Assessment values) and applying a standard rate to that which varies according to the type of property it is (i.e., residential, commercial, industrial). In the ACRD, most service costs are currently recovered this way from electoral areas and municipalities.

Treaty Nation members have not used this apportionment approach given both the lower assessed values of their lands (which were formerly not assessed as federal or provincial crown lands), and for some Treaty Nations their preference to use other apportionment methods.

Other apportionment methods include:

- **Dwelling counts:** service cost divided by the number of dwellings
- **Population:** service cost divided by the number of people receiving the service
- **Usage:** service costs based on service use (cost per visit, by volume, by weight, etc.)
- **Land area:** costs divided up by gross land area of service participants

Apportionment can be based on any one of these methods or a combination of them. With apportionment methods established for each service, the total must be worked into an annual five-year plan. This lays out anticipated revenues and expenditures for each service, every year, for the five years of the plan. This plan must be adopted by March 31st of each year. For the ACRD, this means that budgeting discussions start in the Fall and all new service agreements and/or expansions are usually confirmed by January 1st of each year.

Apportioning services for non-Treaty First Nations could not use converted assessments, given that the underlying ownership of non-Treaty First Nations is the federal government.



4. APPENDIX

Resources

To learn more about the Treaty and non-Treaty First Nations, the ACRD, or to learn about other treaties negotiated in British Columbia please visit their websites:

- www.maanulth.ca
- www.bctreaty.ca
- www.huuayaht.org
- www.ufn.ca
- www.uchucklesaht.ca
- www.toquaht.ca
- www.ahousaht.ca
- www.nitinaht.com
- www.hesquiaht.ca
- www.tla-o-qui-aht.org
- www.tseshaht.com
- www.hupacasath.ca
- www.nuuchahnulth.org
- www.acrd.bc.ca

Please visit the Ministry of Municipal Affairs' information and publications page to learn more about local governments in BC: <https://www2.gov.bc.ca/gov/content/governments/local-governments/facts-framework/publications>

Or about regional districts in BC: <https://www2.gov.bc.ca/gov/content/governments/local-governments/facts-framework/systems/regional-districts>

To learn about the *Declaration on the Rights of Indigenous Peoples Act* visit their website: <https://declaration.gov.bc.ca>

Or to learn about the Action Plan read the report: https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/ministries/indigenous-relations-reconciliation/declaration_act_action_plan.pdf



ALBERNI-CLAYOQUOT
REGIONAL DISTRICT

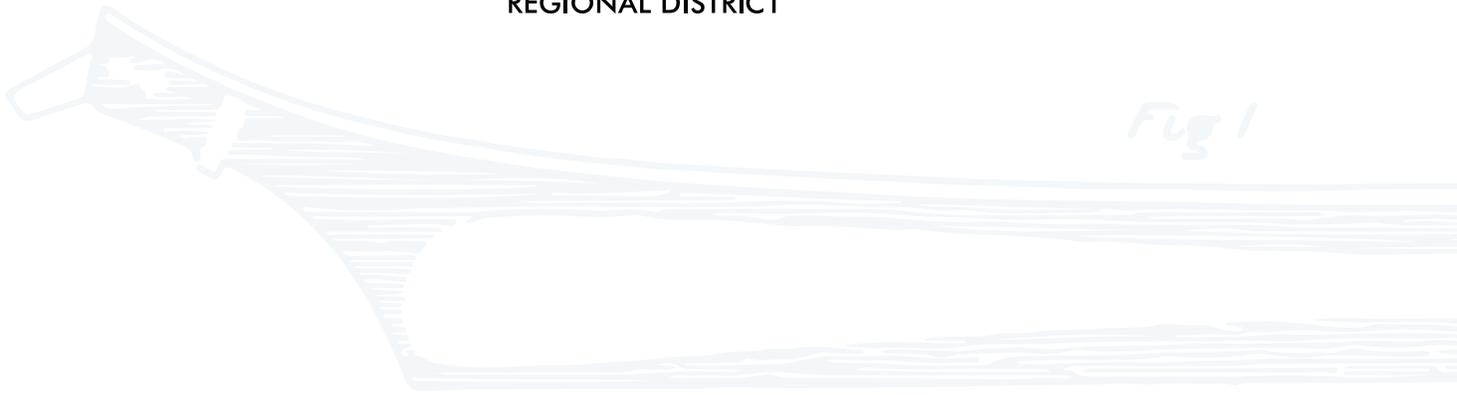


Fig 1



Fig 2



Feet



Fig 3



INCLUSIVE GOVERNANCE

in the Alberni-Clayoquot Regional District



PROJECT SURVEY

WHAT?

The Alberni-Clayoquot Regional District (ACRD) is a federation of three municipalities (Port Alberni, Tofino, Ucluelet), and four Treaty First Nations (Huu-ay-aht First Nations, Yuułu?ił?ath Government, Uchucklesaht Tribe, Toquaht Nation), and six electoral areas. Working together, the ACRD is working on an inclusive regional governance project sponsored by the province that is working to engage six non-Treaty First Nations in the region (Hupačasath First Nation, Tseshaht First Nation, Tla-o-qui-aht First Nation, Ahousaht First Nation, Ditidaht First Nation, Hesquiaht First Nation) in a conversation about helping get their voices at the ACRD table.

WHY?

The legislation under which the ACRD operates (Local Government Act) restricts regional board membership to Treaty First Nations. With the adoption of the Declaration on the Rights of Indigenous Peoples Act in 2019, the province has committed to addressing this issue and supporting inclusive regional governance by advancing First Nations participation in regional district boards.

The ACRD's 2021-2024 Strategic Plan identifies the importance of fuller participation in local governance for First Nations in the region. Engaging non-Treaty First Nations on the ACRD board will support and enrich important work in the region on shared challenges and opportunities, such as climate change, housing, health and wellbeing, transportation, and regional services like recycling and solid waste.

THIS SURVEY

This survey is intended to help support this work. Staff and leadership from non-Treaty First Nations in the ACRD, Treaty Nations (Huu-ay-aht First Nations, Toquaht Nation, Uchucklesaht Tribe, Yuułu?ił?ath Government), municipalities (Tofino, Ucluelet, Port Alberni), and ACRD electoral areas are all encouraged to participate.

There are eight questions in the survey which should take about 10 to 15 minutes to complete. There are four ways to complete it.

- 1. On-line with project staff:** Contact the ACRD (see contact info) to set up a time to go through the survey and learn more about the project with our project consultants on a short Zoom call.
- 2. On-line:** Fill out the survey on-line yourself. Take a picture of the QR code to go to the survey.
- 3. On-paper:** Fill out this survey and either email or drop-off the completed survey (see contact info)
- 4. Fillable PDF:** Contact the ACRD and request a fillable PDF. Fill out survey and email it back to ACRD (see contact details below)



For more Information, to set up a survey call, or to drop off completed surveys:

Cynthia Dick, GM Administrative Services
cynthiad@acrd.bc.ca
250.720.2706
3008 5th Ave, Port Alberni

INCLUSIVE GOVERNANCE

in the Alberni-Clayoquot Regional District

PROJECT SURVEY

1. Which best describes your role? (check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Staff | <input type="checkbox"/> Hereditary leader |
| <input type="checkbox"/> Elected councilor/representative | <input type="checkbox"/> Other: |

2. Which First Nation or local government do you work for?

- | | |
|---|--|
| <input type="checkbox"/> Hupačasath First Nation | <input type="checkbox"/> Toquaht Nation |
| <input type="checkbox"/> Tseshaht | <input type="checkbox"/> Uchucklesaht Tribe |
| <input type="checkbox"/> Tla-o-qui-aht | <input type="checkbox"/> Yuułu?iłpatł Government |
| <input type="checkbox"/> Ahousaht | <input type="checkbox"/> District of Tofino |
| <input type="checkbox"/> Ditidaht | <input type="checkbox"/> District of Ucluelet |
| <input type="checkbox"/> Hesquiaht First Nation | <input type="checkbox"/> City of Port Alberni |
| <input type="checkbox"/> Huu-ay-aht First Nations | <input type="checkbox"/> Alberni-Clayoquot Regional District |

3. How important is it, to you and the community/organization you represent or work for, to get non-Treaty First Nation participation on the ACRD board?

- | | |
|---|--|
| <input type="checkbox"/> Very Important | <input type="checkbox"/> Not Important |
| <input type="checkbox"/> Important | <input type="checkbox"/> Don't Know/Unsure |

Why did you select the answer you did?

4. Regional districts like the ACRD are a federation of local governments and Treaty First Nations with three main roles: 1) the provision of region-wide and sub-regional services; 2) advocating to the province and senior government agencies on shared regional issues and priorities; and 3) providing land use planning services to unincorporated areas (electoral areas). How important are these roles from the perspective of inclusive regional governance. Please rank them from *one to three*.

- *Service Provision* *Don't Know/Unsure*
- *Regional Advocacy*
- *Planning Support*

Why did you select the answer you did?

5. In your opinion, which regional issues do you think presents the most opportunities for more inclusive, collaborative action? (check all that apply)

- Public Transportation*
- Regional Emergency Preparedness and Response*
- Transportation Improvement (Roads)*
- Solid waste and recycling management*
- Services including water and sewer*
- Housing*
- Climate change adaption and resilience*
- Regional advocacy*
- Other:*
- Other:*

Why did you select the answer(s) you did?

6. In your opinion, what kinds of approaches would work best to support more inclusive regional governance for non-Treaty First Nations? (check all that apply)

- Participation on ACRD Board and committees*
- Service participation and ACRD membership at the board level*
- Individual service agreements*
- Protocol agreements for communication and cooperation*
- Other types of partnerships and joint ventures*
Please explain:
- Don't Know/Unsure*
- Other:*

Why did you select the answer(s) you did?

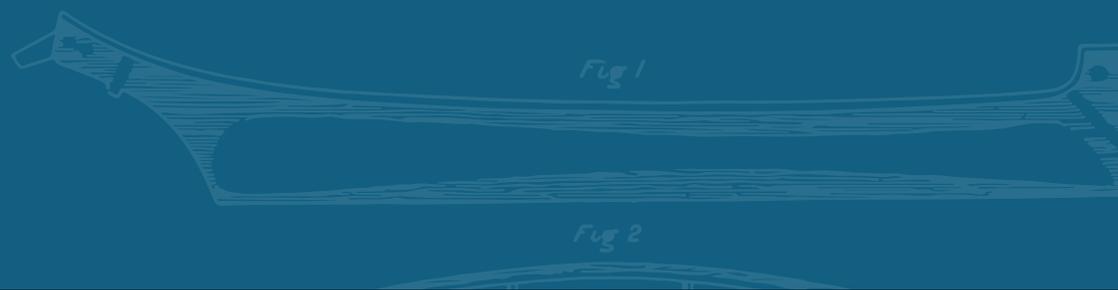
**7. What would inclusive regional governance look like in the ACRD in 15 years (2040)?
What kinds of collaboration are happening at a regional level?**

8. Do you have other interests or concerns to share with the ACRD about the future of regional inclusive governance?

Thank you for taking the time to complete this survey!

For more Information, to set up a survey call, or to drop off completed surveys:

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3008 5th Ave, Port Alberni





ALBERNI-CLAYOQUOT
REGIONAL DISTRICT

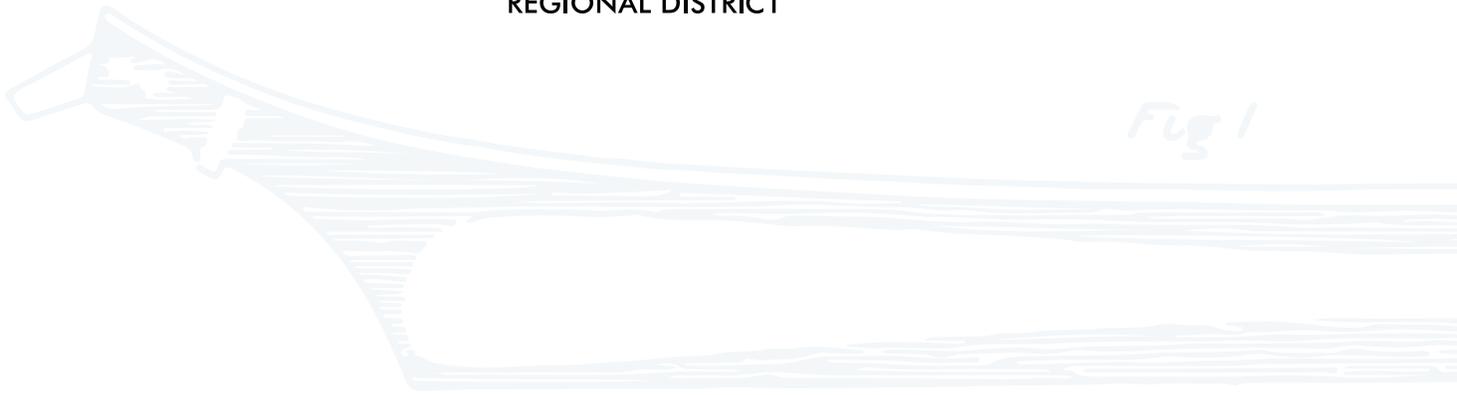


Fig 1



Fig 2



Feet



Fig 3



Document prepared with the assistance of:
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