



What is the history of this issue and how does it impact First Nations?

Over the last year, the COVID-19 pandemic has exacerbated the gaps in infrastructure that First Nations experience, making clear the impacts of inadequate infrastructure and the importance of clean water in responding to a pandemic or health crises. First Nations need access to core infrastructure in order to improve their communities and better fight the spread of COVID-19 and future health crises. The pandemic has also caused a significant rise in demand for construction materials for housing and construction projects. This has signalled the need for First Nations to work with the federal government to prioritize urgent investments, funding adjustments and political action.

The February 2021 report from the Office of the Auditor General (OAG) on Access to Safe Drinking Water in First Nations Communities highlighted the key concerns that First Nations have been sharing for decades. The report concluded that *“Indigenous Services Canada did not provide adequate support to First Nations communities so that they have access to safe drinking water”*.

In response to the OAG report’s recommendations, on April 30, 2021, Indigenous Services Canada (ISC) released their Action Plan, which outlined the Department’s timeline for addressing all long-term drinking water advisories, which has been pushed back to 2023. The Action Plan also stated that ISC will work with First Nations to ensure that long-term solutions for sustainable access to potable water are in place in all First Nations that have been affected by a long-term drinking water advisory by fiscal year 2025-2026. These new timelines led to widespread critical media attention and confusion, due to the lack of transparency and detailed information. ISC stated that the date of 2023-2024 provides an extended period to ensure the flexibility needed to work with First Nations through the ongoing COVID-19 pandemic; however, ISC continues to support First Nations to lift all the long-term drinking water advisories as soon as possible.

The AFN continues to seek additional information from the federal government on their proposed Action Plan, including a transparent reporting and monitoring process.

In the most recent Speech from the Throne, Prime Minister Trudeau committed to closing the infrastructure gap. The AFN Infrastructure Sector continues to advocate for major investments to critical infrastructure in order to ensure First Nations overall health and wellbeing. Urgent investments are needed now to address the backlog of infrastructure in First Nations as are sustained investments in order to close the infrastructure gap.

How has the AFN’s recent advocacy affected this area?

The AFN Infrastructure Sector continues to advocate for major federal government investments in critical infrastructure, as well as for federal government support for the creation of First Nations-led policies and solutions related to access to safe, clean drinking water and adequate infrastructure.

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As a result of sustained advocacy, the federal government has agreed to work with the AFN on the co-development of a new operations and maintenance (O&M) policy reform, which has been mandated by the First Nations-in-Assembly through Resolution 82/2019 *Support for continuing the development of Indigenous Services Canada's (ISC) revised Operations and Maintenance Policy and full funding of First Nations operations and maintenance needs.*

The Infrastructure Sector is also working on capacity development of a holistic Asset Management Plan standard for all First Nations infrastructure and assets, planned for 2020-21. AFN advocacy has resulted in ISC announcements in O&M funding for Water and wastewater from Budget 2019, the Fall Economic Statement and \$1.7 billion in Budget 2021.

As part of its commitment to fulfilling the mandate of the Chiefs-in-Assembly, the AFN facilitated regionally led engagement sessions on the repeal and replacement the Safe Drinking Water for First Nations Act (SDWFNA), with co-developed, First Nations led legislation, across the country throughout February-March 2021. Simultaneously, the AFN also conducted regionally led engagements on the concept and approach to developing a long-term strategy, which will work towards fulfilling the recent Throne Speech commitment to close the infrastructure gap on-reserve by 2030 and to develop sustainable and predictable funding mechanisms for First Nations water and wastewater.

Recent program announcements by Infrastructure Canada (INFC), which can now be accessed directly by First Nations without having to go through provinces or territories, signaled a shift away from the systemic discrimination in programs and policies. Further collaborations with INFC will inform the Department of the importance of ensuring First Nations partnership in program development.

In collaboration with the AFN Environment, Water and Lands Branch, we continue to advocate to Environment and Climate Change Canada (ECCC) for meaningful First Nations inclusion in any discussions regarding the development of the Canada Water Agency. All the regions must be given adequate resources in order for regional First Nations organizations, Tribal Councils and First Nations to be prepared to engage fully with the federal government on discussions regarding the development of the Canada Water Agency.

Where do we hope to go in the future?

Moving forward, the SDWFNA engagements will inform the negotiations and discussions of the SDWFNA Joint Working Group, which will be struck in 2021, and will help to develop the draft framework to guide the co-drafting of new legislation.

Through 2021-2022, based on continuing feedback and input from First Nations, the AFN will continue to engage with First Nations, with a specific focus on youth, women, Elders and operators on the development of a vision for a long-term water and wastewater strategy.

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Our advocacy work on O&M Policy Reform is a high priority towards funding reform of First Nations infrastructure assets that will work towards building on the priorities set out in Honouring Promises, as well as addressing the Prime Minister's 2020 Speech from the Throne commitment to closing the First Nations infrastructure gap by 2030.

The AFN Infrastructure Sector's work towards developing a First Nations-led Asset Management Planning (AMP) approach will increase and expand First Nations' collective awareness and knowledge of asset management and the role that AMP plays in decision-making in asset funding.

More data is needed to fully define the infrastructure gap in First Nations in order to understand the challenges. The National First Nations Infrastructure Assessment will gather data, identify current First Nations assets and prepare analysis of current and future infrastructure needs.

The federal government continues to re-iterate its commitment to closing the infrastructure gap in Indigenous communities by 2030. The AFN has concerns with ISC's current engagement strategy with First Nations on closing the infrastructure gap. The AFN will advocate to the federal government for adequate funds for meaningful First Nations participation in this process at all regional levels. The AFN will continue to work with ISC to ensure that the engagement process reflects and respects First Nations and aligns with the AFN's mandates.

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