



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

The recent 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”* and that First Nations will not have reliable access until deficiencies with water systems are addressed, sufficient operations and maintenance (O&M) funding is identified and provided, and a regulatory regime is established.

As of April 9, 2021, there remains 52 long-term drinking water advisories in effect in 33 First Nations communities. To date, ISC confirms that 106 long-term advisories have been lifted since November 2015. However, this report number includes only ISC-funded assets, and systems with 5 connections or more; they do not include the many First Nations on individual wells or cisterns. These numbers also do not include many advisories in British Columbia, and those within the Saskatoon Tribal Council.

On April 30, 2021, Indigenous Services Canada’s (ISC) Action Plan, in response to the Office of the Auditor General report’s recommendations, was released. The Action Plan 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 implement and 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.

Additionally, looming legislation, the impacts of climate change, questions around sustainable funding, and the implications of a new national water agency have stimulated further uncertainty, as they all have major impacts on First Nations access to safe, clean drinking water.

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

The AFN continues to advocate for fair and equal access to safe, clean and reliable drinking water for all First Nations. Specifically, the AFN continues to urge the federal government to invest in First Nations infrastructure, to close the infrastructure gap by 2030, and to prioritize the human

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right to safe drinking water through significant investments into water treatment and distribution for all First Nations.

As directed by resolutions from First Nations-in-Assembly, the AFN has advocated to the federal government to commit to working in partnership with First Nations to repeal and replace the Safe Drinking Water for First Nations Act (SDWFNA) with co-developed, First Nations-led legislation, in order to ensure that all First Nations have access to safe drinking water and wastewater infrastructure.

As part of its commitment to fulfilling the mandate of the First Nations-in-Assembly, the AFN facilitated regionally-led engagement sessions on important components of new legislation. The regional engagement held across the country in February-March 2021 provided a valuable opportunity to hear from First Nations on potential new legislation developed by First Nations, for First Nations.

Throughout 2020, the idea of a Long-Term Water and Wastewater Strategy became an important discussion that resulted in the need to engage in further discussions around a long-term vision for First Nations water and wastewater. Simultaneously, the AFN also conducted regionally-led engagements on the concept and approach to developing a long-term strategy. This work will also help fulfill the recent Throne Speech commitment to close the infrastructure gap on-reserve by 2030 and to developing sustainable and predictable funding mechanisms for First Nations water and wastewater.

In collaboration with the AFN Environment 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 communities 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 2021-022, 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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The AFN is also working collaboratively with ISC to update the Operations and Maintenance policy and actualize a funding change, in order to address the chronic under-funding of First Nations critical water and wastewater infrastructure.

The AFN continues to urge the federal government to commit to co-developing and co-drafting strategies in true partnership with First Nations, including adequate funding commitments.

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