



March 01, 2021

On behalf of the Lake Winnipeg Indigenous Collective, please accept this submission on the future development of the **Canada Water Agency** and freshwater policy more broadly. We will also make specific comment to the discussion paper, [Toward the Creation of a Canada Water Agency](#), and provide an outline for how Indigenous knowledge and perspectives on water can be supported by the federal government.

Note: This is part of a public consultation process, as such this submission does not satisfy the federal governments duty to consult with Indigenous rightsholders and governments on matters affecting our rights. As stated in the discussion paper, those consultations and meetings are in process and ongoing. The discussion paper also points to the potential for “co-developing discussion materials”, and we encourage that the federal government consider co-development as a critical part of all processes going forward in relation to water and other matters affecting Indigenous rights.

Comments on the discussion paper

With the excitement around developing a Canada Water Agency, it's clear that water is vital and important to many Canadians. Clean water is a daily need for all peoples and an undeniable lynch pin in nearly every sector of the economy. Anishinaabe and Nehiyaw elders around Lake Winnipeg teach us that water is valuable beyond even the needs of humans extending to all life. Water is life giving and essential for all future generations.

We may be fortunate in Canada to be surrounded by so much freshwater, and yet, not everyone in Canada has access to clean water, and our lakes, rivers and aquifers themselves are increasingly vulnerable. The discussion paper names the Canada Water Agency as a potential coordinator for tackling these major challenges, but after review of the paper and attending public presentations - we see a different pathway.

Finding a balance between the different and competing needs for water across Canada was never going to be a simple process. While it is tempting to think a single entity could resolve all conflicts and catalyze collaboration, the many overlapping jurisdictions and subtle differences in authority on water require careful and patience. A single entity would still have to wrestle with the priorities of the federal government coming from more than a dozen departments and negotiate with 100s of other jurisdictions at many different scales, including provinces, Indigenous governments, states, municipalities, and industries. This doesn't mean that a centralized agency would be at a disadvantage, but it wouldn't enjoy much benefit and would still have to struggle with the same challenges individual departments have always contended with.



The discussion paper logs many interesting policy objectives and outcomes when conceptualizing the Canada Water Agency. While an agency should only focus on a few key objectives to be effective, we suspect elements of all the proposed objectives are essential to freshwater strategy in Canada. This includes some overall objectives like effective management, using state of the art prediction systems, increasing the role of Indigenous peoples, encouraging sustainable economic growth and agricultural water stewardship, and making the most of new technology and innovation. What emerges then is the potential for much of these objectives to be refined and adopted by applicable departments. Certainly, some efforts should already be underway, such as improving water predictions on a national scale, mobilizing knowledge, and creating a National Data Management Strategy. Each department – Agriculture Canada, Environment and Climate Change Canada, Indigenous Services Canada, Fisheries and Oceans Canada, Infrastructure Canada and the other will still have major roles to play in ensuring freshwater policy is implemented.

When reflecting on issues affecting Lake Winnipeg, we see that some specific action and follow-through is required by the federal government, including a potential Canada Water Agency. The attached position-paper entitled, [Five things the federal government must do for Lake Winnipeg](#), provides an overview of key recommendations and details on immediate actions needed in the watershed. The five recommendations are to:

1. Recognize phosphorus as the cause of blue-green algal blooms on Lake Winnipeg;
2. Use evidence to guarantee impact from every federal government dollar spent to reduce phosphorus loading to Lake Winnipeg;
3. Support Indigenous peoples in reclaiming and restoring their relationship with water;
4. Increase enforcement of evidence-based policy and practices for freshwater health; and
5. Fulfil jurisdictional responsibilities through concrete action and strengthened accountability.

Towards an Indigenous-led water agency

As recognized in the discussion paper, Indigenous peoples must have an increased role in the management of freshwater in Canada. The paper does lack details on what that relationship would look like for the Canada Water Agency and the federal government, and leaves that development to future discussions with Indigenous rightsholders and organizations. On one hand this is good choice, as it provides space for Indigenous peoples to contribute to the development of freshwater policy. However, a lack of details suggests the federal government has not been successful in detailed consultations with Indigenous rightsholders about the Canada Water Agency and freshwater issues to date, and as plans begin to take shape there is a great potential that they will be formalized and implemented before Indigenous peoples are actually engaged in the process.

The Canada Water Agency is intended to be a coordinating force, a missing piece, for freshwater policy in Canada. If the discussion paper is any indication then the lack of details coming from Indigenous perspectives provides a clear indication that the agency should be directed by Indigenous peoples.

An Indigenous-led agency with the supports and resources intended for the Canada Water Agency would be an inspiring choice and help address some of Canada's truly difficult challenges surrounding freshwater. At its most basic an Indigenous-led agency provides an answer to calls for reconciliation, a response to the United Nations Declaration on the Rights of Indigenous Peoples, and a first step in tackling systemic racism related to freshwater management and governance.

Engaging Indigenous peoples in this way goes beyond ethical and legal responsibilities, as Indigenous-led environmental decisions and management have been shown to be more effective at reaching conservation goals. This result is currently being demonstrated by Indigenous guardian programs, Indigenous protected areas and co-management arrangements with Canada and internationally. Indigenous knowledge, perspectives, and laws all contribute to filling gaps in understanding, supporting decision-making processes and setting priorities that tend to seek balance between people and the environment they depend on.

The diversity and geographic distances between Indigenous peoples across Canada does present a challenge. We recognize a multitude of nations, language groups and ways of knowing that would require many conversations to find common processes and structures to help establish an Indigenous-led water agency. Resources would be needed to support this development process as well as addressing and repairing structural deficits created by more than a century of federal policy working against the interests of Indigenous peoples. This means knowledge holders and leaders would have the space and supports to promote Indigenous knowledge, law and perspectives. All of which would be critical in enriching the agency.

An Indigenous-led agency would be in a unique position to enable actual co-governance and co-management of freshwater with the federal government and diversity of Indigenous rightsholders across Canada. After developing priorities with Indigenous peoples, the agency would be able to collaborate with the relevant federal departments on critical areas regarding water and address long-standing gaps where other water agencies would struggle.

-- Daniel Gladu Kanu, Director

About the Lake Winnipeg Indigenous Collective

Our ancestors have inhabited Lake Winnipeg basin since time immemorial, long before the current political boundaries were drawn. Our spiritual and cultural connections to our Mother Earth are evident by our willingness to embrace the responsibility of protecting and preserving the lands and waters. The Lake Winnipeg Indigenous Collective works collaboratively to seek healthy and equitable solutions for our waters and people from the diverse communities who have a relationship with our sacred great lake. The collective was established in 2014 by fourteen First Nations in partnership with the Lake Winnipeg Foundation. Our vision is that our sacred waters are healthy, traditional livelihoods are restored and Indigenous perspectives are influential in leading the protection and sustainability of Lake Winnipeg as a source of life for all future generations.