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Chair

Mr. Chris Warkentin

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● (1535)

[English]

The Chair (Mr. Chris Warkentin (Peace River, CPC)): Colleagues and guests, I call this meeting to order. This is the 21st meeting of the Standing Committee on Aboriginal Affairs and Northern Development.

Today we have an opportunity to hear from the National Aboriginal Lands Managers Association. I really want to thank each one of you for coming and making yourself available on what was short notice. We appreciate you taking the time to come, and we look forward to your testimony today.

I believe, Leona, you have a submission to read to us, and I'm wondering if you would also introduce your colleagues. We'll turn the floor over to you now.

Ms. Leona Irons (Executive Director, National Aboriginal Lands Managers Association): It's customary when we speak in a traditional territory to acknowledge that. Before we begin I would like to honour and acknowledge the traditional territory of the Algonquin people. We would also offer our medicine: the sweet grass, the sage, cedar, and tobacco. We hope that the spirit of our ancestors as well as the creator are with us in our presentation and that we have a productive meeting. *Meegwetch*.

With me today I have Jennifer Copegog, who is the NALMA director for the Ontario Aboriginal Lands Association. We also have our colleague Aaron Louison, director and chair of the Saskatchewan Aboriginal Lands Technicians; and our colleague Joe Sabattis, the NALMA vice-chair of the eastern region and also the chair of the Atlantic Region Aboriginal Lands Association.

Our chairman, Gino Clement, who represents the First Nations Lands Managers Association for Québec and Labrador, sends his regrets; as do our colleagues from the Manitoba region land association, the Land Stewards Association of Alberta, and our Nunavut colleagues, the Planning and Land Administrators of Nunavut.

My name is Leona Irons and I'm from the Curve Lake First Nation. I am the executive director for the association.

Would you like me to begin the presentation?

The Chair: Ms. Irons, what we will do is turn it over to you for the next number of minutes. Please keep your submission close to ten minutes, and then we will circulate with questions. I'm certain there will be a lot of things we'll want to learn in addition to your testimony, and then we'll have an opportunity to have your colleagues answer those questions as well. So we'll turn it over to you now for, give or take, ten minutes.

Ms. Leona Irons: We would like to thank the standing committee for the invitation to speak today. We look upon this as an opportunity to promote awareness of raising professional standards in first nations lands management as well as to draw attention to the need for good lands governance to sustain economic development.

Today we will provide a brief backgrounder on our association, describe to you some of the issues and challenges faced by land management professionals, and highlight our achievements and future endeavours.

The National Aboriginal Lands Managers Association was officially formed in 2000 as a non-profit, non-political organization. NALMA is a technical organization driven by first nations land management professionals. We receive our funding support from the Department of Aboriginal Affairs and Northern Development.

I'd like to draw your attention to our membership. I have a powerpoint presentation on that.

Our association comprises seven regional land association chapters, with membership at large from 112 first nations and Inuit communities. We have representation in the Atlantic, Quebec, Labrador, Ontario, Manitoba, Saskatchewan, Alberta, and Nunavut. We have yet to confirm in our organization representation in the Northwest Territories and the Yukon, but we've established contacts there. We're very pleased to have representation in B.C., where we have eight associate members.

Our members operate in various land programs and regimes. It's interesting to note that specific to our membership, we manage a little over a million hectares of community lands, and with additions of treaty land entitlement and specific claims and additions to reserves, we project this number will increase significantly.

Speaking of our programs and land regimes, some of our members manage their land under the RLEMP program, which is the reserve land environment management program. First nations under that program manage their lands under the Indian Act. We have the First Nations Land Management Act for first nations management of lands under sectoral self-government. Then we have self-government, which is the full control and management of their lands.

I would like to share with you our mission and mandate.

The National Aboriginal Land Managers Association is a national organization of first nations land managers that will actively network towards the enhancement of professional development and technical expertise in the functions of land management, while incorporating first nations values and beliefs in land management and always keeping in mind grassroots practices when dealing with land management.

If you take a look at our mandate, NALMA and our regional chapters work towards providing opportunities in professional development, networking, and technical support that will meet the existing, emerging, and future needs of first nations land managers to efficiently and effectively manage their lands.

We view our mandate as raising professional standards in lands management, promoting good lands government, and advancing sustainable economic development.

What are our issues and challenges? We face many when it comes to lands management, and I'm sure during your study you may already have heard some testimony on the issues and challenges. As a technical organization for first nations land management, we face three major issues or challenges in the scheme of trying to maximize economic development opportunities: we need professional capacity; we need management tools and systems; and we need additional resources in order to adequately support our lands programs.

What have we been doing to address our issues and challenges?

As a young organization, we've achieved many successes. One of our major successes is working in partnership with Aboriginal and Northern Affairs Canada and the University of Saskatchewan in the creation of the first professional lands management certification program.

• (1540)

Our program has two levels. Level one is the indigenous peoples resource management program, developed and delivered by the University of Saskatchewan. This program consists of six degree credit courses that cover general concepts and principles applicable to resource management in various regions.

We have level two, the technical training, developed and delivered by our organization. This program consists of six technical modules specific to land management under the Indian Act. We're very pleased to report that since 2005 we've had certified 68 first nation land managers. My colleagues here are Aaron, who has been certified, as well as Joe.

That's what we've been doing in terms of our professional development. We plan to do more in other specific areas.

As for other achievements, in terms of our networking successes, we've been very fortunate to host seven national gatherings. The purpose of our gatherings is for our first nations and INAC colleagues to receive training and up-to-date information on emerging developments and national policy issues related to lands management. One of the most important events of our gatherings is that we recognize and celebrate land managers' achievements. That's when our certified land managers receive their certification certificates.

In addition to our networking, we have a website and offer our members access to information, tools, and resources.

We are looking to host our eighth national gathering in Iqaluit, Nunavut, hopefully in July of 2012. This will be hosted by our colleagues, the Planning and Land Administrators of Nunavut.

We have had other successes in terms of our technical support services. We are extremely pleased to report that we've been very successful in developing some resource tools. Working in close partnership with first nation land managers and Aboriginal Affairs, both at headquarters and at the regional levels, we were able to develop addition-to-reserve tool kits. Using this tool kit, we now have delivered ATR training to over 100 first nations across Canada. In addition, we've provided each first nation in Canada with a copy of our tool kit. It has been very successful.

To enable first nations economic development initiatives, we are currently developing a reserve land designation tool kit. We also plan to deliver training in the next fiscal year.

We've had many opportunities to participate in various committees to provide our technical expertise. We currently sit on the AFN aboriginal affairs joint working group to provide some technical support to the committee. The joint working group is tasked with improving the addition-to-reserve policy.

Now, given the nature of the lands profession, which can be a very complex subject matter, we find that there is a great need to provide technical support services. In the 2010-11 fiscal year, we received 451 referrals requesting support services on all matters relating to lands management.

The National Aboriginal Lands Managers Association is a firstnation-driven professional organization working towards improving the quality of life for our people. As stewards of the land, we have the important responsibility of ensuring quality lands management to promote sustainable growth and prosperity within our communities.

• (1545)

Like other organizations, we are challenged by fiscal restraints. However, it is the future endeavour of our organization to continue working with willing and productive partners to raise professional standards, solve issues and challenges, and promote good land governance.

To recap, our organization provides our members with three basic mandates: professional development, technical support, and networking opportunities. We find that in terms of economic development, it's the lands technicians at the community level who have to get the lands ready for economic development. In most cases, we also have to monitor the land agreements that are for economic development.

That concludes our presentation. We'd be very open to questions.

The Chair: Thank you so much. We do appreciate your testimony today. It's an important and vital portion of our study.

What we will do now is go around the table in rounds of questioning, starting with Ms. Duncan for seven minutes.

Of course, colleagues, we want to make sure that time is allotted for the answer. Please remember, as we start up today, that we want to be sure to allow enough time for the questions to be answered.

Ms. Duncan.

Ms. Linda Duncan (Edmonton-Strathcona, NDP): Thanks.

Welcome to all four of you. It would have been great if we'd had representatives from all of the areas, but I think you'll probably do a good job answering whatever tough questions we have.

You know what? I think I actually taught at one of the programs. A good friend of mine, Professor Marie-Ann Bowden, helps teach the course, and she invited me in with her to do part of the course on safe drinking water.

It's pretty exciting to have two graduates here. I hope I didn't misinform you too badly.

Voices: Oh, oh!

Ms. Linda Duncan: My first question is just off the top of my head. We have been meeting with a number of people who are involved in land and resource management for aboriginal communities. One of the organizations we met with was the lands advisory board. Can you clarify for us what the difference is between your organization and the lands advisory board?

As well, you mentioned at the outset that you were formed as a non-profit organization, yet you're funded solely by Aboriginal Affairs. Could you elaborate on your role? Do you set your own priorities? Do you establish your own mandate, what you want to train on, and so forth?

Ms. Leona Irons: In terms of our organization and the land advisory board, we're two separate entities. There are, however, members under our organization who are with the land advisory board and who manage their land under that. The land advisory board is legislated to manage land under sectoral self-government.

The other question had to do with the funding, did you say, or...? I'm sorry, Linda.

Ms. Linda Duncan: You informed us that you're established as a non-government organization, but you're funded solely by Aboriginal Affairs. I'm just wondering what your relationship is. Do you set your own priorities—your mandate, what you'll train on, and so forth?

Ms. Leona Irons: We have a really good, productive working relationship with the Department of Aboriginal Affairs, but our mandate and work plan are established by our members. Then we seek funding from Aboriginal Affairs for that support.

Generally their mandate in terms of land is pretty much the same as ours, to improve the capacity for—

• (1550)

Ms. Linda Duncan: Do you have multi-year funding or do you have to apply each year?

Ms. Leona Irons: We just got it this year, for two years. We're still ironing out the glitches of that process, but there's an intent to have at least the two years. This is the first year.

Ms. Linda Duncan: Okay. Thank you....

Go ahead.

Ms. Leona Irons: Thanks, Linda.

Is there anything you want to add to that?

I know that Aaron is operating under the First Nations Land Management Act.

Mr. Aaron Louison (Director, Chair of the Saskatchewan Aboriginal Lands Technicians, National Aboriginal Lands Managers Association): To some point, we are. We are under the First Nations Land Management Act. We are also under the reserve land and environmental management program.

We have a special case with regard to our northern boundary. Our northern boundary has eroded—we gained land and we lost land in the valley there. For the lands that come under the FNLMA, we are able to get a legal description. In our first nation, it's Kahkewistahaw 72 A-1 to H. Those lands have just become reserve status, and we took control over them through our land code with the help of the Lands Advisory Board. Our community had voted on the code and accepted it, and I believe it was just signed in December.

The main reserve of our first nation is under RLEMP. Because we can't get a legal description for that northern boundary, we have to leave that under the Indian Act regime for now until we get that dispute settled. I believe they're talking about it now. I'm hoping it's coming soon, because we do have a big portion of our first nation lands that we cannot administer, and it kind of holds us back in that regard. It restricts us, that's what it does. However, under the First Nations Land Management Act, we now control what goes on there, and that type of stuff. We manage it right at the—

Ms. Linda Duncan: Can I ask a question, Mr. Louison? You're obviously very experienced in doing this, and this ties into a question I was going to ask all of you.

Do you train first nation people in land management under the Indian Act, the code, and first nation final agreements? Do you do it right across the board, or just the land code or...?

Ms. Leona Irons: No, our understanding is that the Lands Advisory Board is tasked with the responsibility to build capacity under the framework. We do parts of it because our members are under that land regime. That's why we have the level one training with the University of Saskatchewan. Our technical is specific to the Indian Act. When you do get certified, you're like a general practitioner in lands management, so that you can go into whatever land regime.

Ms. Linda Duncan: It's exciting to hear that you have the certification program. I think that's really good, too, for other first nations that might want to hire you to train and so forth.

When you get the certification, do you qualify to join the association of municipal planners?

Ms. Leona Irons: No, we haven't reached that far yet. In the early days, we sat on committees with the planners, but we want to be able to reach out, because we find that's important.

Ms. Linda Duncan: Thank you. Unfortunately, my time's up.

The Chair: Thank you, Ms. Duncan.

Mr. Rickford, for seven minutes.

Mr. Greg Rickford (Kenora, CPC): Thank you, Mr. Chair, and thank you to the witnesses.

This is a meeting, I must say, that I was really looking forward to in the sense that we have a certification process here that goes a long way to build capacity. One of my colleagues is going to try to break that down for us.

I just want to address two areas. One, what are the challenges that land managers face under the Indian Act? And two, could you speak in more general terms about the capacity-building programs—the good things and some of the challenges?

With respect to the challenges facing land managers under the Indian Act, Leona, we have identified a few things in going through the literature. One would be that the land tenure is dissimilar to that off reserve. I suspect that would be a disincentive to investment. Another would be the lack of a reserve land registry system, which I think makes it difficult to prioritize and guarantee interests in land. I know that there are others.

Could you perhaps expound on those two very briefly—we only have seven minutes—and identify if there are any other major ones?

• (1555)

Ms. Leona Irons: For other challenges, I'm going to look to my colleagues to speak about that.

Ms. Jennifer Copegog (Chair, Ontario Aboriginal Lands Association; Director, National Aboriginal Lands Managers Association): I'd like to talk about what is good land governance, and hopefully it will answer your question.

We say that it has five characteristics. The first is sustainability, which we determine as a long-term commitment from local and external governing authorities to support land and economic projects

Mr. Greg Rickford: So you're saying there, Jennifer—excuse me for a second—that we're talking then about insufficient regulatory authority, which goes to governance.

In my second question here, on capacity-building programs, I was going to try to flesh out this whole governance issue. We've had meetings not just here but in the crown and first nations gathering around governance. Certainly part of this was brought up in it.

So insufficient regulatory authority is what I'm hearing you say as well.

Ms. Jennifer Copegog: Yes.

Another characteristic would be efficiency. To move us into the speed of business, there must be adequate land management resources, technology, tools, and systems in place.

Another characteristic is transparency: proper laws, policies, best practices, and guidelines to govern a lands and economic development program.

Next is accountability. Local and external governing authorities must be accountable to stakeholders with a high degree of professional standards and personal integrity.

Professional capacity is very important. You need a highly qualified individual with clearly defined and well-developed competencies who can lead their community to proceed into greater responsibility and autonomy over their lands management.

It's—

Mr. Greg Rickford: Just one second there, Jennifer. I'm making a list here, hard and fast, but I just want to go back to "speed of business". That theme has come up consistently, not just here but in other discussions. I was looking for a concrete example of that, as the Indian Act might impose.

For example, would that be a restriction on mortgages on reserve that would be delaying the cost of processing land transactions, by way of example in terms of the business principle?

Ms. Jennifer Copegog: In terms of moving us into the speed of business, a perfect example is when our community wanted to move into a solar wind project. One of the big barriers was trying to get that land designated for that project. Unfortunately, not everybody in the business world realizes that in order for us to have a business on first nations territory, we have to go through a designation process.

Mr. Greg Rickford: Jennifer or Leona, in terms of capacity-building, the joint action plan as established by National Chief Atleo and Minister Duncan had identified governance as one of the key pillars of this as a prerequisite to moving to sectoral self-government initiatives in areas like land management.

But with respect to the training, is part of it understanding about the Indian Act and the challenges that it faces? It makes sense that it would.

Ms. Jennifer Copegog: Definitely; when we're dealing with outside entities, third-party interests, they don't understand how slow it is to try to manage lands under the Indian Act.

In mainstream society, you strike up a deal with somebody and then you can move forward. When you're on reserve, it's totally different. You have to go through these stages that take a long time. You follow the chain of command. Finally, after one or two years, we're allowed to do what we want on our land. In the meantime, our investors have lost interest. They're gone.

(1600)

Mr. Greg Rickford: Okay. So designation...and I would go back to the mortgages on reserve. Those are some classic examples of the process stuff under the Indian Act that is really stifling the managers and their communities from moving forward, then.

Ms. Jennifer Copegog: When it comes to mortgages, we cannot just go to the bank and get a mortgage. We have to get a ministerial guarantee from the Department of Aboriginal Affairs.

Mr. Greg Rickford: Right; there's a whole process involved in that.

Ms. Jennifer Copegog: Exactly. And then the individual, in order to get that ministerial guarantee approved, has to sign their land back over to the first nation.

Mr. Greg Rickford: Leona, you look as though you just wanted to add to that, and I know I'm almost done here for time.

Ms. Leona Irons: Well, one area to which more attention has to be paid is land-use planning. That's critical.

The Chair: Thank you very much.

Ms. Bennett, go ahead for seven minutes.

Hon. Carolyn Bennett (St. Paul's, Lib.): Thanks very much.

I think your "Well-trained people are priceless" is a fantastic idea for everybody. I think it's certainly what we've been hearing.

I did want to raise something, however, seeing as the parliamentary secretary mentioned that there had been conversations about this at the crown and first nations gathering. We offer our apologies, because we—members of the opposition, I mean—were not allowed at that gathering or allowed to hear those meetings and those conversations.

I would hope that maybe the chair would find any notes from those meetings to circulate to us, because I think it's very difficult for us to do our work as a committee when our exposure to these sorts of important conversations between the crown and first nations is uneven.

The Chair: Yes. I can commit to getting what's available to you later

Hon. Carolyn Bennett: In the future, if there are events like this, it would be normal that members of the aboriginal affairs committee—all of them—would be invited to participate in those meetings.

The Chair: Is there a point of order?

Mr. Greg Rickford: It's just that we're here to discuss the issues relevant and pertinent to what the witnesses spoke about. Although I do respect the right and the need to talk about participation and about things like the Kelowna Accord and so on, it doesn't make any sense, because witnesses are here—

The Chair: Thank you, Mr. Rickford.

Committee members are given some latitude in their time. Of course, we want to maintain the time that's given.

Carolyn, please feel free to be getting-

Hon. Carolyn Bennett: I was merely reacting to the testimony from the parliamentary secretary, who presumed that we all knew about those conversations.

I guess the word "capacity" is the word we hear the most. I guess I would love you to sort of dream in technicolor as to how it would look if you were able to do what you know needs to be done in terms of building capacity in all parts of Canada on your lands. We did hear from the Auditor General that there is some concern that if people have to move a long way from their communities, it's way more difficult, or that some people are unable to complete the program.

Obviously we're worried that some people are not at...whether it's high school completion or the kinds of things that it takes to be able to really get in there and learn and be successful. I would love to know what you think we could do.

If you were writing the recommendations for this committee report, how would that fit in terms of your vision and your long-term strategy to make sure that first nations people are trained up to be able to manage their lands themselves?

Ms. Leona Irons: First of all, Carolyn, you are welcome to come to our national gatherings, and I invite everyone. They are very informative and speak to a lot of issues and capacity.

We'd like to envision more capacity, to broaden our certification program. Again, fiscal restraints prevent us from doing that. But we are looking—

(1605)

Hon. Carolyn Bennett: Are there waiting lists? What would be your waiting list?

Ms. Leona Irons: What would be our waiting list? Well, we canvassed them first. I mean, it's not "we"; I'm sorry. I meant the Department of Aboriginal Affairs canvassed. For the training program, we work in partnership with Aboriginal Affairs. They're the ones who seek the participants or the students who come in. There is not a waiting list for the programs we're offering. There is a list for others who want to take the training that is not specifically geared to the RLEMP program or the FNLM program.

Hon. Carolyn Bennett: Would your students or participants be people who have been working in this area who now want to get certified, or are some of them now understanding that when they come straight out of high school this is a good thing to learn how to do in terms of a career path?

Ms. Jennifer Copegog: Well, we have I guess two differences. One is the person who has been in the business for so many years. I myself have been in the business for 25 years now; I haven't taken the training that's available through NALMA. I chose to send somebody who is younger to take that. She was fresh out of university and became part of the lands department in our community. She was ready to go back to school. She took the course and made the dean's list, which I'm very proud of.

I felt like I wasn't ready to go back to school. I don't plan on being in the lands business forever. I want to prepare my first nation, so that when it's time for me to vacate as lands manager, somebody's right there to take over and there's no halt in any of the services we provide to our community members.

Some of our participants have just been hired to manage lands. They have no basic knowledge of lands management, so this is a perfect opportunity for them to get their competencies, their capacity-building, and their networking, because the students are from right across Canada.

Hon. Carolyn Bennett: Would this lend itself in some ways, at the earliest level, to distance learning or...?

A voice: Yes.

Hon. Carolyn Bennett: Is there some plan? Could you affect more people, or expose more people, or get them interested? Because the pipeline obviously is important, too, in terms of people.

Ms. Leona Irons: That's right. We are currently developing some online training for our level-two training.

Hon. Carolyn Bennett: Obviously you would want as many people as possible trained, if you could.... Is there something we should be doing or some recommendation that you would want to see to build interest in people wanting to do this and to get involved with youth...?

Ms. Leona Irons: We're a small organization trying to fulfill a mandate for capacity-building, so we do need more funding in our organization to be able to do that.

Hon. Carolyn Bennett: So with more funding, you could help more people.

Ms. Leona Irons: Absolutely, yes.

Joe, did you want to add ...?

The Chair: Joe, if you have just a short addition, that would be fine

Mr. Joe Sabattis (Chair, Atlantic Region Aboriginal Lands Association; Director, National Aboriginal Lands Managers Association): With regard to the training itself, there's a problem we're having at the first nation level. We send our individuals to school, the Department of Aboriginal Affairs pays for it, and if the person dies in office, moves on, or retires, then it's the responsibility of the band to incur the added expense of sending the next land manager to school. They have to cover their tuition, their travel, and all of their stuff, and it's very hard on them. They think first nations should have an option: that there should be money available if something happens to that individual prior to them leaving or something like that.

The Chair: Thank you.

Thank you, Ms. Bennett.

Mr. Clarke, for seven minutes.

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Thank you, Mr. Chair.

I thank the witnesses for coming here.

I have a few questions. Being from Saskatchewan, I'm quite familiar with the University of Saskatchewan and some of the leading roles they're taking with aboriginal learning. They're taking it to a different level and far exceeding what some of the current standards are across Canada.

Just to get some more clarification in regard to the roles or the course outline at U of S, what does this provide? What types of courses are you taking to get certified as land managers? What is the process?

I'll elaborate further. My riding is in northern Saskatchewan. On distance learning, what steps are being taken to address those needs when people can't come out of the north at certain times, or because of road or weather conditions, perhaps, or even because of just the remoteness of some of the communities in the north, where travel isn't readily available? Could you please elaborate on those issues?

• (1610)

Ms. Leona Irons: I certainly will. I think the best answer would be from our colleagues who have taken the university courses.

Maybe you want to answer that, colleagues. I do have some course descriptions, but maybe your experiences with the university...?

Mr. Aaron Louison: The courses we've taken for IPRMP are Introduction to Legal Concepts in Resource Management; Introduction to Management Issues; Environmental Studies: Economics/Law; Resource and Environmental Studies; Legal Instruments and Process in Resource Management; and Resource Management Project Assessment.

Those are the courses we've taken in the U of S. I find they really help us out as land managers. They've opened my eyes in regard to what legal stuff you have to follow. When I first started being a land manager for my first nation, they put me in an office and told me, "Here, go and find your job". I had to dig through a bunch of papers and stuff, which I had to rely on the neighbouring first nation to help me with so I could do my job. And they really helped.

I relied on the Department of Indian Affairs quite a bit when I was starting. Then I finally got into the U of S and it really helped me to do my job with regard to capacity, environmental, and all the different guidelines and policies you have to follow regarding environmental. So all of that stuff that we did take in the U of S really helped us a great deal. Not only that—we got to meet first nations people from across Canada from diverse cultures. They brought their own problems, and we discussed them through the class. We had a lot of networking going on. We talked about what each first nation had done and whether they had similar circumstances. We were able to see how they've dealt with those issues and that type of stuff. So it really helped us out a great deal to take this training.

From my standpoint, I'm not going to be in lands management the rest of my life either. I'd like to do other stuff, but I do need to get somebody else certified, and it's a big issue. Managing 25,000 acres of land is a big undertaking, and you have to know every area you have to look after.

With that, I'll ask Joe if he has any other comments.

Mr. Joe Sabattis: The University of Saskatchewan programs and the classes we took through it were very helpful, because you're applying what was learned in school at the first nations level. I've been in land management for close to 16 years, and I never knew about this stuff until I went to school and actually learned how to do environmental and legal descriptions and stuff like that going down the line, and then you go back into the first nation and apply it at the first nations level and work hand in hand with INAC or Aboriginal Affairs.

It was very helpful, and as Aaron said, you get to network with people who come from across Canada. You're all one family. You all have the same problems. You have the same solutions. It's very helpful, when you go back to your region, to apply what you have learned and what you have learned from the experience of your school colleagues.

To this day, I still keep in contact with my classmates. It's very good networking and I think the training program that is in place now should continue or even be made better so that it will eventually be beneficial to other first nations in Canada.

(1615)

Mr. Rob Clarke: How did everyone taking the course become aware of it, first of all? And I know individuals do have to travel. Are there any options for distance learning?

Ms. Leona Irons: I believe the university is looking into online training. I could leave you with the name of a contact at the university who could give you more information. Although we work in partnership, that's our level one, and then they move into our level two, what we deliver, so we've been asked to look into online training as well.

I think it's very important to realize that we are breaking professional standards. There's a level of risk of litigation associated with land management, so it's important that we move on into more responsibility. It's important to have a highly qualified land manager.

Mr. Rob Clarke: Under the First Nations Land Management Act, I could see the benefits here. But I also look at the Indian Act, under section 93. To handle 25,000 acres under section 93, you'd have to get written permission from the minister to remove even just a tree, hay, rocks, or sand. That creates a lot of problems right there. How are first nations facing those challenges? Or do you see that the First Nations Land Management Act is going to be beneficial?

Ms. Leona Irons: The concept of the First Nations Land Management Act is a good concept—a good regime to get in. However, you have to build that capacity first before you can take on the challenge.

The Chair: Thank you, Mr. Clarke; your time is up.

We're going to turn to Mr. Genest-Jourdain for five minutes. [Translation]

Mr. Jonathan Genest-Jourdain (Manicouagan, NDP): Good afternoon. I will ask my questions in French.

[English]

The Chair: I'll just stop the clock for a minute. If everyone could double-check their earpieces and make sure that they have them there, that would be great.

Mr. Genest-Jourdain.

[Translation]

Mr. Jonathan Genest-Jourdain: I want to begin by emphasizing the scope of the task your organization is faced with. Hats off to you. I have a very simple question for you.

Do you feel that the federal transfers are sufficient for your organization to meet its objectives?

[English]

Ms. Leona Irons: Does the funding we receive meet the objectives of our association? We're always encouraged to improve, and with that comes more funds for improvement. We want to be able to branch out to more first nations to deliver, both in French and English, specific subject matters in addition to reserve land

designations—anything that will help us, such as the environment or land-use planning.

So currently it doesn't, but we always want to improve, and you need more money to do that.

[Translation]

Mr. Jonathan Genest-Jourdain: My question is about the services provided to the members of local associations. The briefing notes mention "[...] referral services for first nations land managers requiring assistance on day-to-day issues or general inquiries."

Are those issues common? How much demand is there? Do first nations submit additional information requests during the process? Is this after-sale service widely used by the first nations?

● (1620)

[English]

Ms. Jennifer Copegog: Definitely. We do referrals. For example, first nations call the NALMA headquarters for assistance on lands issues, and what the staff at the headquarters office does is refer that person to a first nation whose specific function may be, for example, band leasing. I get frequent calls from first nations asking me how we do our band leasing, how we generate the revenue, or how we were able to collect our own rents rather than having the Department of Indian Affairs collect our revenue for us.

Basically I just tell them, here's how we got started. We were an RLAP band. We moved into 53/60, and now, with the announcement, we've been selected for FNLM. That's always been a goal for our first nation.

With us doing a lot of leasing, I offer technical expertise and mentoring. Sometimes I would even go into a first nation office and show somebody how to set up their office to make sure that they have the right equipment and tools. I just provide as much service as I possibly can.

If there's a specific matter regarding, for example, surveys, then I would refer them to Natural Resources Canada and introduce them to somebody—like a colleague I work closely with at NRCan. There's a lot of networking that goes on between first nations, whether they're a part of NALMA or not.

[Translation]

Mr. Jonathan Genest-Jourdain: I have one more question.

If a specific nation had questions about the agreements on the impacts and benefits of resource development on its traditional lands, would you be able to answer those questions?

[English]

Ms. Jennifer Copegog: Yes, we are. As I said at the beginning, a lot of the requests for referrals go to the head office. The head office, the staff at the NALMA office, knows the first nations that are specific.... For example, in Aaron's community they deal with oil and gas and a lot of permitting. So if a question about permits comes in, they would refer that person to Aaron's office. We have bios of all of our first nations at headquarters. Our resource person at NALMA knows where they can send a person to get more information and hands-on assistance.

The Chair: Thank you so much.

Your time has expired.

Mr. Wilks, for five minutes.

Mr. David Wilks (Kootenay—Columbia, CPC): Thank you, Chair.

Thank you for coming today.

I've watched with interest the use of first nations land management by first nations, particularly in British Columbia with Westbank. In my riding of Kootenay—Columbia, the Shuswap and the Ktunaxa have just signed on to first nations land management. I'm eagerly going to watch that, because it should be very interesting.

In that light, have the capacity building programs undertaken by your association and aboriginal development created an atmosphere that supports movement from Indian Act land management to first nations land management? Could you give me some examples of how that has worked for you?

Ms. Leona Irons: Within our training program? **Mr. David Wilks:** Within your training program.

Ms. Leona Irons: Okay.

Yes, in our modules, we do have transition views. We talk about the roles and responsibilities under the Indian Act as well as under the First Nations Land Management Act. Although our training is not specific to FNLM, we do try to do the comparisons for them and show the level of responsibility they would have.

Mr. David Wilks: So with that you've just indicated that there was some overlap between the Indian Act's land management and FNLM. Can you expand upon that a bit in trying to relate one to the other?

● (1625)

Ms. Leona Irons: Okay. We do talk about contract law. Contract law is contract law, and I don't believe that in any regime there is a difference. So we do teach contract law and there are similarities. We are trying to raise that point with our students in regard to knowing the difference between both.

Mr. David Wilks: Further to that, with regard to land planning, my background is in municipal government, so I understand the importance of land planning. This may be somewhat of silly question to ask, but I'll ask it anyway. I recognize that land-use planning is important to land managers, but I'd like to know from the panel here why it's so important to have that understanding. Secondly, are communities engaged in land-use planning? If not,

what could we do to make them aware of this and why it is so important?

Ms. Jennifer Copegog: As far as land-use planning is concerned, I think that's really at the forefront for all first nations right now. If you look at neighbouring municipalities, they govern and manage their lands based on a land-use plan; first nations don't have that right now. There may be some first nations out there who have land-use plans, but these plans are probably not as complex as what a municipality would have.

I've been working toward a land-use plan for our community for about three years now. Chief and council thought it was a very simple process and said we'd use zoning: here's residential and here's that type of thing. But I said I don't envision our land-use plan to be just for zoning; there have to be policies and procedures put into that land-use plan, especially with the environment. Species at risk have a big impact on first nations these days. You'll find a lot of the species that are named on the at-risk list on first nations' territory. That limits us right there. We have to make sure that as good stewards of the land, endangered species continue to live on our territory, whether those be plants, animals, or those types of things.

There are a lot of things that come into land use. I envision that my land-use plan is going to have all of those components. First we need to know what's on our land in order to have a really good land-use plan, because if it shows that there are endangered species in this area, then for sure we're not going to do residential or commercial projects in that area; we're going to make sure that's protected. There is a lot of work involved to make an inventory of what's on your first nation. We've talked to many first nations land managers right across Canada, and it seems that if there's a species named on the endangered list, you're going to find it on a first nation.

The Chair: Thank you so much.

Unfortunately, Mr. Wilks, your time has expired.

We'll go to Mr. Bevington for five minutes.

Mr. Dennis Bevington (Western Arctic, NDP): Thank you.

I'm interested in capacity. I think it's quite clear that your job is complex: not only do you have to have a land-use plan and know your land, but then you also have to advance whatever you're doing through the federal bureaucracy.

I'm curious. How do you feel about the capacity of the federal bureaucracy to handle the issues that come in front of you? What's the timeline when you advance a project through that process? Could you describe that to us?

Ms. Leona Irons: I'm so glad you brought that question up, because our colleagues in the Department of Aboriginal Affairs and the federal government also need capacity. As we ourselves raise the professional standards, our colleagues at the regional headquarters also have to be on equal ground. It seems as though they are limited as well in their funds to build capacity. So I appreciate that question, because we do feel for our colleagues in the Department of Aboriginal Affairs. They also need capacity.

● (1630)

Mr. Dennis Bevington: Does anybody else want to comment on that, in terms of the timeframe and the relationship once you have a project that you've moved forward, and what happens to it after that?

Ms. Jennifer Copegog: As far as working with our colleagues at the Department of Aboriginal Affairs is concerned, some first nations are fortunate to have a really good working relationship with the people in the Department of Aboriginal Affairs land sector. Others are not that fortunate, where the process is slow.

I think networking with our colleagues at the Department of Aboriginal Affairs really helps the project move along faster, not only for first nations land managers to keep on top of Aboriginal Affairs but also vice versa, so that everyone is working toward a common goal. We have to really commit to that goal to make sure that the project is completed.

Ms. Leona Irons: Streamlining the processes is something they should look at in terms of some of the transactions we do. They too should look at the processes.

Mr. Dennis Bevington: Well, we're trying to get a handle on the capacity within the land division here so that we can understand, and we've yet to receive that information from them. There are many first nations across the country that would be putting input into them all the time—apart from the work you're doing, correct?

In terms of the work that's coming from the managers you've trained and the people engaged in your organization, what percentage of all first nations across the country does that represent?

Ms. Leona Irons: We'll have to get back to you on that number.

Mr. Dennis Bevington: I don't need a precise number. An approximation would be good enough.

Ms. Leona Irons: Well, for the most part....

So out of the 68 certified land managers, how many are associated with our organization?

Mr. Dennis Bevington: Or how many first nations across the country are associated with your organization and are part of that network of working together?

Ms. Leona Irons: We have about 88.

Ms. Jennifer Copegog: Yes, about 88 first nations across Canada are involved with the national organization. That number grows on an annual basis.

At the Ontario Aboriginal Lands Association, our membership is 27. If you look at the number of first nations in Ontario, we have 133 first nations in Ontario. We have 27 under our association. Our goal is to strive to have 133 under our association.

Again, we're a technical group. We want to make sure that we build capacity for our lands managers. There are a lot northern communities in Ontario that do a lands function, but they don't have the funding. They probably don't even realize that they could probably get funding, because they're just...it's always been that way. They do a lands function, but they don't get compensated for the work they're doing.

Whether it's because their transactions are not high enough... Because I think the Department of Aboriginal Affairs looks at how many transactions a first nation does in order to qualify for more funding. If you're managing maybe one or two leases, maybe a hundred CPs, your funding is not going to be very high, but you're still managing those lands.

Ms. Leona Irons: Just quickly with regard to capacity-building for the Department of Aboriginal Affairs, some of the Aboriginal Affairs colleagues have taken our training.

The Chair: Thank you.

Mr. Bevington, just for your information, I think the answer to your question is on page 2 of the presentation, where they outline the seven regional land association chapters.

Mr. Dennis Bevington: I'm familiar with that, but I wanted to put it in comparison with the total number of first nations, and I got that.

• (1635)

The Chair: Yes. It's 112.

Mr. Dennis Bevington: In Ontario it's 27 versus 128 first nations across the province.

The Chair: Good. I just wanted to make sure you were aware of that. Thank you, Mr. Bevington.

Mr. Boughen, you have five minutes.

Mr. Ray Boughen (Palliser, CPC): Thank you, Chair.

Let me add my voice to my colleagues' in welcoming the panel here this afternoon. We appreciate the time you're giving us. It certainly gives us an opportunity to learn much more about your work in land management.

Talking about that, what is the type and incidence of different land use activities on a reserve—for instance, residential, commercial, and public use? Are there unique land management issues that pertain to different types of these activities? As well, as land managers, where do you see the difference happening with residential, commercial, and public use?

Ms. Leona Irons: There's a level of how you deal with those types of land transactions.

Aaron, Joe, you're working directly with that. Is there something you can add to that?

Mr. Aaron Louison: Go ahead. Joe.

Mr. Joe Sabattis: That actually falls under a community's landuse plan. The community identifies the common needs of the land; this gives the administration or the guidance for the community in terms of their traditional lands, for the residential lands as well as commercial development, industry, and agricultural areas of first nation lands. This process brings the community into discussion about natural resources and management, environmental protection and management, and any other issues that arise out of that.

That includes setting guidelines and the values of management of lands, resources, and the environment. The community may choose to provide input into compliance management and ensure that the model—also called enforcement—reflects traditional values in these common chosen areas.

The main thing is that it gives the chief and council—your administration or your elected officials—the right to govern, and to say okay, this is how you will do your sections of areas, such as those designated commercial, residential, or recreational. It gives them the power to oversee that, and that's what's really needed at a first nation level: community land-use plans.

In my area, the Atlantic area, there are three reserves that use landuse planning and it works out perfectly. They know exactly where everything is. In Conne River, Newfoundland, they have land-use planning. They did it before they were established as a first nation and now it's working hand in hand.

There's one first nation in Nova Scotia on the other side of Halifax, the Millbrook First Nation, and they have a land-use plan. Everything is working well there.

The other one is in Cape Breton. That's Membertou. It's a prime example. You must have seen them on the TV. They had boxing matches down there. They have set their land-use plan. It's in place. It's working hand in hand with council, the elected officials, and everything else. It works really well.

More should be allowed. First nations should be getting into that practice.

Mr. Ray Boughen: Okay, Joe. Picking up on that, I have question number two. What are some key characteristics or principles of effective and efficient land management, and how do we facilitate it on reserve land?

Mr. Joe Sabattis: Well, to answer your question, it's community-based land planning. That's one. Another is good land management. The other one is natural resources management. Of course, anything above or below the ground is the crown's responsibility.

Environmental management, which is a key thing for first nations now, is something that wasn't taken into account at first. Now it's really being emphasized, because the environment is the big thing.

The other one is compliance management: making sure that it's being monitored, that it's being enforced. Make sure your contractors and your first nation are following that type of environmental protection. We have to save our land for our children, who are coming up in the near future.

● (1640)

The Chair: Thank you very much.

I apologize. It seems that you may have had an additional question, but your time is up, Mr. Boughen.

Ms. Hughes, for five minutes.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): Thank you very much.

I'm going to continue on the capacity-building, because I think that's extremely important. You flagged it as needing to be improved.

I'm just wondering about it. First of all, how long does it take to train somebody? You have your level one and your level two, and when I'm looking at your numbers here, I see that since 2005 you have 68 first nation land managers who have been certified. That's only about ten a year.

Ms. Leona Irons: It's a two-year training program. They take the level one in one year. For those students who have successfully completed level one, we get them in level two.

Mrs. Carol Hughes: So just on that note, then, how much of a budget do you get? I'm assuming you're limited by the size of budget you have in order to be able to train. Also, what is the demand out there for capacity-building? You've talked about that.

Obviously there's a lack of funding there to train the number of land managers you need, so what's your current budget, and how much would you need? What number would you estimate would be sufficient to train land managers in order to try to bridge that gap?

Ms. Leona Irons: I'm not aware of the budget the university receives from the Department of Aboriginal Affairs. Our training budget to deliver level-two technical training is about \$261,000, and that's to train 20 first nations.

Mrs. Carol Hughes: So definitely there is a lack of funding, given the fact that obviously first nations don't have that amount of money. Is that what you're saying? If INAC is paying for one, then if something happens—if that person dies or moves on, or there is a change in first nations management, or the chief in council was changed and they want some change there—they're not able to have that person trained?

I just wonder if you could elaborate on that. You talked about management tools and systems. Could you elaborate on that a little bit as to your needs there?

Also, just on the training part, I forgot about the literacy as well. Is that an issue? Is literacy a stumbling block for many?

Ms. Leona Irons: Yes, that does have its challenges, and there are supports within the university to deal with that. By the time we get them into our level two, they've improved.

I'm glad you asked what direct things, other than capacity, we need in terms of our additional resources.

There are two direct examples of things we want to provide to support our land management. To help within our land management comprehensive executing and land-use planning would be the geographic information system, GIS. I am sure our colleagues in the municipalities—the planners and the property managers—appreciate this tool, because it was this tool that would have set the foundation for this beautiful city of Ottawa. We need this kind of technology. It's a decision-making tool and a mapping tool, and it gives you the ability to see and analyze layers of information based on location.

I think Jennifer may have referred to this technology as one of the things we need. If anything, we should have a GIS. That would help us determine the land use, the elevation of streets, and so on.

Mrs. Carol Hughes: How much money would you need to do that?

Ms. Leona Irons: First of all, it's not funded through any program. There are bits and pieces here and there, but one of our challenges is the cost of the technology as well as a long-term commitment for a technician to operate it, and I think you can appreciate that.

I know, Aaron, you used the technology. What were your challenges in terms of cost?

● (1645)

Mr. Aaron Louison: It's something we had looked at with the Saskatchewan Aboriginal Land Technicians. In the province I believe there are about 74 first nations. I put together a plan to get all our first nations in Saskatchewan trained with the GIS.

The GIS software is \$6,000. The training is an extra \$3,000 for four days, and to do all 74 first nations in Saskatchewan would be about \$260,000, which is what I had worked out. I couldn't find any program that would give us that kind of money to train our first nations land managers to utilize this software. The benefits of using the software are endless. They could do a lot with that software, but financially we can't do it. I can't even find an organization to help us with that kind of funding for that software.

The Chair: Thank you, Ms. Hughes. You're out of time.

I'm going to use the chair's discretion, Ms. Duncan. We're on the last questions here, and I just want to give you a little bit of time for a final question.

Ms. Linda Duncan: I have just a quick follow-up.

I really want to thank you for the testimony. It's been really informative. I'm really impressed by the work you're doing, both paid and voluntary—and it sounds like a lot is voluntary.

I'm wondering if you have a strategy and the resources for reaching out to the first nations not yet engaged or trained, and if you have an idea or a forecast into the future on how long it might take to bring everybody on board in the 600-plus first nations.

Ms. Jennifer Copegog: Speaking on behalf of the Ontario Aboriginal Lands Association, on an annual basis we send out our information packages to first nations who do not belong to our association yet. Sometimes, unfortunately, that package doesn't reach the right person. We can only address the information package to chief and council. If the chief receives it and they don't pass it on to the right person, or that community does not have a lands manager, that information just sits there.

We also seek the assistance of our colleagues at the Department of Aboriginal Affairs, at the regional offices. We ask them, "Can you give us a list of communities within your region who you think would benefit from being a part of the Ontario Aboriginal Lands Association—somebody who's new in the business, perhaps, or somebody who's heading out the door?" We look for new recruits on an annual basis.

In October of 2011, after being in place for 12 years, we were able to get funding to have our very first regional gathering. We had it in Sault Ste. Marie. We were targeting the first nations in the north, because a lot of our members right now are in the southern part of Ontario. We were trying to target the northern communities, where we know, as I mentioned before, they are doing land functions but don't get funded for them.

It's up to each regional association to do that recruitment initiative, but we try to do it on an annual basis.

The Chair: Thank you so much.

We just wanted to make sure that everyone got their final questions in.

Mr. Payne, you're the final questioner. Head us home, and then we'll be done.

Mr. LaVar Payne (Medicine Hat, CPC): Thank you, Chair.

For a minute there, I thought you'd forgotten I was here.

The Chair: I would never, never forget it—but I avoid pain at all costs, usually.

Voices: Oh, oh!

Mr. LaVar Payne: No Payne, no gain.

The Chair: That's right.

Mr. LaVar Payne: First of all, I'd like to thank all the witnesses for coming here today. It's very informative information you're providing us with.

Leona, I was listening to your opening remarks. I know you talked about a number of things. Of course we are doing this study on land use and sustainable economic development, so it's really important that we hear what you've said.

You did talk about a tool kit, but you also said that you're working on another tool kit, a reserve land designation tool kit, and are planning to develop that over the next year. I'm wondering if you could expand on that. What kinds of items are going to be in the tool kit? What will they do to help? How far along is the kit, and when will it actually be available?

I'm sorry, that's a lot of questions, but I thought I'd get them all in.

• (1650)

Ms. Leona Irons: I'm glad you asked that question, because developing tool kits takes a long time, especially for difficult subject matters like designation. The designation tool kit will focus basically on the readiness to do a designation. We'll have a lot of information on the processes, templates, and best practices, and it will be very similar to our "additions to reserves" tool kit.

Because this is a Department of Aboriginal Affairs federal process, we developed the tool kit by bringing in our first nations colleagues who were experienced in designation processes, as well as our Aboriginal Affairs colleagues, on a focus group to pick their brains and to give us some best practices and templates. It's been extremely productive. We hope the tool kit will be finished at the end of this fiscal year.

Once we finish that tool kit—it's one of our deliverables—we have to give it to the Department of Aboriginal Affairs, so that they can look at it and endorse it, and that can take some time. It has to go through the regions to see if what we say is consistent with the regional variations. Our HR tool kit took a whole year, so we have to make sure that when we do develop these tool kits, the processes are right.

So it will take a year, probably, if not sooner, to get the tool kit endorsed by Aboriginal Affairs, and then once it's done, we set it for print, and then we do a pilot. We're looking to start canvassing first nations who really need this training, hopefully, next fiscal year or maybe even into the next fiscal year. Then we're looking at providing some training in probably late 2013 or 2014.

Mr. LaVar Payne: In terms of the items that are going to be in the tool kit, you've touched on some of that and you touched a bit on the training. How long do you anticipate it would take to train individuals with the new tool kit?

Ms. Leona Irons: We're looking at a target of about three days of training.

Mr. LaVar Payne: Are there any other individuals who want to comment on that?

The Chair: You're pretty well done there, Mr. Payne, but thank you.

Is there a follow-up question? I gave additional time to the other side. If there is a follow-up question, I'm happy to give some leeway.

Mr. LaVar Payne: Thank you for that; it's really important.

There are certain first nations operating under the First Nations Land Management Act, so to what extent does the certification program prepare first nations land managers to fill their responsibilities? Specifically, does the program develop land codes or environmental management agreements, and if not, what alternatives exist?

Mr. Aaron Louison: I guess when you talk about first nations land management and RLEMP, the reserve land and environment management program, those are two separate entities, in my eyes, because one has to do with the government and the other one is just the first nation.

With regard to RLEMP.... I lost my train of thought. Can you repeat your question?

• (1655)

The Chair: I want to make sure that your questions are answered, Mr. Payne, but we're coming close to the end of our time.

Mr. LaVar Payne: Okay, I understand that.

I'll go back and go over the question again. To what extent does the certification program prepare first nations land managers to fulfill the responsibilities transferred to first nations under the First Nations Land Management Act?

As well, is there any additional training period required, and does the program provide training on how to develop land codes oor environmental management agreements?

Mr. Aaron Louison: The short answer is no, it doesn't. But they do have the First Nations Lands Advisory Board giving first nations help with their land codes or any questions they may have. We've been in the process of getting our land code and individual agreements certified. It took us four or five years to do it. A lot of it had to do with the northern boundary on my first nation. They're two different entities.

Ms. Leona Irons: But did the training help you?

Mr. Aaron Louison: The training did help us in regard to litigation and that type of stuff, like court cases. It kind of opens your eyes to that. The training—

Mr. LaVar Payne: Are there alternative programs that would be available to help in that regard?

Mr. Aaron Louison: Yes. I believe the First Nations Lands Advisory Board is working on training for first nations land managers; I believe I will be at training next week.

Kahkewistahaw First Nation is newly operational. We've just developed our land codes, our individual agreement, and the community ratification program. I'm looking forward to the training next week, because I do have a few questions with regard to the permitting system that I've learned through RLEMP and what the difference is between RLEMP and first nations lands management. There is a substantial difference between the two.

The Chair: Okay. Unfortunately, I do have to cut it off here.

Mr. LaVar Payne: Thank you for that extra time, Mr. Chair.

The Chair: I was afraid of pain if I didn't give it.

Voices: Oh, oh!

The Chair: Anyway, thank you very much for coming in, each one of you, and for taking the time out of your busy schedules to be here today. We certainly appreciate it. I know that it has been interesting and informative for committee members, so I certainly appreciate your time, your commitment to the work you're doing, and also the fact that you've given some of your time to us.

Committee members need to be aware of a couple of things. Next week, for both Tuesday and Thursday, we're going to be meeting over at 131 Queen, because in both meetings some of our witnesses are going to be attending via televised communications, and those rooms are outfitted for it. We'll be in Room 752.

As well, colleagues, as per our agenda, there was a time slotted for committee business, but that is being deferred for another meeting. What we were considering has not been prepared, so we will adjourn.

I just wanted to tell committee members that Ms. Duncan did have an interesting suggestion, which is that if you are interested in our study moving forward, if you speak privately to our witnesses today I'm certain they would have some informative thoughts in terms of where we might go with our committee hearings later on.

I'm certain that you are the experts on it and would have some good suggestions as to where we might do that.

I'll leave it to committee members to speak to our witnesses privately after the meeting. We would encourage you to come back with that feedback.

Thank you so much again.

Thank you, committee members.

The meeting is adjourned.



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