



Ontario Native Women's Association

Fact Sheet: Watershed Protection Water Declarations and Consultation Protocols

What is a watershed?

A “watershed is an area where all surface water drains into the same body of water (river, lake, or ocean). Surface water consists of the tiny trickles of water flowing on the surface of the Earth that develop into larger streams and eventually combine to form rivers and lakes.”¹

Why are watersheds important?

As Indigenous peoples, First Nations people recognize the sacredness of water as a source of life, fostering the connectedness of all life, in our recognition of the water and honour their inherent responsibility to protect the water from pollution, waste and droughts.

Watersheds are vital to the health of plants, animals and humans. They provide water to larger bodies of water, ensuring that lakes do not dry up, and soak up extra water so that drier ecosystems such as plains do not become flooded. This is important because excess water can breed bacteria which can cause infections in animals and permanent flooding can destroy current ecosystems. Also, the water that we drink passes through watersheds. Pollution of a watershed can have a far reaching effect on Traditional lands. Degradation by industrial operations and activities can take place far from reserves and traditional lands or from nearby.

What is Aboriginal Leadership doing to project watersheds?

First Nation communities continue to call upon the government to recognize their inherent right to be involved in the development/implementation of watershed protection acts, as well, First Nations (and organizations) have begun to develop Water Declarations/protocols aimed at ensuring the protection of watersheds situated within their territories.

In 2008, after a First Nation Water Policy Forum hosted by the Chiefs in Ontario, First Nations leadership along with Elders from various regions situated across Ontario highlighted the need for a declaration on the importance of clean water for First Nation communities. On March 20, 2009, in support of World Water Day (March 22, 2009) the Chiefs of Ontario announced the adoption of a First Nations Water Declaration, created for the purpose of assisting First Nation communities in dealing with the water challenges they face. The Water Declaration is regarded as a “tool that can assist all peoples in protecting the waters from contamination.”²

In light of large-scale development plans, such as the proposed ‘Ring of Fire’ chromite mining operation, First Nation communities have voiced their concerns in regards to the risk of water pollution occurring as the result of mining. In response to these concerns, organizations such as Matawa and the Nishnawbe-Aski Nation have advocated for moratoriums on the “Ring of Fire” mining project, as well some First

¹ Natural Resources Canada. Retrieved from:

<http://atlas.nrcan.gc.ca/site/english/maps/environment/hydrology/watershed/1>

² Becking, M. (2010) “Anishinabek Show Support for Grassy Narrows” Union of Ontario Indians.



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Nations, such as the Kitchenuhmay Koosibinninuwig First Nation, who in 2008 (and 2011) were compelled to defend their sovereignty/treaty rights against mining interests, have taken steps to protect their water/land from industry through the creation of Water Declarations and Consultation Protocols.

What protection exists for watersheds?

In July 5, 2011, the Kitchenuhmay Koosibinninuwig (KI) Water Declaration and Consultation Protocols were passed:

- The KI Watershed Declaration acknowledges the sacred connection between water and all life and applies to a 13, 025 square kilometre area in KI area, establishing a protected area for the whole of the Big Trout Lake watershed—where no industrial development will be permitted. Outside of the protected area, a moratorium has been placed upon development until a number of outstanding issues are addressed and the research necessary for responsible development is completed.
- The Consultation Protocols contained in the Water Declaration set out that KI consent will be given freely, only when people are fully informed of the consequences prior to any decisions being made, and according to KI's own laws and decision-making processes. The Consultation Protocols are consistent with the *UN Declaration on the Rights of Indigenous Peoples* in their application of Free Prior and Informed Consent.

Most recently, a drought (due to hot weather) caused the Grand River Low Water Response Team, whose membership includes the Six Nations First Nation, to expand the call for stronger water conservation measures to take in the entire Grand River watershed.³ Additionally, the proposed *Great Lakes Protection Act* and *Draft Great Lakes Strategy* aim to address watershed protection by fostering the development of integrated watershed management approaches and building upon existing agreements/acts developed for the protection of water (ie. *Clean Water Act*, *Conservation Authorities Act*, etc.).

What can I do to protect watersheds?

- Address harmful legislation through your MP, MPP or media;
- Recognize your responsibility as Aboriginal peoples to protect water-as the sacred source of life;
- Advocate for the Ontario government to respect existing moratoriums on development (logging, mining etc) of Aboriginal Land;
- Reduce your own ecological footprint;
- Teach the next generation about the importance of watersheds

³ Grand River Conservation Authority. Retrieved from:
<http://www.grandriver.ca/Newsroom/NewsPrint.cfm?id=668>