



OKANAGAN NATION ALLIANCE

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April 30, 2010

Attn: Honourable Barry Penner
PO Box 9047 STN PROV GOVT
Victoria, B.C. V8W 9E2

FAX: (250) 387- 1356

Dear Minister Penner,

Re: Water Act Modernization

The Okanagan Nation Alliance ("ONA") and its member bands affirm that the watersheds in British Columbia and Canada are in crisis; both provincial and federal governments continue to treat water as commodity for economic gain. Water is our lifeblood and all living things depend on it. It is a sacred element of our Aboriginal Title and Rights. Water is central to our ancestral beliefs, values and customs in which our cultures thrive and exist. Thus 'water' is sacred.

We understand that the Province is working to amend the *Water Act* in order to change how water is managed and allocated, and has released the Water Act Modernization Discussion Paper ("WAM") as a guide for public input into this process.

The Okanagan Nation Alliance strongly demands that the prior, proprietary and unextinguished Syilx water rights 'and' the inherent water rights of other First Nations of British Columbia must be addressed and given priority given the fact that the Indigenous water rights supersedes the right of the stakeholder, water users, before the Province proceeds with legislative and policy change such as in WAM. Further, the ONA Chiefs Executive Council firmly asserts that WAM does not meet the legal standard of consultation with First Nations, and the engagement which is contemplated in WAM has an impossible short timeframe for meaningful input and legal standards.

The ONA and its member bands had proposed an initial process framework for WAM consulting; the Province rejected it. This is not acceptable as we expect a resolution to reconciling our mutual interests with regard to water. We are willing to continue to work with the Province on water governance issues. Be advised that the Okanagan Nation Alliance will be preparing an Action Plan to achieve recognition of our prior and unextinguished water rights, and to challenge the Province and Canada's legislation and legislative policy initiatives regarding water. Additional comments from the ONA will be forthcoming.

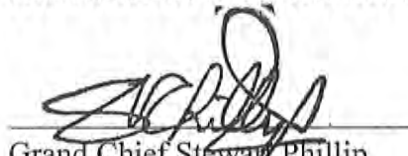


If you can please confirm a suitable meeting arrangement between our governments, please don't hesitate to contact, the Okanagan Nation Alliance for Gwen Bridge, Natural Resources Manager at (250) 707-0095 and or via email at gbridge@syilx.org at your next opportunity.

On behalf of the Okanagan Nation Alliance, Chiefs Executive Council.

Sincerely,

OKANAGAN NATION ALLIANCE



Grand Chief Stewart Phillip
Chairman

cc: Okanagan Nation Member Bands
Okanagan Basin Water Board
Lynn Kriwoken, Director, Innovation and Planning Team
Wenda Mason Water Stewardship Division
Mike Finley, Chairman Colville Confederated Tribes
Ministry of Aboriginal Relations and Reconciliation
UBCIC Chiefs Council
First Nations Fisheries Council