



# PIIKANI NATION NEWSLETTER

MARCH 2025



## Treaty Annuities Claim Legal Update

[Scan QR Code to View the Claim](#)



### Piikani Nation Treaty Annuities Claim

We are pleased to announce that in December 2024, Piikani Nation commenced litigation against Canada with respect to Treaty Annuities. Our claim alleges that Canada's failure to adjust the \$5 annuity payment for inflation is a breach of its obligations under the Treaty.

Since 1877, Canada has always paid \$5 per year to each member. With inflation, \$5 has significantly less value today than it did in 1877. This undermines the promises Canada made as part of the Treaty.

Chief and Council believe the best way to protect Piikani Nation's rights under the Treaty is to continue our lawsuit against Canada.

A copy of the claim can be viewed by scanning the QR code above.

We anticipate that this matter will soon proceed to a negotiation table with Canada. Negotiation tables typically achieve resolution more quickly than litigation and at a lower cost.

### Bearspaw First Nation Class Action on Annuities

On November 26, 2024, Bearspaw First Nation launched a class action for Treaty Annuities that claims to be on behalf of all individual members of Treaty 7 Nations (including Piikani Nation members) and on behalf of all First Nation signatories to Treaty 7. Bearspaw brought this class action without advising, contacting, or consulting with Piikani Nation in advance.

With our own litigation, we can control the process and maximize Piikani's interests. Our Nation can make its own choices without being forced to compromise with other Treaty 7 Nations. In addition, we can avoid handing over a large amount of any compensation to the class action lawyers.

Our litigation also respects the important Nation-to-Nation relationship that the Blackfoot Treaty established, reinforcing to Canada the need to deal directly with Piikani Nation on our terms.

For these reasons, we have decided to seek to withdraw Piikani Nation and our members from the Bearspaw Class Action.

### newsletter contents:

<i>Piikani Nation Treaty Annuities Claim</i> .....	1
<i>Bearspaw First Nation Class Action on Annuities</i> .....	1
<i>State of Emergency</i> .....	2
<i>Highway 786 Claim</i> .....	2
<i>Agricultural Benefits Claim ("Cows and Plows" Claim)</i> .....	2
<i>Treaty Land Entitlement Claim</i> .....	2
<i>Grassy Mountain</i> .....	3
<i>Other Updates</i> .....	5
<i>Discussion at the Band meeting</i> .....	5
<i>Piikani Nation Chief and Council Attendance Policy</i> .....	6





# Report for Band Meeting Held January 9, 2025

Piikani Nation Chief and Council thought that it would be helpful to provide a summary of the matters discussed at the Band meeting held January 9, 2025.

We thank Herman Many Guns and Valerie Crow Shoe for the opening and closing prayers for the meeting, and all members who attended and provided thoughts and input on the agenda items.

## **State of Emergency**

The State of Emergency is still in place. There still have been deaths caused by drug overdose, but the numbers are well below what they have been in the past. As community members, we are aware of the individuals who continue to deal drugs to our people on our reserve. We urge members to report any suspected drug dealings to the RCMP.

We have been in ongoing discussions and negotiations with both the Federal and Provincial governments to fund a detox centre on our reserve. We are pleased to report that a strong verbal commitment was issued recently by Minister Hajdu, Indigenous Services Canada, to support remodeling infrastructure to meet our immediate opioid crisis and state of emergency needs.

We are close to obtaining a similar commitment for funding these projects from the provincial government. We will report to members once that funding has been secured.

## **Highway 786 Claim**

We live with this highway that intersects our reserve. A prior Council designated

this highway as a secondary highway. Over the years, it has been realigned.

This past year, Council had research and mapping done of areas of concern. Those areas of concern relate to portions of the highway on reserve that were not subject to Orders in Council. Orders in Council are used by the Government of Alberta to do a variety of things, including making certain types of government decisions. This is important, because those portions of the highway that are not subject to Orders in Council are still reserve land, and Piikani Nation has not been compensated for the use of that land by Canada or Alberta for those highway portions. Those portions comprise 42 acres of reserve land.

We have begun negotiations on this issue with Canada. Canada made an initial offer, which we have rejected as being too low. We also met with Premier Danielle Smith and her senior cabinet members in Piikani. We discussed with her the historical, current and future impacts Piikani members live with as a result of this highway.

Piikani Nation Chief and Council We are still working on a resolution to this matter and will have an update at our next Band meeting.

## **Agricultural Benefits Claim ("Cows and Plows" Claim)**

Research to support this claim has almost concluded. Once that is complete, Council will be able to start the negotiation process. However, with a possible federal election in the near future, our negotiations may be pushed back until after the federal election is over.

We will provide more information as it becomes available.

We are aware that people have been circulating their concerns about the "cows and plows" settlements that have been negotiated by other First Nations. When we are closer to a resolution, we will be providing information about how any settlement of this claim affects our Treaty rights (if at all), and will be hosting community meetings where members will be able to obtain more information about any proposed settlement.

As is the case with all of these types of claims, any proposed settlement is subject to a vote by membership.

## **Treaty Land Entitlement Claim**

We have been working on this claim for more than 4 years. Research is ongoing, as we need as much information as possible to be able to establish our claim to the lands that were denied us at the time of treaty.

We have completed significant research, including by engaging with our brothers and sisters to the south to obtain additional information about Piikani members who were traveling between our summer and northern winter camps at the time of the court. We now have a substantial list of names and have been discussing this list with our Elders. If you have any stories about why people were not counted, or know people who do, please share those with Council.

Many of the individuals on the list were missed in the count, which was the basis used to establish our reserve size. A math-





# January 9th, 2025

ematical formula was used at the time to provide a certain area per individual member counted. We hope to have a negotiated number for compensation soon.

Any proposed settlement will be subject to a vote by membership.

For those of you who are interested in how these claims have been treated by the courts (not the Specific Claims Tribunal), please google “recent Supreme Court rulings on Alberta land claims” to read about how these claims were tried and their outcomes. If there is interest, we would be happy to post information about these claims.

Many of you will be aware of the Shot Both Sides claim that was recently decided by the Supreme Court of Canada, which was the Blood Tribe’s TLE claim. After a lengthy litigation process, the Supreme Court of Canada found that Canada had breached the Blood Tribe’s treaty rights. However, the Court also stated that although the Blood Tribe’s claim was actionable before the enactment of the *Constitution Act, 1982*, it was subject to the Alberta *Limitation of Actions Act*, which had the effect of barring the claim.

The Court ultimately declared that (1) the Blood Tribe was entitled to a reserve equal to 710 square miles under Treaty 7, (2) their current reserve is smaller than what was promised under Treaty 7, and (3) Canada acted dishonorably by breaching the provisions of Treaty 7. However, because of the *Limitations of Actions Act*, the only viable option for the Blood Tribe to resolve this historical breach of treaty claim was to negotiate with Canada through the Specific Claims process.

Because Council elected to file a claim

through the Specific Claims process, rather than litigate, we have already undertaken the process set out by the Supreme Court and are on our way to a negotiated resolution of our TLE claim.

## Grassy Mountain

The Grassy Mountain issue has been receiving a lot of attention recently. Council has recently published a member update with respect to Grassy Mountain, but will set out what was discussed at the Band meeting here.

First, some background information about the status of the Grassy Mountain project will be helpful. Since the late 1890s, there has been mining in the mountains of the Crowsnest Pass. Specifically on the Grassy Mountain site, there was a mine in operation from the 1920s until it was abandoned in the early 1970s. Since then, no remediation of the site has been done, and we have not been able to use the site for our traditional practices or for anything else. What has been left is a mountain scarred by the open pit – little else. All we have to show for the earlier mining operations is dust that still blows from the site and water that still seeps into our creeks. Piikani Nation was never consulted about the mine and never received any benefit from it.

Many of you will have heard that a mine on the Grassy Mountain site is now moving forward. That is not accurate. Northback, the company that owns the lands at the site that are not designated as Crown lands, has applied to the Alberta Energy Regulator for a permit to do some drilling on the site to collect additional data that will inform any applications for a commercial mine permit that Northback may wish

to make in the future. The proceedings that have been publicized in the media are for the proposed drilling program, not for a commercial mine operation.

Piikani Nation submitted a letter of support to the AER for the proposed drilling program, as the additional information being gathered by Northback will help us make an informed decision on any project that may result from the data collected. In addition, the proposed drilling program will flow benefits to Piikani members and businesses, including annual investments in cultural, community and educational initiatives.

It is important that Piikani Nation participate fully in the proceedings and gather as much information as we can about any proposed commercial mine project:

- Piikani territorial interests and rights are at stake, more than the rights or interests of any other community or First Nation affected by the proposed program.
- The work to be performed as part of the proposed program will take place wholly on Piikani territory. That means that our Nation will clearly be significantly affected by whether or not the proposed program and any future mining operations are approved by the AER.
- Other First Nations, including the Stoney Nakoda Nations, assert territorial rights and interests to the lands affected by the Program. We understand that those Nations supporting the Program, including the Stoney, intend to



# Report for Band Meeting Held January 2025

take every opportunity to benefit from the employment and other opportunities provided by the Program, despite it being on Piikani Territory.

- Specifically, the Stoney have given their full support of this project that is in our backyard and on our lands. As we have previously advised, the Stoney have filed a claim in the Alberta Court of King's Bench stating almost all of our Blackfoot Ancestral territory, including Grassy Mountain, is Stoney territory. Their support of any project on the Grassy Mountain site may have a significant impact on their land claim.
- The Métis supported the earlier Benga project. Benga consulted with the Métis during that project and provided opportunities for the Métis to share their recommendations and concerns. The Métis were even permitted to conduct a Traditional Knowledge Study for the project.

Council is not prepared to watch other First Nations or the Métis benefit from the Program while Piikani Nation is left behind. Specifically, Council is not prepared to sit back and let the Stoney or Métis take advantage of any opportunities that result from any project. Piikani Nation intends to fully participate in the process and make it abundantly clear to anyone involved with the process that Grassy Mountain is Piikani land.

For that reason alone, Piikani Nation must be able to obtain information about any projects and evaluate it in the appropriate context to determine what impacts a project may have on our lands and people, and how those impacts may be mitigated.

It is also clear that the Government of Alberta has indicated its desire to see a project move forward at the Grassy Mountain site.

Piikani Nation has a long and difficult history with major projects that have negatively affected us in the past, with no net benefit to our Nation. For example, we vehemently opposed the construction of the Oldman river dam. Many special in-

terest groups supported us, and we took a militant stand against the Government of Alberta. Alberta proceeded anyway and built the dam. That dam continues to cause damage to our water, fish and habitat. In addition, no one can live in high bush any more because of the risk of flooding.

**To be clear, Piikani Nation has not signed anything to support the mining and extraction of metallurgical coal or a commercial mine operation.**

We will keep members up to date about Northback's applications before the AER as events warrant.





# January 9th, 2025 (continued)

## Other Updates

- Piikani Nation is working on opening a Research Department later this year.
- Funding for a new school on reserve has been secured and work is underway.
- Council has retained legal counsel for a treaty annuities claim, which has been filed with the Court.
- Council has developed a Justice Program and has submitted a Crime Prevention Proposal.
- Council is working on child welfare initiatives, including welfare reform and Bill C-92.
- Council is working on a housing initiative that would see 30 homes built over the next two years.
- Public Works has upgraded its equipment fleet to better serve our community needs.
- The Piikani Irrigation project is in development. We will announce more about that at a later date.

- With respect to the twinning of Highway 3, we reiterated with Premier Smith and her team that meaningful consultation with Piikani Nation must be part of every phase of this project. Piikani Traditional Knowledge Services secured a significant contract to undertake a Traditional Land Use study from Fort Macleod to the BC border as part of this project. We are also negotiating specific benefits for Piikani Nation as part of the construction of the highway, including paid training, hiring, and inclusion options for maintenance of the highway.
- Martin Iron Shirt resigned from Council effective December 31, 2024. A by-election will be called shortly to fill that vacancy.
- A petition to remove Dimples Stump from Council has been referred to the Piikani Nation Removal Appeals Board. Members have been asking for a copy of the petition or for disclosure of the grounds in the petition, which

Council is prepared to provide as long as Councillor Stump consents to the release of the petition.

## Discussion at the Band meeting

There was quite a bit of discussion about these and other matters raised by members who attended the Band meeting. While we have not captured that discussion in this update, we thank those members who participated for their contributions to the meeting.



## Policy News

### ***Piikani Nation Chief and Council Attendance Policy***

We are pleased to announce that on March 12, 2024, Piikani Nation Chief and Council passed the Piikani Nation Chief and Council Attendance Policy

The goals of the policy are to ensure that:

- Piikani members have full representation at Council meetings; and
- All Council members are contributing to the governance of Piikani Nation.

The policy stipulates that attendance at Council meetings is mandatory, while providing for excused and unexcused absences. Notice must be provided in advance of any absence. Council retains discretion to determine whether the absence is excused or unexcused. Examples of excused absences include:

- Attending another meeting at the direction of and on behalf of Piikani Nation Chief and Council;
- Illness or medical issues;
- Out of country;
- Prior notice of annual leave;
- General personal family emergency involving immediate family; and
- Other circumstances as may be approved by a quorum of Council.

In the event that Council does not determine an absence to be excused, the Council member will have an opportunity to address their absence at a subsequent Council meeting.

Absences that are unexcused will be subject to sanction as follows:

- Following one unexcused absence, a warning;
- Following two unexcused absences, forfeiture of 50% of honorarium in the following month or at the discretion of Council; and
- Following four unexcused absences, Council may implement the removal process set out in the *Piikani Nation Election Bylaw and Regulations, 2002* as amended, and payment of honorarium may cease to be provided to the Council member at the discretion of Council.

Any pattern of unexcused absences by a Council member will be addressed by Council with the member at a Council meeting, and may be subject to the sanctions set out above. In the event that Council finds that a pattern of unexcused absences amount to a failure to maintain a standard of conduct expected of a Council member, such that removal from office is necessary and appropriate, Council may implement the removal process set out in the *Piikani Nation Election Bylaw and Regulations, 2002* as amended, and payment of honorarium may cease to be provided to the Council member at the discretion of Council.

# Our Social and Digital

STATEMENT: NORTHBACK

\$50 HAY BALES

\$500 PER CAPITA distribution

GRATITUDE APPRECIATION

# PIKANI NATION Digital Postings

**NOTICE: CANINE  
DISRUPTION**

PIKANI NATION has issued a notice of disruption to the community. The disruption is due to a recent increase in Canine activity in the community. The disruption will affect the following areas:

- Community Hall
- Community Center
- Community Library
- Community Park
- Community Garden
- Community Swimming Pool
- Community Picnic Area
- Community Picnic Area

For more information, please contact the PIKANI NATION office at (403) 965-3940.

**BAND MEETING  
POSTPONED**

PIKANI NATION has issued a notice of postponement for the following events:

- Community Hall
- Community Center
- Community Library
- Community Park
- Community Garden
- Community Swimming Pool
- Community Picnic Area
- Community Picnic Area

For more information, please contact the PIKANI NATION office at (403) 965-3940.

**UNITED  
STATES  
RESIDING  
MEMBERSHIP  
BLOOD  
QUANTUM  
LETTER**

PIKANI NATION has issued a notice of blood quantum letter for the following areas:

- Community Hall
- Community Center
- Community Library
- Community Park
- Community Garden
- Community Swimming Pool
- Community Picnic Area
- Community Picnic Area

For more information, please contact the PIKANI NATION office at (403) 965-3940.

**NOTICE:  
DAYCARE  
SURVEY**

PIKANI NATION is conducting a survey for daycare users. The survey will be conducted online on March 4th, 2025. Survey submissions will remain confidential and be compiled & reported by an external polling service.

**ONLINE FORM**

The Nation, nor entities, will have access to submitted information and we encourage the use of the online form. Hardcopies can be picked up at various community locations and submitted to the administration office.

**POINT CONTACT:**  
[\(d.smith@piikanation.com\)](mailto:d.smith@piikanation.com)  
(403) 965-3940

Notice Issue Date: February 17, 2025

**ELDER  
UTILITY  
PAYMENT  
AVAILABLE**

PIKANI NATION has issued a notice of utility payment available for the following areas:

- Community Hall
- Community Center
- Community Library
- Community Park
- Community Garden
- Community Swimming Pool
- Community Picnic Area
- Community Picnic Area

For more information, please contact the PIKANI NATION office at (403) 965-3940.

**Election  
Bylaw and  
Regulations**

PIKANI NATION has issued a notice of election bylaw and regulations. The election will be held on March 4th, 2025. For more information, please contact the PIKANI NATION office at (403) 965-3940.

**NOTICE:  
POWER  
DISRUPTION**

PIKANI NATION has issued a notice of power disruption. The disruption is due to a recent increase in power usage in the community. The disruption will affect the following areas:

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**BAND  
MEETING**

PIKANI NATION has issued a notice of band meeting. The meeting will be held on March 4th, 2025. For more information, please contact the PIKANI NATION office at (403) 965-3940.

**NOTICE:  
CITIZENS  
PETITION**

PIKANI NATION has issued a notice of citizens petition. The petition will be held on March 4th, 2025. For more information, please contact the PIKANI NATION office at (403) 965-3940.

**CITIZENS  
ON PATROL  
PIKANI  
CHAPTER**

PIKANI NATION has issued a notice of citizens on patrol pikani chapter. The chapter will be held on March 4th, 2025. For more information, please contact the PIKANI NATION office at (403) 965-3940.

**NOTICE:  
CANINE  
HEALTH &  
SAFETY**

PIKANI NATION has issued a notice of canine health & safety. The notice is to inform the community that canines are not allowed in the following areas:

- Community Hall
- Community Center
- Community Library
- Community Park
- Community Garden
- Community Swimming Pool
- Community Picnic Area
- Community Picnic Area

For more information, please contact the PIKANI NATION office at (403) 965-3940.

**NOTICE:  
JUSTICE  
PROGRAM  
INFORMATION  
SESSION**

PIKANI NATION has issued a notice of justice program information session. The session will be held on March 4th, 2025. For more information, please contact the PIKANI NATION office at (403) 965-3940.

