



YEAR IN REVIEW

2020-2021



L'NUEY
MOVING TOWARDS
A BETTER TOMORROW



TABLE OF CONTENTS

Message from Epekwitnewaq Mi'kmaw-Saqmaq.....	2
Message from the Executive Director	3
Epekwithk Assembly of Councils Governance Structure	4
Community Engagement and Governance Development	5
Negotiations	7
Consultations	9
Communications	10
Highlights and Accomplishments	13
Staff Directory	15
Wela'liq + Social Media + Community Photos	16

MESSAGE FROM EPEKWITNEWAQ MI'KMAW-SAQMAQ

Kwe' Epekwitnewaq Mi'kmaq:

Two years ago on September 28, 2019, we officially launched L'nuey, the Mi'kmaq Rights Initiative of Epekwitk (PEI). As you know, this was a significant step to advancing the rights and aspirations of the Epekwitnewaq Mi'kmaq under the guidance of the Epekwitk Assembly of Councils.

A lot has been accomplished since then to promote, protect and advance Mi'kmaq Rights and to ensure that these rights are honoured and asserted by those of us here today and strengthened for future generations.

We hope you take some time to read about the work being carried out on a number of key fronts in the updates provided throughout this document.

As an organization, L'nuey has been building community understanding and appreciation for the legacy of Mi'kmaq culture and heritage. Over the past year, a number of treaty awareness and educational campaigns have been released so that all Islanders can better understand Aboriginal and Treaty Rights.

We want to acknowledge that the past twelve months have not been easy. We have all continued to live under the ever-changing restrictions of a global pandemic. We have grieved, and re-lived trauma and sorrow as remains of so many innocent children of residential schools have been located in unmarked graves. We have felt the anger and frustration over continued challenges and inaction by Canada around our inherent rights to a treaty protected fishery. And yet, our resiliency and deep love of community strengthens us and moves us forward.

On behalf of you, we will continue to work for your well-being, self-determination and prosperity. Through L'nuey, we are helping to establish a firm and well-understood foundation for self-government as well as promoting a better understanding of inherent Mi'kmaq Rights. Phase 1 of the Ni'n aq No'kmaq Process is complete and next steps in determining who is an heir to Mi'kmaq Treaty Rights will be taking place in Winter 2022.

We will continue to work through L'nuey to ensure that all government partners understand our rights – and to help build a more constructive relationship based on both understanding and an agreement on facts, whether this be in the fishery sector or land matters.

We invite you to join us as we move forward towards a better tomorrow!



Chief Junior Gould of Abegweit First Nation



Chief Darlene Bernard of Lennox Island First Nation

MESSAGE FROM THE EXECUTIVE DIRECTOR

Another year has passed, and this second year presented L'nuey with many challenges and opportunities. We navigated through the COVID-19 pandemic, moved into our new office space in the Epekwitk Assembly Building, grew our L'nuey staff, and strengthened and created partnerships along the way. The team at L'nuey took this year on in full force and showed its commitment to continue implementing, protecting and advancing the Epekwitk Mi'kmaq Rights.

Through this, at the forefront of our minds is the heartbreaking discovery of the bodies of the children at former residential schools. In June, The Epekwitk Assembly of Councils (the Assembly) and L'nuey organized a vigil to honour the 215 Indigenous children found at the Kamloops Residential School. Hundreds of Islanders came to show their support and stand in solidarity with the survivors and families.

Under the guidance and direction of the Assembly, L'nuey has begun exploring priority areas for initial negotiations at the "Main Table" (formalized through the Framework Agreement and including technical staff from each of the governments) including potential areas for self-government discussions. Bi-lateral negotiations (between the Mi'kmaq and Canada) have been underway under the "Rights and Reconciliation Agreement" process. I encourage you to read the update in this document and familiarize yourself with this important work.

Our L'nuey Consultation Unit functions to assert and protect Mi'kmaq Aboriginal and Treaty Rights and to hold the government accountable to ensure that Mi'kmaq Rights are not infringed or violated. The Unit has worked diligently on an estimated 150 Crown consultation notifications of varying complexity. They continue to explore ways they can deal with notifications in an even more effective manner.

On the Communications front, our podcast, "Juku'e" continues to grow and highlight important issues and current events in the Mi'kmaq community. We ran three campaigns to educate and create awareness in the general public: Treaty Day, the Fisheries Campaign, and Foundational Terms Campaign. We continued our Mi'kmaq signage initiative with the province and installed 10 more signs marking Epekwitk communities in their Mi'kmaq names. We introduced our inaugural "Reconciliation Recognition Awards" in 2021, giving the opportunity to recognize the efforts of Epekwitnewaq (Islanders) making true efforts towards Reconciliation. We have partnered with many Island groups throughout the year including Receiver Coffee Co., Kitbag Theatre, DiverCity, the Island Tides Yoga & Wellness Festival, UPEI and the Confederation Centre of the Arts which was a huge success.

Our Engagement Officers have been diligently collecting information from interviewing Epekwitnewaq Mi'kmaq for the "Ni'n aq No'kmaq" Process and will be sharing the findings to reflect what was heard from the community members in Phase 1. With your input and insight, will come the collective vision of our future. We will continue the dialogue as we move into Phase 2 where education and engagement are key.

Lastly, I would like to express my deep gratitude to the Epekwitnewaq Mi'kmaq, the Epekwitk Assembly of Councils, our dedicated L'nuey staff, and all our great partners for an incredible year. I am excited to see what the upcoming year brings and am proud and humbled to be L'nuey's Executive Director.



Msit No'kmaq | All My Relations

Jenene Wooldridge

EPEKWITK ASSEMBLY OF COUNCILS

Governance Structure



The Epekwitk Assembly of Councils (EAC) is the joint forum that oversees and governs organizations that act in the shared interest of Abegweit First Nation and Lennox Island First Nation. Comprised of the full Councils of both First Nations, the Assembly currently administers three organizations that are Provincial in scope: L'nuey, the Mi'kmaq Confederacy of PEI and the new Epekwitk Development Corporation.

L'nuey's mandate is focused on protecting and advancing the Aboriginal and Treaty Rights of the Epekwitk Mi'kmaq, including negotiations, consultation and governance development.

The Confederacy's role is to deliver shared programs and services on behalf of both First Nations, as well as serving as a Tribal Council, which provides services and technical supports to each First Nation's administration.

Epekwitk Development is the EAC's new Provincial Economic Development organization focused on increasing source revenue for Abegweit First Nation and Lennox Island First Nation on shared projects that are provincial in scope.

COMMUNITY ENGAGEMENT AND GOVERNANCE DEVELOPMENT

NI'N AQ NO'KMAQ. DEFINING WHO. DEFINING WE.

Our identity as a Nation is grounded in our family roots and connections.

We are pleased to provide you with an update on the engagement we've conducted for the Ni'n aq No'kmaq- Me and My Relations process. The Ni'n aq No'kmaq process will determine who can exercise Mi'kmaq Rights on Epekwitk. We are defining for ourselves WHO is Mi'kmaq, because only the Mi'kmaq of Epekwitk can say who WE are as Mi'kmaq.

This process is not about access to dollars, but instead focuses on who can hunt, fish and access resources in this province as a Mi'kmaq Rights-holder. We launched this work on July 27, 2000 and continued meeting with community members during the end of March 2021 for Phase 1.

The Engagement Team of Julie Pellissier-Lush, Richard Lush and Jamie Thomas set out to conduct online and in-person conversations. Conversations focused on the following nine questions:

1. If we could design a future for our people, what would that picture look like to you?
2. What do you value as Mi'kmaq? What are our priorities?
3. What does it mean to you to be Mi'kmaq?
4. Who would be the beneficiaries of Mi'kmaq Rights and titles on Epekwitk?
5. How far back should someone be able to claim Mi'kmaq ancestry?
6. Who should be part of the decision-making process? Who determines who should be accepted by the Mi'kmaq?
7. If you live on PEI and are Mi'kmaq, but are not from one of the two bands, should you still be eligible to benefit from Mi'kmaq Rights?
8. Is there anything you don't understand regarding the work of the Epekwitk Mi'kmaq process?
9. Is there anything you would like to share about this process?





To date, almost 350 interviews have been completed, representing one-third of Epekwitnewaq Mi'kmaq aged 18+ being reached. Of those that participated, there was equal representation of voices living on-reserve and living off-reserve, including 9% of our respondents being from out-of-province.

From the interviews and online surveys, a number of themes and areas where we need to get more information emerged.

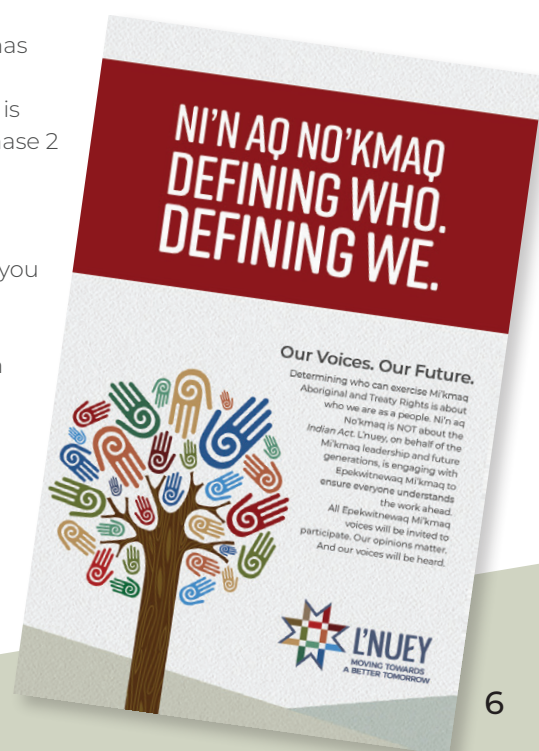
Some key themes and concepts

- Most important concepts: family and community, traditions, and language.
- There is pride in being Mi'kmaq.
- Language and culture are important for community members in terms of healing and revitalization. However, language is not a recognized factor in describing Mi'kmaq identity. Rather, all participants have related it to ancestry and community connection.
- There was no consistency in defining who is a beneficiary or how far back should someone be able to claim they are Mi'kmaq. We need to continue to engage on the type of proof required and how far back the cut-off date should be. Most individuals say three to four generations.
- We noticed the lobster dispute last fall in Southwest Nova Scotia provided a tangible example to community members to understand the difference between Aboriginal and Treaty Rights, and band programs and services. This has helped in the conversation asking if Mi'kmaq from other jurisdictions should be able to access Treaty Rights on PEI.

The feedback from these sessions re-enforced the importance of communication in general – getting information out to community members and ensuring everyone has an opportunity to have their voice heard. Thank you for allowing us into your homes and providing your input on this very important topic. This does not mean this work is complete. We are sharing some of our findings with you now and will be starting Phase 2 of the Process later this Winter 2022.

You will start to see some communication tools that will help better define the beneficiary process and associated terms with the goal of providing information, so you can better understand the concept and terms.

Please look out for Ni'n aq No'kmaq banners, posters, as well as information through direct mailouts and a special glossary of terms that will help you better understand the objectives of this work.



NEGOTIATIONS

2020 - 2021

The existence and validity of Aboriginal and Treaty Rights have been recognized in Canada through many court decisions. However, the courts have only partially defined the nature and scope of the rights and the common theme throughout these decisions has been the court's direction or advice for government and Aboriginal people to resolve their issues and find fair solutions through negotiation, rather than litigation.

The Marshall Decision in 1999 prompted greater collaboration between Lennox Island and Abegweit First Nation Councils on the protection and implementation of Mi'kmaq Rights in PEI and from the outset, the leadership has been clear that they are committed to negotiations as the preferred path to resolving these issues.

1) Framework Agreement

In January 2019, the Mi'kmaq-Prince Edward Island-Canada Framework Agreement was signed and it established a process for the parties to discuss and advance Mi'kmaq Aboriginal and Treaty Rights, including the inherent right to self-government. It sets out the scope for government-to-government-to-government negotiation processes.

Through the Framework Agreement a "Main Table" was formalized with technical staff from each of the governments. Work plans are developed by the negotiators, based on the direction and authority of the respective leadership for each party – for the Mi'kmaq that is the Epekwitk Assembly of Councils. With the guidance and direction of the Assembly, L'nuey has begun to explore the priority areas for initial negotiations at the Main Table, including potential areas for self-government discussions. Under the Main Table, bi-lateral negotiations (between the Mi'kmaq and Canada) have been underway under the "Rights and Reconciliation Agreement" process. In 2017, Canada obtained a mandate to negotiate Rights and Reconciliation Agreements to respond to the unique rights and interests of the Mi'kmaq Maliseet and Passamaquoddy in the Maritimes. The Agreements were intended to be legally binding, time-limited in recognition of the Aboriginal and historic Treaty Rights of the Mi'kmaq, and set out how those rights would be exercised during that time-limited period. Two areas have been the subject of RRA negotiations in PEI – Fisheries and Parks. With the signing of the Framework Agreement in 2019, these negotiations became part of the Main Table workplan.

These negotiations were impacted by delays associated with the COVID-19 pandemic and more recently by the federal election.



Fish RRA (Representatives at the Table: L'nuey and DFO):

Following significant conflict with respect to the implementation of treaty-protected fisheries in Mi'kma'ki and negotiations that did not result in any satisfactory changes to the RRA offer by the Department of Fisheries and Oceans, the L'nuey negotiators were directed by the Assembly to step away from the negotiations. The Department of Fisheries and Oceans has advised that they will be seeking a new negotiation mandate in 2022. Negotiations will be considered by the Assembly once confirmation of that mandate is received.

Parks RRA (Representatives at the Table: L'nuey and Parks Canada):

These negotiations have been progressing in a very positive manner. The objective of the negotiations is to recognize and reconcile Mi'kmaq Rights in PEI with the current management and oversight of the National Park in Prince Edward Island, including respectful recognition of the appropriate role to be played by the Mi'kmaq in the co-management of the Park. Formal agreement on these negotiations would follow negotiations of terms that the Mi'kmaq negotiators are prepared to recommend to the Assembly, and if approved, would then be presented to the membership to seek community support.

2) Other Negotiations

L'nuey is also mandated on behalf of the First Nations to lead and coordinate other negotiation processes that are not specifically related to the Framework Agreement, such as the Lennox Island and Abegweit First Nations' Hog Island Specific Claim negotiations and the negotiations related to the proposed new national park, Pituamkek.

2 a) Specific Claims

Specific claims deal with past wrongs against First Nations. These are claims made by First Nations against the Government of Canada and relate to the administration of land and other First Nation assets and to the fulfilment of treaties and agreements. There is currently one active specific claim in negotiations in PEI (Hog Island). L'nuey is also currently engaged in research and legal review for several other potential specific claims, which will be presented to the Assembly for consideration in coming months.

Hog Island Specific Claim (Representatives at the Table: L'nuey and Specific Claims Branch of Crown Indigenous Relations and Northern Affairs Canada):

Negotiations are now at the stage of independent studies to help inform the negotiation table on potential values related to the loss of use and value of the land. Both the negotiation process and the related studies were slowed due to the COVID-19 pandemic. If a proposed settlement is achieved by the negotiators and that proposal is supported by the Councils, it would then be presented to the communities to seek support for implementation.

2 b) Hog Island Sandhills/Pituamkek National Park Feasibility Assessment (Representatives at the Table: L'nuey, Parks Canada and PEI Department of Environment and Climate Change):

In August 2019, an MOU was signed between the Minister of Environment for Canada and the Chiefs to engage in a feasibility assessment for a new national park, intended to protect the Hog Island Sandhills and surrounding area (Pituamkek). L'nuey and Parks Canada and the Province of PEI are now engaged in discussions to advance this concept. The public engagement process was announced in the spring and completed over the summer of 2021 and a final report on what was heard during the engagement process will be released to the Parks Canada Pituamkek website in January 2022. Negotiations with respect to a Memorandum of Understanding are nearing completion. The MOU will trigger the formal negotiations for a Parks Establishment Agreement.

CONSULTATIONS

First Nations, Inuit and Métis Peoples in Canada, including the Mi'kmaq of PEI, have unique rights guaranteed under Section 35 of the Constitution Act, 1982. Section 35 recognizes and affirms the existing Aboriginal and Treaty Rights of Indigenous Peoples. To protect these rights, the doctrine of the duty to consult and where appropriate, accommodate Indigenous groups was developed by the Canadian courts – and in particular the Supreme Court of Canada in the 2004 landmark Haida Decision. The duty obligates both the Federal and Provincial Governments to consult with Indigenous groups when the government is contemplating an action or decision that might adversely impact proven or asserted Aboriginal and/or Treaty Rights. The general purpose of the duty to consult is to foster reconciliation.

The L'nuey Consultation Unit functions to assert and protect Mi'kmaq Aboriginal and Treaty Rights and to hold government accountable to ensure that Mi'kmaq Rights are not infringed or violated.

Accomplishments

L'nuey, through the L'nuey Consultation Unit, is mandated by the Chiefs and Councils of both the Abegweit and Lennox Island First Nations to act as their agent in the consultation process as set out in the Mi'kmaq – Prince Edward Island - Canada Consultation Agreement. Since September 2020, L'nuey has received and provided responses to an estimated 150 Crown consultation notifications of varying complexity. Each consultation notification receives legal and current and historical Mi'kmaq traditional use review and analysis. Depending on the nature of the consultation matter, the review might also include environmental and natural resource assessment. Some of the consultations also require expert analysis and advice. In addition, the Consultation Unit manages the engagement process with the elected Mi'kmaq Leadership/Councils and the Community where appropriate.

The Consultation Unit is working on a streamlined Consultation Process that will serve as a guide to how the Consultation Unit deals with notifications in an even more effective manner, based on direction from the elected Mi'kmaq leadership.

This past year, the Consultation Unit conducted numerous presentations to both First Nation communities, L'nuey and MCPEI staff, Provincial government, and Island Nature Trust outlining our roles and responsibilities, as well as specific consultation matters.

Representing L'nuey and the Consultation Unit, Wendell LaBobbe sat on the Land Matters Advisory Committee for the Land Matters Project, regarding the “Lands Protection Act” and “Planning Act”. The purpose of the advisory group was to examine the land policy and legislation and invite stakeholders, rights-holders and individuals to provide feedback on land matters issues and suggest recommendations for the report. The Land Matters Advisory Committee completed the engagement process and the final report, with the incorporated recommendations from L'nuey, were sent to the Minister of Agriculture and Land, Hon. Bloyce Thompson. The final report was published on the Land Matters PEI website in July 2021.



COMMUNICATIONS

Mi'kmaq History Month – October 1 - 31, 2020

During Mi'kmaq History Month 2020, L'nuey shared Mi'kmaq language, history and facts about the Mi'kmaq history and culture. We also launched a giveaway asking our social media followers to ask questions pertaining to the Mi'kmaq, to which we highlighted their questions and answers. We also shared a podcast to share some of these questions and talk about the incredible amount of engagement and questions that came in.

Veterans' Week (Nov 5-11), Aboriginal Veterans' Day (Nov 8), Remembrance Day (Nov 11)

In paying tribute to our Veterans of this Nation, L'nuey highlighted many First Nation Veterans' stories from Epekwitk (PEI) for Aboriginal Veterans' Day, Remembrance Day and Veterans' Week 2020.

Foundational Terms Campaign – January 18 - February 14, 2021

In January 2021, L'nuey rolled out a series of key Foundational Terms through our social media relating to Aboriginal and Treaty Rights. As Aboriginal and Treaty Rights are complex, it is important to understand the terms connected to them to provide increased understanding and perspective to all Islanders. We highlighted a number of foundational terms and concepts such as: Aboriginal Rights, Treaty Rights, Self-Governance, Section 35 of the Constitution Act, the Marshall Decision, the Sparrow Decision, the Indian Act, and the Mi'kmaq-PEI-Canada Framework Agreement.

Fisheries Campaign – April 14 - May 9, 2021

In April 2021, L'nuey launched a province-wide education campaign on the Treaty Protected Fishery, with our aim to invite Islanders to learn more about our rights-based fishery. As Islanders, we all have a connection to the water. That is why it's important to understand how individuals and groups gain access to the fisheries' resources and the order of priority of access for those individuals and groups based on the law.

Aboriginal Awareness Week – May 25 - 28, 2021

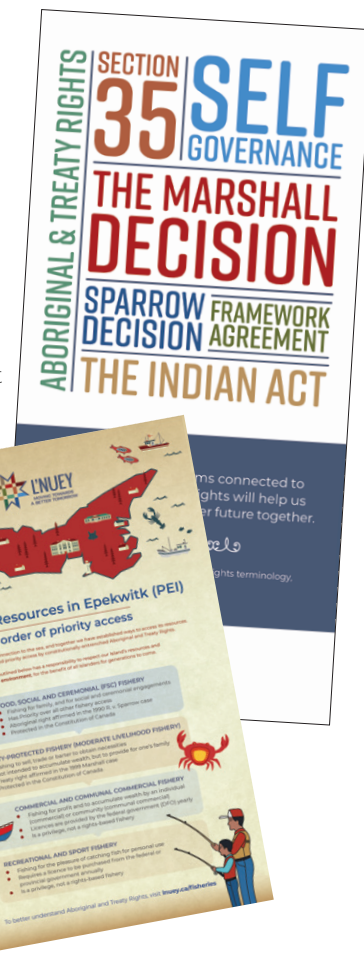
Reconciliation Recognition Awards

The inaugural "Reconciliation Recognition Awards" is a new initiative launched by the Epekwitk Assembly of Councils, to show their appreciation for the work being done to advance reconciliation by individuals, businesses and organizations here on Epekwitk (PEI).

For Aboriginal Awareness Week 2021, the inaugural "Reconciliation Recognition Awards" were presented to four Island recipients at a small ceremony which took place in the Assembly Chamber of the new Epekwitk Assembly Building. The inaugural Reconciliation Recognition Award is based on a series of criteria that serves to recognize, respect and include the Epekwitk (PEI) Mi'kmaq people, stories, history or land in such a way that it creates a positive and inclusive Island community with lasting impacts for future generations.

Mi'kmaq Signage

The Epekwitnewaq Mi'kmaq have a deep connection to the land – they have inhabited this Island for over 12,000 years. Last year, to mark Aboriginal Awareness Week, a series of nine provincial roadside signs were installed in Island communities. This Aboriginal Awareness Week, we continued to celebrate and recognize the traditional Mi'kmaq territory of Epekwitk (PEI) by sharing a new series of 10 provincial roadside signs that were recently installed across the Island – displaying both its contemporary place name, and its Mi'kmaq name.



COMMUNICATIONS

Every Child Matters Vigil – June 10, 2021

The strength and resiliency of the Mi'kmaq people was showcased on Thursday, June 10, 2021, when members of Lennox Island First Nation, Abegweit First Nation, and many supporters gathered to grieve and speak out against past and ongoing colonial violence.

A beautiful and powerful ceremony was put on where hundreds gathered to honour the beginning of a difficult journey that started with the discovery of 215 children found in unmarked graves at the Kamloops Residential School in British Columbia.

Mi'kmaq Elders, some of which are residential school survivors, lead a silent walk where community members sang and drummed a tribute of connection, love and hope for those that were lost, those that are still here and those that are to be recognized in the future.

National Day of Truth and Reconciliation – September 30, 2021

For the inaugural National Day for Truth and Reconciliation, Premier Dennis King and Senator Brian Francis were joined by Lennox Island First Nation Chief Darlene Bernard and Abegweit First Nation Chief Junior Gould to observe a moment of reflection at 12 noon before lowering the flags to half-mast at the provincial buildings.

All Epekwitnewaq (Islanders) and people from across the Nation were encouraged to observe a moment of silence at 12 noon and reflect on the colonial history and lasting impacts of residential schools in Canada. The Epekwitk Assembly of Councils Building was lit in orange starting the evening of the 29th through October 1st in honour of all those affected by residential schools.

Treaty Day – October 1, 2021

On October 1st, we celebrated the third annual Treaty Day on PEI with a flag raising and gift exchange between the Premier and Chief Darlene Bernard of Lennox Island First Nation and Chief Junior Gould of Abegweit First Nation. Senator Francis and Lieutenant Governor Antoinette Perry were also in attendance. The event featured traditional drumming and dancing. The Treaty Day Campaign ran on TV, radio and in print and digital format.



Partnerships

Island Tides Yoga & Wellness Festival

L'nuey, Julie Pellissier-Lush and the Mi'kmaq Heritage Actors joined the Island Tides Yoga & Wellness Festival for a Mawi'omi on July 17th. Julie and the Mi'kmaq Legends presented a beautiful multi-media theatrical experience that combined the artistic disciplines of poetry, music, dance and theatre performed by the Mi'kmaq Heritage Actors.

Voices of Resilience

In Partnership with the Confederation Centre of the Arts, July 21-23 and 26-28, in the Centre's outdoor amphitheater, 'The Voices of Resilience,' written and performed by Mi'kmaq Heritage Actors was featured. This show taught the history of the Mi'kmaq people of PEI by sharing stories, songs and traditional dance.

UPEI New Student Orientation Project

L'nuey participated in the Leader Training for New Student Orientation 2021 by submitting an educational video, highlighting the Epekwitnewaq Mi'kmaq, traditions, culture and treaties. This was the first time that information on the Mi'kmaq was included in this orientation.

Weaving Pathways to Reconciliation

In partnership with Receiver Coffee Co., "Weaving Pathways to Reconciliation" took place every Saturday at The Brass Shop this August. Mi'kmaq Elders Keptin Jimmy Bernard and Joe John Sanipass were onsite creating traditional woven baskets. This series of basket weaving, combined with special musical guests from the Mi'kmaq community, served to create more space for the language and culture of the Mi'kmaq people to be shared and celebrated.

Kitbag Theatre: Johnny & June on Tuesdays and Sundays

L'nuey was proud to sponsor Kitbag Theatre's production of Johnny & June on Tuesdays and Sundays! It was a pleasure to partner with an Ally whose actions truly support the path to reconciliation by acknowledging the land upon which we live, work and play.

Juku'e Podcasts

L'nuey's podcast, Juku'e, has released 8 episodes in the last year: Mi'kmaq History Month, Stories and Highlights of the Epekwitk Mi'kmaq Veterans, Understanding the Epekwitk Mi'kmaq Treaty Protected Fishing Part 1 and 2, Breaking the Silence on Residential Schools with Chief Junior Gould, Pitumamkek: A National Park Reserve with Chief Darlene Bernard, National Day of Truth and Reconciliation with Senator Brian Francis and Ni'n aq No'kmaq with Zabrina Whitman. We look forward to premiering more Juku'e podcasts focused on current matters in the Mi'kmaq Community.

Juku'e Analytics

8 episodes

Total plays: 1,766

Estimated audience: 80

Social Media Analytics

To date we have 3,100 followers on Facebook, 2,229 followers on Instagram, and 859 followers on Twitter.



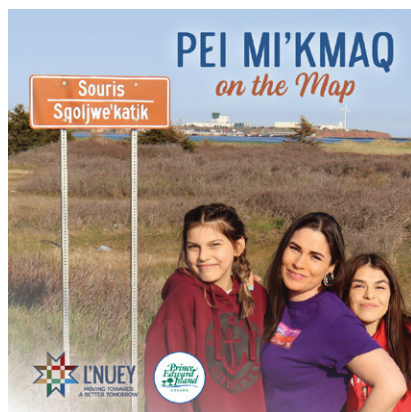
HIGHLIGHTS AND ACCOMPLISHMENTS



Aboriginal Awareness Week



Reconciliation Recognition Awards



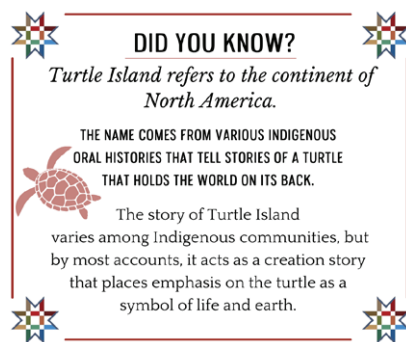
2021 Signage



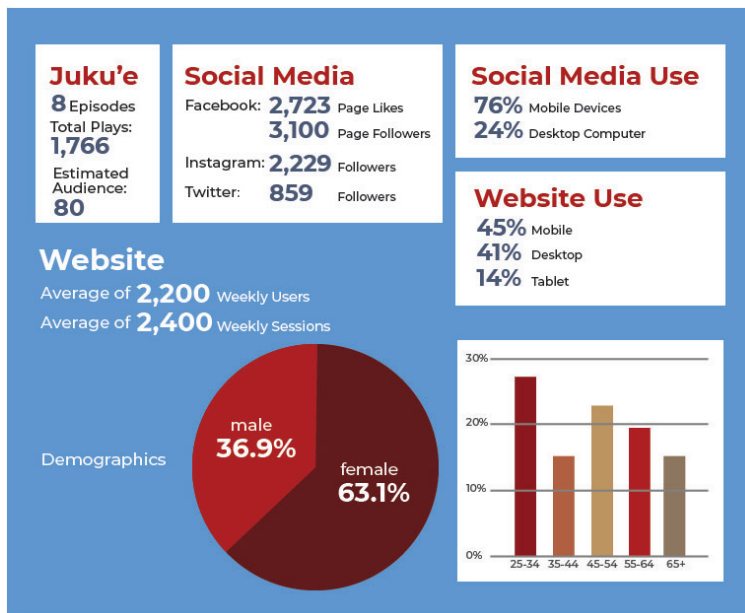
June 10 Vigil



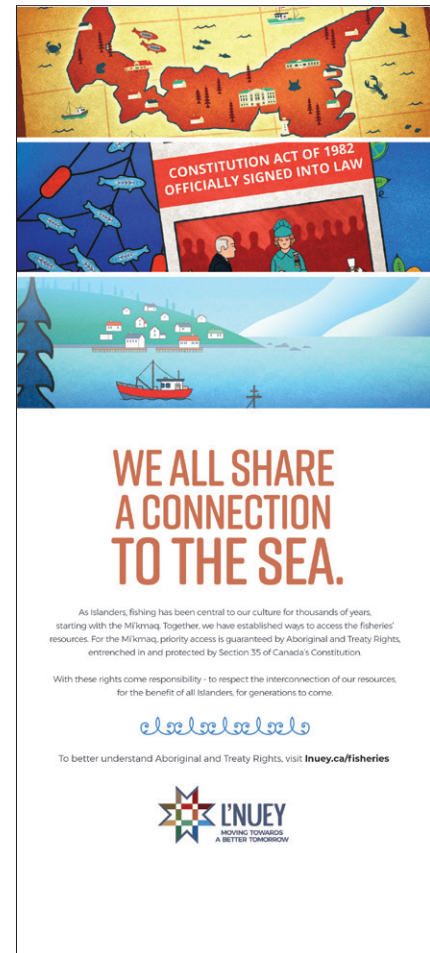
Juku'e Podcasts



Did You Know? Series



Social Media Following



Fisheries Campaign



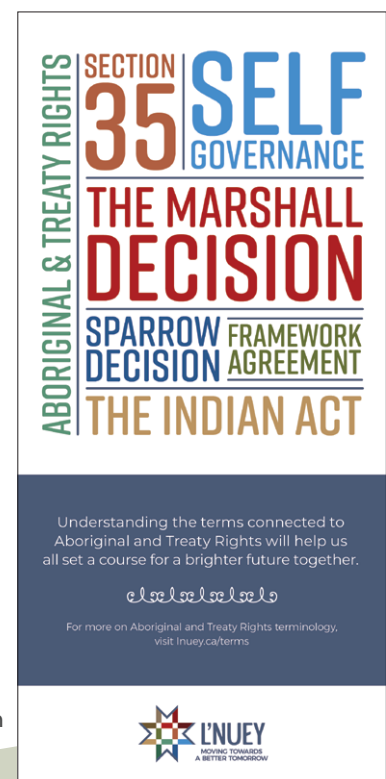
Partnerships



Sept 30 Proclaimed Statutory Holiday



MHM + Aboriginal Veterans' Day



Foundational Terms Campaign



STAFF DIRECTORY

Jenene Wooldridge - Executive Director
jwooldridge@lnuey.ca

Tracey Cutcliffe - Senior Negotiator
tcutcliffe@lnuey.ca

Don MacKenzie - Legal Counsel
dmackenzie@lnuey.ca

Richard Lush - Engagement Officer
rlush@lnuey.ca

Tammy MacDonald - Historian and Archivist
tmacdonald@lnuey.ca

Patsy Bolger Gallant - Communications Coordinator
pbolgergallant@lnuey.ca

Annie Martin - Communications Officer
amartin@lnuey.ca

Sean Doke - Communications Officer
sdoke@lnuey.ca

Wendell LaBobe - Consultations Coordinator
wlabobe@lnuey.ca

Julie Pellissier-Lush - Knowledge Keeper
jlush@lnuey.ca

Jesse Francis - Manager, Partnership Initiatives
jfrancis@lnuey.ca

Lorenda MacEachern - Executive Assistant
lmaceachern@lnuey.ca

Brittany Lush - Receptionist
blush@lnuey.ca

Geoff Townsend - Policy Analyst and Technical Advisor
gtownsend@lnuey.ca

Dr. Helen Kristmanson - Pitumkek Project Manager
hkristmanson@lnuey.ca

WELA'LIOQ

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COMMUNITY PHOTOS



