Aboriginal Affairs and Northern Development
Lands and Economic Development

Joint Gathering
February 8-10, 2012
Lands Team 2

Vancouver, BC
February 8th, 9th, & 10th, 2012
Reserve Land and Environment Management Program (RLEMP)
What is RLEMP?

- A first step on the continuum to strengthening the community capacity to manage and develop land and resources

- A First Nation takes over some of the land management responsibilities normally carried out by the department

- A First Nation can then work towards opting into regimes such as the First Nation Land Management Act or Self-government, if they wish.
Where does RLEMP fit?

<table>
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<tr>
<th>Indian Act</th>
<th>RLEMP (T&amp;D)</th>
<th>RLEMP (Op)</th>
<th>RLEMP (D.A.)</th>
<th>FNLM Developmental</th>
<th>FNLM Operational</th>
<th>Self-Government</th>
<th>Modern Treaties</th>
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<td>100%</td>
<td>Core and Tech. training 2 years</td>
<td>Dev. of plans</td>
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<td>Under Indian Act While Developing Land Code &amp; Negotiating Transfer Agreement</td>
<td>Operating under own Land Code</td>
<td>34 Sections of the Indian Act no Longer Apply</td>
<td>- Sechelt - Westbank</td>
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Capacity Enhancement
RLEMP Objectives

• Enable First Nations to build the economic potential of their communities by providing them with the capacity to make economic use of their reserve lands.

• Increase decision making at the community level

• Facilitate a First Nation community’s transition beyond the *Indian Act* into more sophisticated land management regimes such as the First Nations Land Management (FNLM) regime or comprehensive self-government.
Levels of Responsibilities

- First Nations assume new responsibilities as they progress through the program as opposed to all at once.
Capacity Training Under RLEMP

Professional Land Management Certification and Training Program (PLMCP)

- Two phases of training
  - Post Secondary Training (Core)
  - Technical Training

- To better prepare First Nations for their new roles and responsibilities.
Who is eligible for Training?

Any First Nation who enters the RLEMP will be eligible to send one staff member on training

– First Nation Land Manager

– Individual performing land management functions on behalf of the First Nation
First Nations Land Management (FNLM)
Where does FNLM fit in the spectrum of Land Management?

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What is First Nations Land Management

• The FNLM regime is a First Nations-led initiative governed by two key documents:

  – The Framework Agreement on First Nation Land Management and

  – The *First Nations Land Management Act* (FNLMA).
The Framework Agreement on First Nation Land Management

• The *Framework Agreement on First Nation Land Management* (the “*Framework Agreement*”), signed in 1996, is a government-to-government agreement between participating First Nations and Canada.

• The *Framework Agreement* provides First Nations with the option to manage their reserve lands outside the *Indian Act*. 
First Nation Land Management Act

- The *First Nation Land Management Act* (FNLMA) is the formal legislation which ratifies and brings into effect the *Framework Agreement*.

- FNLMA creates modern tools for governance over their lands and resources and allows First Nations to manage revenue money.

- Participating First Nations are not subject to 34 land and resource related provisions of the *Indian Act*.
FNLM Objectives

• INAC’s partners in the implementation of the FNLM regime are the Lands Advisory Board (LAB), the First Nations Land Management Resource Centre (RC) and First Nations participating in the regime.

• The FNLM regime represents a shift in land management responsibility and accountability from INAC to participant First Nations.

• The regime provides signatory First Nations:
  • With the authority to establish their own land, resource and environment management regimes, and opt out of the 34 sections of the Indian Act that relate to land management.
  • To generate and manage revenues, royalties and fees from land transactions and operate at the speed of business.
FNLM and the Federal Framework on Aboriginal Economic Development

- FNLM promotes economic development on-reserve. It has proven to help First Nations respond to economic opportunities at the speed of business.
- FNLM contributes to creating investment ready-communities by:
  - Building governance capacity and institutional effectiveness;
  - Reducing legislative and regulatory barriers to economic development; and
  - Increasing access to and control of lands.
Current Operation First Nations in BC

• There are currently 19 Operational First Nations in BC

• Two First Nations after becoming Operational under FNLM are now under Self-Government Agreement or Treaty.
First Nations Commercial and Industrial Development Act (FNCIDA)
First Nations Commercial and Industrial Development Act (FNCIDA)

- Opt in legislation designed to address regulatory gaps for specific projects
- Replicates and references provincial laws on reserve for a major commercial or industrial project
- Places reserve lands on par with surrounding and familiar jurisdictions thereby increasing investor, lender and public confidence
The First Nations Commercial and Industrial Development Act does not….

- Extend provincial jurisdiction on reserve lands
- Apply automatically to all First Nations or projects
- Create a funding program
- Affect the ability of a First Nation to participate in and benefit from any other federal government program
Current FNCIDA Projects

To date, four projects have been initiated under FNCIDA:

- Ft. McKay First Nation oil sands mine (AB)
- Ft. William First Nation fibre-board facility (ON)
- Squamish Nation condominium development (BC)
- Haisla Nation liquid natural gas facility (BC)
Location of Proposed Squamish Nation Condominium Towers in West Vancouver
Haisla Nation Liquefied Natural Gas Project in Kitimat
Discussion
NEED MORE INFORMATION?

FNLM – LANDS ADVISORY BOARD  www.fafnlm.com

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THANK-YOU!