



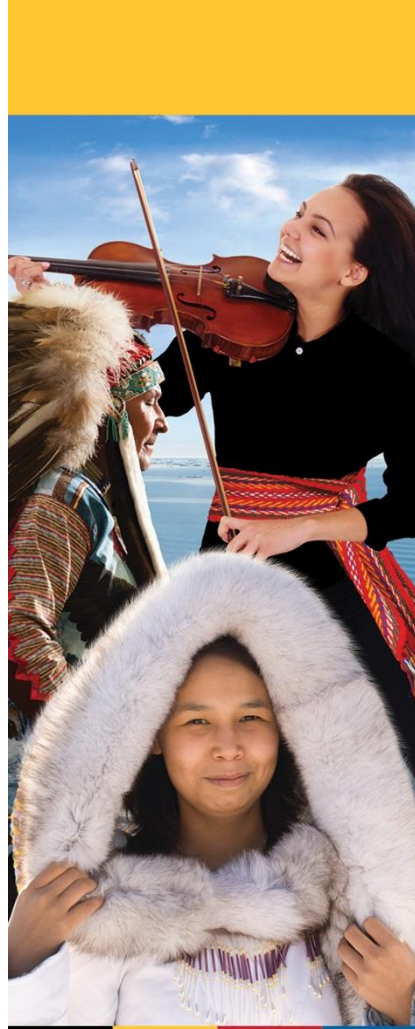
Unlocking the Economic Value of Reserve Lands Through Land Management

Reserve Land Environmental Management Program

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INAC·AANC





Unlocking the Economic Value of Reserve Lands Through Land Management

Management of Reserve Land

Indian Act → RLEMP → FNLM → Sectoral Self-Government

“The journey of a thousand miles begins with one step.” -Lao Tzu





Unlocking the Economic Value of Reserve Lands Through Land Management Reserve Land and Environment Management Program (RLEMP)

Objectives

RLEMP provides financial support to First Nation communities, First Nation institutions and professional development organizations for the land and environmental management services associated with *Indian Act* land.

The program is designed to encourage First Nation communities to exercise a progressively increased responsibility over their reserve lands, resources and environment.

33 First Nations received funding under the program in BC Region for the fiscal year 2015-2016.





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Entry to the Reserve Land and Environmental Management Program is based on:

- Land management activity of the FN (leases, permits, ILHs);
- Current or future economic development activities;
- Capacity to undertake land management activities (lands office, lands manager, access to resources);





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- First Nation submits capacity self-assessment and entry request to AANDC;
- AANDC assessment:
 - GA score / financial stability / overall capacity
 - Need for program – i.e. level of activity; economic development potential
 - Ability to succeed in the program
- FN must submit BCR
- FNs in FNLM land code process are eligible for RLEMP funding: funding ends upon becoming Operational under FNLM.





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Acceptance to RLEMP

First Nation agrees to:

- Accept RLEMP roles and responsibilities
- Maintain lands office
- Maintain a certified lands manager (or maintain capacity to fulfill roles and responsibilities)
 - Program will provide funding for 2 year Professional Land Management Certification training program (one officer per First Nation)
- Provide annual reporting

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RLEMP levels

1. Training and Development

- Build land management capacity and provide land managers with tools, skills and knowledge to perform land management functions.
- FN lands manager in training works with AANDC region to undertake land management activities.

2. Operational Level

- First Nation assumes primary responsibility for reserve land, resource and environment management, with support from AANDC Regions

3. Delegated Authority

- For those First Nations which had obtained delegated authority
- This option is unavailable to new entrants





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Training and Development Level

Professional Land Management Certification Program

Year 1:

- Post-secondary academic courses at University of Saskatchewan
- 3 two-week modules at University followed by 10-12 weeks home study
- Environmental, legal, and economic aspects of land and resource management

Year 2:

- Technical training courses by NALMA
- Prepares students to perform Indian Act land management functions
- 6 one-week technical modules followed by home study





- The PLMCP program prepares land managers to:
 - Draft simple, straightforward land instruments such as Band Council Resolution (BCR) allotments and transfers;
 - Negotiate and draft leases and permits under the *Indian Act*;
 - Confirm that survey requirements are met;
 - Ensure appraisals are conducted as necessary;
 - Enter transaction particulars in NetLands;
 - Prepare reports;
 - Manage environmental processes and compliance-related activities; and
 - Establish and maintain land data records in preparation for the Operational Level.





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Operational Level

First Nation responsibilities:

- Retain a certified land manager (or capacity to fulfill roles and responsibilities)
- Maintain a lands office
- Negotiate and prepare most land management instruments using departmental templates
- Confirm survey requirements are met
- Ensure appraisals are conducted





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Operational Level

First Nation responsibilities:

- Prepare land transaction information report
- Prepare land transaction checklist
- Prepare locatee consents
- Monitor and ensure compliance related activities are met
- Monitor and notify AANDC of rental arrears, outstanding fees, etc.



Operational Level

AANDC responsibilities

- Provide guidance on land and natural resources transaction
- Ensure FN has access to appropriate tools, documents, templates
- Review and approve all land and natural resources activities
- Register approved land and natural resources transactions in the Indian Lands Registry System
- Review and make decision to approve or reject a project based on the Environmental Assessment Report / Environmental Screening Report
- Assess First Nations under RLEMP using the Compliance Framework Checklist; where necessary, develop a mitigation strategy identifying areas for improvement.





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RLEMP TRAINING OBJECTIVES

RLEMP training focuses on providing First Nations with the skills and knowledge needed to perform basic land management activities by:

- Funding the training of a designated land manager for a First Nation;
- Putting every land manager through the Professional Land Management Certification Program (PLMCP) to accredit the skills they acquired; and
- Providing the land manager with support services (INAC, LAB/RC, and NALMA).





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RLEMP is intended to enhance decision-making in regard to land use at the community level;

The community is better positioned to take advantage of land-based economic development opportunities on reserve and to 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.

- *My perspective is one of having directly experienced the Indian Act, of trying to improve the Indian Act through the First Nations Land Management Act or other sectoral initiatives, and of moving to self-government, which is based on the inherent right policy.* – Kim Baird, Former Chief, Tsawwassen First Nation





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Summary

- RLEMP supports First Nations in developing capacity to undertake increased responsibility over their reserve land, resources and environment.
- Helps in the transition to First Nations Land Management (FNLM) Regime to allow First Nations to opt out of the land-related sections of the *Indian Act* and enact their own laws.
- Increased control over lands and resources leads to greater economic development opportunities.

