

## **SLUIF RECOMMENDATIONS- DO WE NEED THEM?**

### **10.0 RECOMMENDATIONS**

The Project Charter directed that a set of recommendations be developed to address the following matters:

A strategic land use plan implementation and governance framework for the Fort Nelson, Fort St.

John and Mackenzie LRMPs and the M-KMA that will be fiscally prudent and that increases

certainty for the M-KMA and any resource development that may occur in the M-KMA.

The manner in which the M-KMA fits into the new land use policies of the provincial government.

Mechanisms and processes to strengthen First Nations involvement in land use plan implementation, consistent with the evolving New Relationship strategy being developed by the province.

#### **RECOMMENDATION ONE: YES**

That the M-KAB and Minister Responsible reaffirm a mutual agreement on the purpose and vision for the M-KMA. Important elements include:

The M-KMA be managed within the context of the region, and not be managed in isolation.

The Board operate at the 'strategic and policy level' and not become too operational or 'hands-on'.

#### **RECOMMENDATION TWO: YES**

That as the M-KAB and government work together to deliver on M-KMA responsibilities they will build a reporting framework that:

Reflects the principles of a government-to-government relationship.

Clarifies the mandate of the M-KAB in relation to new land planning policies.

Improves the communication and working relationships with the associated LRMPs.

#### **RECOMMENDATION THREE: YES**

That to honour a government-to-government relationship with First Nations it is important that:

Traditional ecological knowledge receives greater consideration in the implementation and monitoring of the M-KMA and associated land use plans.

It must be recognized that sufficient funding is required to support First Nations' capacity to assist with their ability to undertake First Nation land use planning.

The long-term vision is to have one plan for all areas on the land base that includes a set of management objectives and values for each piece of the LRMP land base, both inside and outside the M-KMA.

#### **RECOMMENDATION FOUR: YES**

That government provide the necessary funding to update, implement and monitor the Fort Nelson, Fort St. John and Mackenzie LRMPs to enable a consistent

approach to land management over the entire land base encompassed by the three LRMPs.

**RECOMMENDATION FIVE: YES**

That the management and planning documents for the M-KMA and the five surrounding land use plans be updated and consistent in relation to those lands that directly abut the M-KMA's legislated boundary. Specifically:

The Terms of Reference for each plan implementation committee be similar and reference their role *vis a vis* the M-KMA's legislated boundary.

M-KAB and PIMC members, especially from the three northeastern land use plans, formally attend each other's meeting as part of their responsibilities to improve communication and information sharing.

**RECOMMENDATION SIX: YES**

That the provincial government, in cooperation with First Nations and the M-KAB, put forward legislated amendments to both the *M-KMA Act* and Regulation in relation to:

1. Keeping the original intent of M-KMA intact
2. Retaining the Preamble within the *Act*
3. Correcting identified errors
4. Ensuring consistency between the *Act*, Regulation and LRMP direction, as well as various other Acts and Regulations of government
5. Recognizing First Nation rights and interests
6. Bringing in the Mackenzie portion.

That, in the meantime, the M-KMA should continue to be operated and managed as if the Mackenzie LRMP were legally included.

**RECOMMENDATION SEVEN: OK**

That the M-KAB's current statutory advisory mandate include a provision for structured review and/or recommendations in relation to selected management activities and major strategic issues occurring with the M-KMA.

**RECOMMENDATION EIGHT: YES**

That the M-KAB, in partnership with government, lead the discussions related to improving and completing the M-KMA planning framework to better address mining, park management, access management, integrated value planning and completion of the local strategic plans. It is also essential to determine how this planning framework would be applied, monitored and address cumulative impacts.

**RECOMMENDATION NINE: YES**

The provincial governments should work with the M-KAB and the PIMCs to develop a process for bringing together the LRMPs and any future First Nation land use plans with the goal of developing one area-based plan for each area of the land base. As an initial step in this process a set of 'pilot areas' should be identified where this planning process can be initiated and refined.

**RECOMMENDATION TEN: YES**

That the management provisions of the local strategic plans and the proposed M-

KMA Integrated Natural Resources Management Plan be approved as legislated results based objectives under the appropriate Sections of the *Land Amendment Act*, 2003.

**RECOMMENDATION ELEVEN: YES, TOGETHER WITH UNBC**

That the M-KAB leads the process for updating the M-KMA scientific research strategy to ensure it continuing ability to address such issues as ecosystem and integrated resource management and to improve its alignment with provincial government scientific research strategies.

**RECOMMENDATION TWELVE: YES**

- That a. The coordination, communication, staffing, financial, administrative and potential fundraising functions of the M-KAB staff be delivered through a service agreement with government, managed by the M-KAB. Managing these functions would require a senior person to lead the Fort St. John office.
- b. The M-KAB broaden their relationship with the provincial government beyond the Minister Responsible under the *Act* to include the Ministers and senior government officials within the Ministries of Environment, Forests and Range, Energy, Mines and Petroleum Resources and Aboriginal Relations and Reconciliation.
- c. The M-KAB meets annually in Victoria to maintain contact with senior government officials.

**RECOMMENDATION THIRTEEN: YES, BUT THIS IS OUT THE WINDOW NOW**

Given that government is unable to support the option of a special one-time-only investment to a M-K Endowment Fund, then to provide the necessary certainty the M-KAB recommends the government examine a mechanism for a three-year funding envelope of a minimum of \$500,000 per year for the Board to fulfill its responsibilities.

**RECOMMENDATION FOURTEEN: YES, SAME COMMENT AS ABOVE**

A mechanism to enable the M-KAB to transfer the funds in the existing Trust Account (approximately \$480,000) to a suitable external trust needs to be determined by the M-KAB in collaboration with government. These funds would be used for land-based management or research related projects. The M-KAB, or a body established by the M-KAB, would retain the authority to manage this fund.

**RECOMMENDATION FIFTEEN: YES**

That the M-KAB size and composition (government, sector and First Nation) remains the same. If future changes are considered then government must work together with First Nations and the M-KAB through the process to reform the *M-KMA Act* before any final decisions are made.

**RECOMMENDATION SIXTEEN: YES, UNDERWAY**

That the M-KAB biennially measure the 'state of the M-K environment' against a set

of indicators to determine whether its condition is improving, deteriorating or staying the same.

**RECOMMENDATION SEVENTEEN: YES**

That the M-KAB continues to produce an Annual Report however more information should be included, especially related to the strategic advice being offered to government. In addition key documents related to strategy, work plans, finances and approved projects should be posted regularly on the M-KAB website to improve public communication.

**RECOMMENDATION EIGHTEEN: YES, VERY IMPORTANT**

That the proposed Governance model in Figure Three for the Muskwa-Kechika and land use planning in the northeastern be adopted and implemented, including the provision for First Nation land use planning and the establishment of both a Government-to-Government Forum and a Technical Advisory Committee. During the transition process the current M-KAB governance and funding model should remain in place.

**RECOMMENDATION NINETEEN: YES**

The recommendations in this report provide an affordable and consistent framework for reconciling differing land use objectives, addressing the legitimate interests of First Nations and fostering greater certainty for resource uses, especially related to:

The need for a consistent framework for land use plan implementation that incorporates the principles of the New Direction document and the New Relationship protocol.

The requirement to fund plan implementation and monitoring committees to ensure that land use plans are implemented, monitored and updated.

The necessity for government to work with First Nations on land use planning and to provide sufficient funding for resource management that enables traditional ecological knowledge and the principles of The New Relationship to be incorporated into these plans.

The long term goal of having one land use plan addressing all values within a planning region that incorporates both government-led land use plans and the First Nations land use plans.

The need to set out a process to initiate pilot land use plans to help rationalize First Nation and government land planning.

The importance that the Minister undertake the process required to proclaim all relevant sections of the Land Amendment Act so that this report, and other important provincial land use reports, can be fully implemented.

**RECOMMENDATION TWENTY: YES, PARTLY UNDERWAY.**

1. June 30, 2007 the M-KAB formally presents the Final Report to the Minister Responsible.

2. Upon approval of the project recommendations by the Minister, it will be government's

responsibility to provide further consultation on the report's recommendations, in

particular the Kaska Dena, Treaty 8 and Tsay Keh Dene First Nations.

3. Final implementation will occur upon completion of these consultations and after a full report on these consultations has been reviewed by the M-KAB for their additional advice.