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The Best Place on Earth

April 2, 2009

File No. 155-10/FNID

Her Worship Mayor Pamela Goldsmith-Jones
and Council
District of West Vancouver
750 17th St
West Vancouver BC V7V 3T3

Dear Mayor Goldsmith-Jones and Council:

On behalf of a new inter-agency committee, the South Coast First Nations Consultation Coordination Team (FNCCT), I would like to introduce a new Provincial initiative that is designed to improve consultation and engagement between First Nations and Provincial agencies on land and natural resources.

The large number of land use referrals and related discussions between Provincial agencies and First Nations, particularly in south-western British Columbia, result in a significant amount of work for First Nations and the Province alike. Improvements in the way in which we work together will benefit both parties.

As outlined in the attached materials, the long-term goal of this initiative is to improve the engagement between First Nations and Provincial agencies by moving away from agency-specific engagements towards a more effective, coordinated approach. In addition, there may be specific opportunities to develop new, more efficient mechanisms of collaboration with First Nations, and to implement them through strategic engagement agreements (SEAs).

This initiative is the type of activity that was envisioned when the Province and the Union of BC Municipalities signed a memorandum of understanding on September 22, 2008, regarding the implementation of the New Relationship in British Columbia. The memorandum provides a very useful framework for ensuring the Province and local governments consult and share information on their work with First Nations.

The implementation of this initiative may be important to your community and I welcome your comments and suggestions. Please contact Tracy Ronmark, our Senior Resource Coordination Officer, at 604-586-4426 if you have any questions or wish further information.

Sincerely,

Peter Jones
Manager, First Nations Initiatives - South Coast
Integrated Land Management Bureau

**Integrated Land
Management
Bureau**

*Ministry of
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Enclosures:

- *Map: South Coast subregion and municipalities / regional district boundaries.*
- *Backgrounder: Initiative Overview*
- *Backgrounder: Coordinated Consultation*
- *Backgrounder: Strategic Engagement Agreements*

First Nations Coordinated Consultation Team:

Kevin Chisholm	Ministry of Forests and Range, Chilliwack Forest District
Yvonne Deibert	Ministry of Transportation and Infrastructure
Ross Douglas	Integrated Land Management Bureau
Rose Ellis	Ministry of Energy, Mines and Petroleum Resources
Colette Fauchon	Ministry of Forests and Range, Squamish Forest District
Norbert Greinacher	Ministry of Tourism, Culture and the Arts
Vicki Haberl	Ministry of Environment
Peter Jones	Integrated Land Management Bureau
Arlette Malcolm	Integrated Land Management Bureau
Leslie Macdonald	Ministry of Agriculture and Lands
Karen Rothe	Ministry of Community Development
Al Shaw	Ministry of Forests and Range, Sunshine Coast Forest District

pc: Grant McRadu, Chief Administrative Officer

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Background – Initiative Overview

The Province is committed to achieving increased economic certainty for British Columbia and improving the business relationships with First Nations. With the vast number of consultations, transactions, and negotiations between the Province and First Nations, it is clear that improvements in these engagements will benefit both parties. To achieve this goal, the Provincial Government will undertake an internal shift, moving away from agency-specific engagements with First Nations, into a coordinated consultation and engagement framework.

The initiative will be delivered through two business streams:

- **Coordinated Consultation:** to develop a strategic shift to a cross-ministry, collaborative, and coordinated approach to First Nations consultations. Through oversight of the ILMB Board of Directors a streamlined suite of corporate committees will deliver this mandate and ILMB will facilitate the cross-agency delivery.
- **Strategic Engagement Agreements:** to pursue specific strategic engagement agreements (SEAs) with First Nations to establish mutual expectations and obligations around consultation on a government-to-government basis. These are to be overarching agreements that enable the collective resource management agencies to work collaboratively with First Nations, preferably at the aggregate level such as with a Tribal Council. SEAs focus on areas of strategic economic interest, where First Nations have the interest to work collaboratively with the Province in a process to achieve mutually beneficial outcomes. There are two categories of SEAs: enduring and project-specific.

While the Integrated Land Management Bureau (ILMB) provides corporate coordination and leadership, every natural resource ministry is fully involved in the successful achievement of Government's direction. With oversight by the ILMB Board of Directors, corporate involvement is coordinated at several levels:

Sub-Regional:

- FNCCTs (First Nations Consultation Coordination Teams) - 8 teams of staff on the ground
- SRMCs (Sub-Regional Managers Committees) - 8 sub-regions managing operations

Regional:

- IAMCs (Inter-Agency Management Committees) - 3 Regions coordinating natural resource agencies
- NRIAC (New Relationship Inter-Agency Committee) - 1 Executive Director level, Victoria-based Committee

Provincial:

- ADMCILM (Assistant Deputy Ministers Committee on Integrated Land Management) - 1 Committee providing Provincial Oversight.

New staff to support this corporate enterprise are hosted by ILMB and constitute the new First Nations Initiatives Division. They provide coordination, administrative, technical, and project support to the Coordinated Consultation and Engagement Initiative.

The objective of this initiative is to build strong and resilient relationships between the Province and First Nations, facilitating the development of long-lasting business solutions and agreements. By improving coordination, all parties can ensure their legal obligations are met while facilitating improved delivery of services. The initiative creates opportunities to support aggregated agreements (e.g. multiple natural resource ministries and aggregated First Nations groups) to improve business relationships and reduce the consultation burden for all. As the new strategic engagement agreements come to fruition, these will help create the conditions for economic prosperity, and achievement of New Relationship and Transformative Change Accord outcomes.

Backgrounder – Coordinated Consultation

This backgrounder provides a general overview of the Province's Coordinated Consultation initiative. It describes the approach that will be used to develop strategic, multi-agency consultations with First Nations.

The Province is committed to effectively engaging with First Nations. The Province is also committed to achieving increased economic certainty for British Columbia. The Provincial Government is undertaking an internal shift, moving into a coordinated consultation and engagement framework delivered through two business streams:

1. **Coordinated Consultation:** a cross-ministry, collaborative, and coordinated approach to First Nations consultations.
2. **Strategic Engagement Agreements:** specific strategic agreements with First Nations to establish mutual expectations and obligations around consultation on a government-to-government basis.

This Backgrounder outlines the Coordinated Consultation component of the initiative.

In pursuing a cross-government approach to improving the effectiveness of consultations, several objectives will be addressed:

- 1) **Improving government co-ordination** – ministries often achieve one-off agreements but may not be achieving the best collective result for the Crown or First Nations;
- 2) **Managing volume effectively** - every year there are hundreds of thousands of transactions between the Province and First Nations, managing this volume of work takes resources and time;
- 3) **Enhancing government-to-government relations** - the Province and First Nations share equal frustration with what appears to be an ad hoc approach to engagement; and,
- 4) **Creating a positive investment climate** - The challenges with managing the consultation referral workload can create investment uncertainty for resource industries, which in turn affects the economic certainty for communities.

With the vast number of consultations, transactions, and negotiations between the Province and First Nations, it is clear that improvements in these engagements will benefit both parties. To achieve this goal, the Provincial Government is undertaking an internal shift, moving away from agency-specific engagements with First Nations into a coordinated consultation and engagement framework.

Using existing and new resources, natural resource ministries are working to establish a strategic, multi-ministry approach to First Nations consultations. First Nations Consultation Coordination Teams (FNCCTs) enable ministries to shift from independent ministry actions to an enterprise-wide approach. FNCCT members are provincial resource agency staff from the operational levels of their organizations. Their role is to identify opportunities for coordinated consultation and engage First Nations in a dialogue to explore potential coordination models for future implementation. ILMB's First Nations Initiative Division (FNID) provides coordination, administrative, technical and project support to the FNCCTs. Following are examples of initiatives to 'get government's house in order' to ensure more effective consultation with First Nations:

1. Reducing the number of one-off transactions with First Nation groups;
2. Eliminating consultation duplication;
3. Sharing and aligning consultation processes;
4. Confirming consultation boundaries; and,
5. Sharing information supporting consultation processes and resource management decisions.

Backgrounder – Strategic Engagement Agreements

This backgrounder provides a general overview of the Province's Strategic Engagement Agreement (SEA) program. It describes the approach that will be used to develop the SEA program at the provincial and regional level.

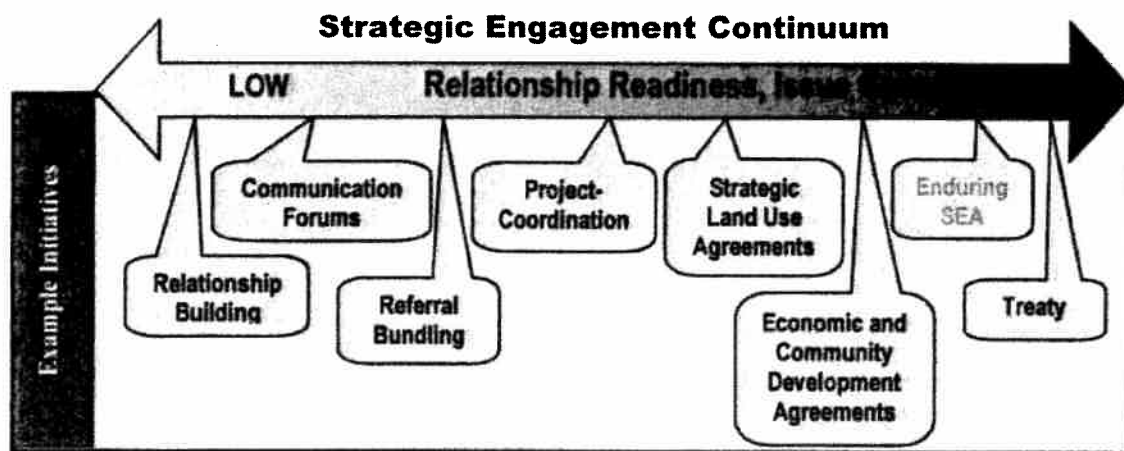
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1. **Coordinated Consultation:** a cross-ministry, collaborative, and coordinated approach to First Nations consultations.
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This Backgrounder outlines the Strategic Engagement Agreement component of the initiative

Government's initial goals for the SEA program include:

1. **Increasing consultation effectiveness** - create innovative arrangements and approaches that will more effectively address First Nation interests and result in reducing the level of process uncertainty for First Nation consultation and accommodation.
2. **Developing aggregated agreements** – create agreements with multiple natural resource ministries and multiple First Nations groups to improve business relationships and reduce the consultation burden for all.
3. **Improving understanding of regional development priorities for the Province and First Nations** - this will provide an opportunity to align ministries' spending on engagements with First Nations interested in working with the Province in more comprehensive ways and to deliver benefits across multiple First Nation communities.



A long-term vision is to complete SEAs with First Nations across the province. Sub-Regional Managers Committees (SRMCs) will be responsible for overseeing regional-level SEAs, with ILMB's First Nations Initiatives Division (FNID) teams serving in a corporate coordination and support capacity.

Implementation of the SEA program is founded on the following principles:

- *Resilience* - SEAs are intended to be tools to build long-term, resilient government-to-government relationships between the Province and First Nations. The intent is to build functional institutional relationships which strengthen the engagement capacity of the Province and First Nations, improve government's ability to manage its consultation obligations, and create opportunities for collaboration.
- *Acceptable outcomes* - negotiations must result in the desired minimum outcomes for the Province and partner First Nations.
- *Flexibility* – SEAs will be responsive to First Nation issues and capacity, and regional priorities. SEAs may have consistent minimum acceptable outcomes, as well as some optional SEA elements which may be included within a SEA package where appropriate considering government and partner First Nation objectives, local needs, and the relationship history with the partner First Nation (e.g. building on existing agreements). There will be flexibility in the negotiation of the details of specific elements.

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