



Reserve Land and Environmental Management Program: 2017 Engagement

Alberta Links to Learning
Edmonton, Alberta
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What is RLEMP?

RLEMP is an INAC land management program created in 2005. It funds First Nations to manage all aspects of land, natural resources and the environment on reserve under the *Indian Act*.

Through RLEMP, First Nations complete an eligibility and preparatory process before they assume *Indian Act* management of land transactions on reserve lands.

Five Key Functions of RLEMP:

- Community-based land use planning
- Lands management
- Natural resources management
- Environmental management
- Compliance management (promotion, monitoring & enforcement)





RLEMP: Basic Structure

RLEMP is structured so that First Nations can function at any one of three levels of increasing responsibility, complexity and independence. These levels are the:

- Training and Development level
- Operational level and
- Delegated Authority level (this level is now closed)

As a First Nation's Land Management Office takes on greater responsibilities, they can progress from one level to the next. Each level includes increased funding and more independence from INAC.

Regardless of the responsibility taken on by the First Nation, liability for land transactions remains with the Minister of INAC.





RLEMP: Training and Development

Eligible First Nations enter RLEMP at the Training and Development level. They receive funding to pay for the required training along with a reduced amount of operational funding to start managing their own transactions.

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

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

While certification is not required to work for a First Nation, RLEMP currently requires the completion of the two years of training in order to move to the Operational level. Completion of the training earns a certification under PLMCP.





RLEMP: Operational Level and Funding

After completing the training level, First Nations move into the operational level of RLEMP and receive funding based on a formula.

The RLEMP funding formula links land, natural resources and environmental management activities together and supports First Nations to take on land management responsibilities. Funding is calculated using the following:

- The population and land base of the First Nation;
- The number and complexity of active instruments registered in the Indian Lands Registry System (e.g. permits and leases); and
- The level of authority that the First Nation has taken on:
 - Training and Development – 80% base funding
 - Operational – 100% base funding





RLEMP: Delegated Authority

First Nations at the Operational Level were moved into the Delegated Authority Level (otherwise known as 53/60). In 2011 this level was closed for new entrants – 13 First Nations have been grandfathered into 53/60.

Section 53 authorizes the Minister to delegate his/her *Indian Act* authority to administer reserve lands and Section 60 allows the Cabinet (i.e. Governor in Council) to authorize First Nations to manage transactions while under the *Indian Act*.

- Manage allotments, approve transfers, and approve permits;
- Approve transactions affecting designated lands;
- Approve leases, and
- Administer permits, leases and licenses under the *Indian Act* regulations relating to mining, waste disposal and timber





RLEMP: Current Eligibility Criteria

To join RLEMP, a First Nation must:

- Pass a Band Council Resolution agreeing to the terms of the Program; and
- Fill out an Entry Request and Capacity Self-Assessment.

Based on these documents, INAC regional offices assess a community's possible readiness to join the program and assign the First Nation to one of the two levels of responsibility.

Generally, RLEMP eligibility includes:

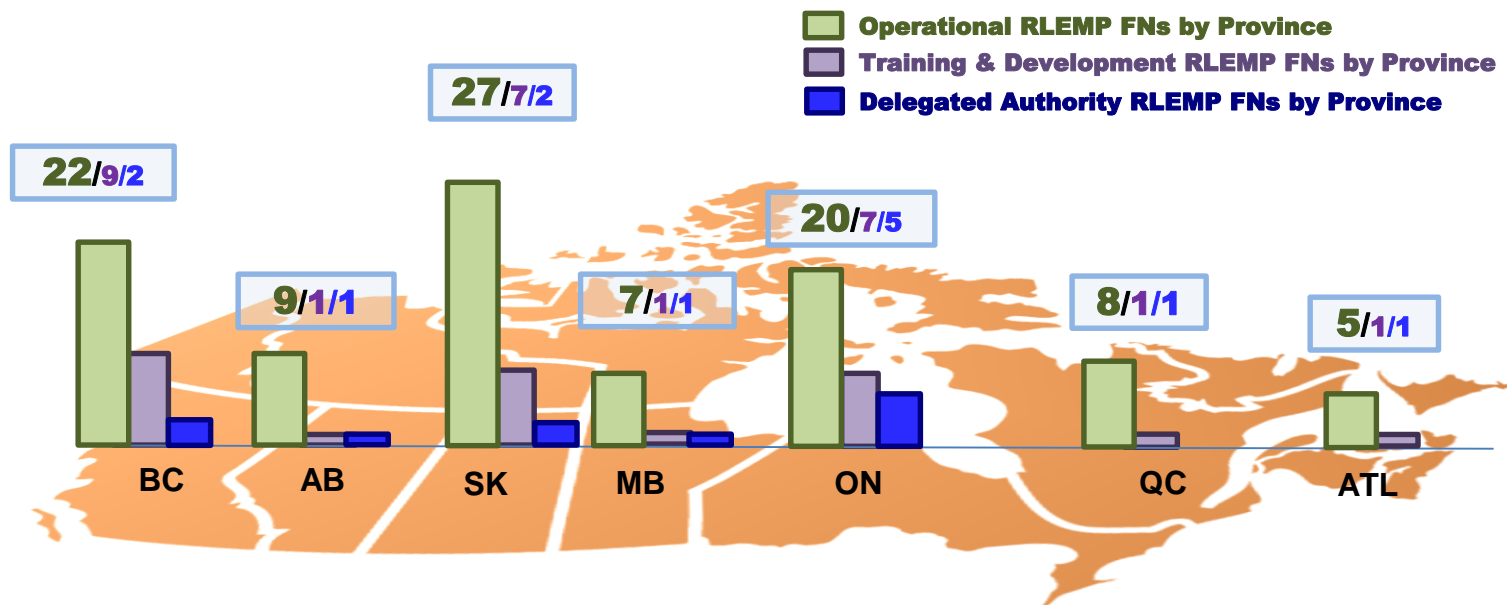
- A low General Assessment score;
- Providing INAC with audited financial statements in accordance with Canadian Accounting Standards;
- Having, or pursuing, economic development projects/activities; and
- Having land management activity registered in the Indian Lands Registry.





First Nations in RLEMP

- Communities who are operational or working towards becoming operational are considered “active” in the Regime. There are currently 138 active participants:
 - 27 Training & Development communities
 - 100 Operational communities
 - 13 Delegated Authority (53/60) communities





Cross-Country Engagement

Since May of this year, INAC partnered with the National Aboriginal Lands Managers Association (NALMA) to seek input on how the [Reserve Lands and Environment Management Program](#) (RLEMP) could better meet the needs of First Nations.

In order to ensure that everyone has the opportunity to participate in the engagement process, INAC:

- Met with all of the regional lands managers associations;
- Sent invitations to all First Nations to attend face-to-face regional engagement sessions; and
- Developed an online portal

www.aandc.gc.ca/rlemp-engagement

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Where we went and who we spoke with

Date	Location
May 2-4, 2017	Wendake, QC
May 9-11, 2017	Toronto, ON
May 16-18, 2017	Winnipeg, MB
May 30- June 1, 2017	Saskatoon, SK
June 6-8, 2017	Edmonton, AB
June 13-15, 2017	Kelowna, BC
June 27-29	Moncton, NB
September 13-14	Whitehorse, YT

- Overall, 340 participants from 230 First Nations attended the engagement sessions across the country.
- Information gathered from the online portal, our meetings with regional lands managers associations, and the face-to-face engagement sessions will be used to inform future program and policy improvements for lands and environmental management programs.

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What we talked about...

The experience and advice shared during the engagement process illustrated the deep love and respect First Nation lands managers have for their communities and the land.

A common thread heard from coast to coast is that lands management is about protecting the land for future generations, working towards their own community vision for a healthy and sustainable future, creating economic and social opportunities, and taking significant steps towards self-determination.

Three main themes were discussed at each engagement session, including:

- capacity development and availability of training
- developing a funding formula that better reflected the true work of lands and environment managers on reserve
- how Indigenous and Northern Affairs Canada (INAC) could better position the program within the suite of lands programs and regimes available to First Nations so that more communities can participate and employ a lands manager





What We Heard About RLEMP Training

- Training needs to be closer to home, needs to take into consideration local and regional lands and environmental management realities, and incorporate traditional knowledge
- A combination of both in-person and on-line training with various course options to meet the needs of adult learners who need to balance work, family, and studies was identified
- More "hands on" training (for example mentorships, internships, or cooperative education) was identified as a priority for participants
- Prior learning assessment and recognition was highlighted as a priority for many participants so that non-certified lands managers with years of experience do not have to take training that covers concepts they already know
- Funding for more than one lands manager per First Nation to ensure that communities can develop a longer-term succession plan





What We Heard About The Need For New Curriculum

- Participants expressed the need for additional environmental management training, including adapting to climate change and emergency response
- Additional training to help managing large scale projects, such as additions to reserve, cleaning up contaminated sites, or the treaty land entitlement process, was identified
- Community consultations and planning projects is important and many felt that new training is required to help them meet these obligations
- Participants identified the need for additional training on geographic information systems, Global Positioning System and use of drones
- Participants also requested training on dispute resolution and mediation with government departments and third parties (i.e. navigating impact benefit agreements or responding to proposed activities on traditional territories)





What We Heard About RLEMP Funding Formula

Overall, most participants wanted to see a new funding formula that recognizes the actual work that a lands office is required to do, moving away from the current transactional, volume-based formula.

More specifically, participants spoke to the need for:

- a core or base amount of funding that is flexible enough to meet the broad needs of all individual First Nations
- funding for the salary of lands office staff
- funding for training and on-going capacity or professional development
- funding to help cover the legal costs associated with lands and environmental management
- recognition of the work that is done off-reserve in traditional territories
- funding to keep up with ongoing inflation costs





What We Heard About Better Integration

- Participation in RLEMP was seen as an important step to building capacity and greater autonomy over reserve lands.
- RLEMP was seen as a good stepping stone to move out of the *Indian Act*, but many felt that more could be done to help that transition for communities who want more autonomy.
- It was noted that not all First Nations have had the opportunity to benefit from the program under its current funding formula or policy parameters (such as current entry criteria are too narrow, funding for smaller First Nations is not adequate).
- Participants also spoke of the need for better integration with other programs and initiatives, particularly around land use planning, comprehensive community planning, environmental protection, and economic development.





What we heard specifically in Alberta

Training curriculum

- Provide training on how to deal with oil and gas as well as how to establish regimes on mining, forestry, hunting and fishing and how to set up a lands office
- Focus on climate change, changing landscapes and the impacts on communities

Training delivery

- There is a need for a spiritual component, and having ecological information from First Nation perspectives and the inclusion of natural laws and land based teachings

Funding

- Suggested there be multi-year base funding for lands department and staff to create greater stability, planning and long-term visioning

Transitions

- Provide a broader range of options on land management or options for First Nations to develop their own regime outside of RLEMP
- Participants wanted better support from regional offices to support their transitions
- Pre-readiness training and information would go a long way to help First Nation leadership understand the implications of being in RLEMP or other land regimes



Next Steps

- Based on the feedback we received, INAC will continue to work with stakeholders to develop options to improve lands and environmental management programs and policies.
- Options will be developed and shared on the online portal for additional feedback from interested parties, First Nations, and stakeholders.
- If future funding can be secured, INAC will continue to work with stakeholders to ensure successful implementation of improvements.

