

**SPEAKING NOTES for PAUL FAUTEUX  
NALMA National Gathering**

**“Honouring Land Managers’ Achievements – Special Recognition”  
September 19, 2007**

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Good afternoon and thank you for the introduction.

It is a great pleasure to be here today to present certificates to graduates of the Professional Land Management Training and Certification program, and to recognize a number of outstanding First Nation land managers with achievement awards.

Although this is my first opportunity to actually attend a NALMA event, I have long been supportive of NALMA’s efforts “from behind the scenes”.

INAC depends on NALMA to not only deliver training and build capacity among First Nation land managers, but also to be a strong and able partner in implementing our mutual goals and objectives.

As a member of the Professional and Institutional Development Committee at INAC headquarters, I have been a strong advocate for ongoing funding to NALMA’s Head Office, Regional Land Associations, Professional Development Unit and National Gathering.

I have been impressed by NALMA’s achievements and I remain committed to building and expanding the fruitful partnership that has been developed between INAC and NALMA since its inception in 2000.

I would also like to take the opportunity today to provide an update on some of the key lands-related initiatives we are working on at INAC headquarters.

If I were to characterize the current work of our Branch under one theme, it would be change management. As a Department, we are working on a number of new policy and program initiatives in response to a rapidly changing environment.

As many of you know, Prime Minister Harper announced a Cabinet shuffle in August. The Honourable Chuck Strahl, who represents the riding of Chilliwack-Fraser Canyon in British Columbia, has taken over the Indian and Northern Affairs portfolio from Jim Prentice, and will no doubt bring a fresh outlook to many of the Department's priorities and initiatives.

We look forward to working with Minister Strahl on the Department's key priorities and strategic projects relating to building government-to-government partnerships with First Nations and promoting the effective and sustainable management of reserve lands.

Land is one of the most valuable assets to First Nations in Canada, both economically and culturally. Historically, the federal government has had virtually complete authority over First Nations reserve lands, resources and environment.

My role at INAC, as the Director General of the Lands Branch, is to facilitate change and direct legislative initiatives in a way that supports the key land, environment and natural resources management objectives of First Nations.

The mandate of our Branch is to work in partnership with First Nations to effectively manage reserve lands and to assist them in moving towards greater autonomy at a time and pace of their own choosing.

In recognition of the aspirations of First Nation communities for greater control and decision-making, INAC continues to implement an agenda of change by assisting First Nations in moving beyond the limitations of the *Indian Act* through the development of a suite of land management programs and governance options.

This is the “governance spectrum” of reserve land management options that allows First Nations to move from under the Indian Act to progressively greater autonomy in the exercise of their inherent right to self-government.

At one end of the spectrum, land is managed by INAC under the *Indian Act* and oil and gas activities on reserve lands are administered by Indian Oil and Gas Canada under the *Indian Oil and Gas Act*. While all of these administrative activities are carried out in consultation with First Nations, land management decisions remain the responsibility of the Federal Crown.

Like the *Indian Act*, the *First Nations Commercial and Industrial Development Act* (FNCIDA) is a land management option available to First Nations under the heading of federal stewardship. This Act was developed in partnership with First Nation proponents and represents a new way of doing business by working cooperatively and transparently with First Nations on issues that matter to them.

The FNCIDA is proving to be a vital tool for industry, provincial governments and First Nations alike, and is helping the federal government meet its commitments to First Nations regarding economic development and timely access to land and natural resources.

Moving further along the spectrum towards greater First Nations control over land management, a First Nation may

decide to perform land management activities under the Regional Lands Administration Program (RLAP) on behalf of the Department. Under RLAP, First Nations participate in the administration of land transactions with INAC, which includes the drafting of leases and permits. First Nations can also opt to assume greater control over land management and to approve these transactions on behalf of the Minister under Sections 53 and 60 of the *Indian Act*.

In keeping with our change agenda, a more comprehensive program is currently being developed in response to a 2002 evaluation that concluded that the RLAP and 53/60 programs fall short of meeting the existing and emerging land management goals of First Nations.

A new initiative, the proposed Reserve Land and Environment Management Program (RLEMP), was developed in partnership with First Nation land managers, NALMA and the University of Saskatchewan, and enables First Nations to manage a broad scope of land and environmental management activities on reserve.

The RLEMP includes a professional land management training and certification program to better prepare First Nations to perform land management functions on behalf of the Department. A pilot project version of the RLEMP began in 2005 with the initial participation of 16 First Nations from across Canada. Since then, over 50 First Nations have participated in at least one phase of the RLEMP training program.

We have reached a true milestone today, with the first group of certified land managers graduating from the Professional Land Management Training and Certification Program. The RLEMP, including the professional training and certification

program, is a true partnership success story between the Department, NALMA and the University of Saskatchewan.

Further along the spectrum of land management options available to First Nations is sectoral self-government, by which I mean self-government in a clearly defined area such as land management, oil and gas or Indian moneys. Under this type of arrangement, a First Nation may decide to assume complete control over one or more of these areas. The *First Nations Land Management Act*, enacted in 1999, and the *First Nations Oil and Gas and Moneys Management Act*, which came into force in 2005 along with FNCIDA, make these options available to First Nations.

Finally, at the other end of the spectrum of land management options available to First Nations we find comprehensive self-government, under which a First Nation assumes full control over land and resource management, as well as other areas of jurisdiction.

The current reality in Canada is that a majority of First Nation communities have varying degrees of capacity and face diverse challenges in terms of moving towards greater autonomy and control over their reserve lands. There are over 600 First Nations in Canada and more than 550 of them are governed by the *Indian Act*. Of these communities, more than 170 participate in *Indian Act* land management programs each year, including the Regional Lands Administration Program (RLAP) and the 53/60 Delegated Authority program. These communities manage and register more than 80% of the land transactions in the Indian Lands Registry System.

Approximately 50 First Nations have opted out of the land management provisions of the *Indian Act* by developing a Land Code under the *First Nations Land Management Act* or

have become self-governing. With diverse capacity needs among First Nation land managers across Canada, the ongoing challenge will be to ensure that the appropriate capacity building mechanisms and support structures are in place to prepare First Nations to take on additional responsibilities, should they choose to accept them as part of a land management program.

The reserve land base is rapidly expanding as a result of Additions to Reserves, negotiated claim settlements and other land acquisitions. In fact, the reserve land base is expected to have grown by more than 55% in the period from 1990 to 2010.

As a result, there will be an increasing need in the coming years for more training, skills development, information-sharing and investment opportunities for First Nations. We are responding to this challenge by seeking new and improved ways to offer land management training and capacity building opportunities for First Nations.

The professional land management training and certification program is but one example of the initiatives we are working on. The FNCIDA team is also responding to First Nations' need for enhanced knowledge and information-sharing through the development of a comprehensive toolkit on the entry process and funding associated with this initiative.

Key to INAC's change agenda is establishing the conditions for investment-ready First Nation communities and providing enablers for greater economic development opportunities. As part of this work, the Department is working on a series of new and improved policy and program initiatives, including the following:

1. Improvements to the implementation of the *First Nations Land Management Act*, with changes designed to promote greater participation and a smooth transition from developmental to operational status, as well as increased funding for environmental management agreements;
2. Acceleration of Treaty Land Entitlement implementation in Manitoba and Saskatchewan to better meet the Government of Canada's legal obligations and strengthen economic development opportunities on reserve;
3. An enhanced survey program, including funding for Individual Land Holdings, surveys and clearing up the backlog of survey requirements;
4. Modernization of the Indian Lands Registry System to ensure greater certainty of title and foster market-based housing, commercial and industrial ventures;
5. Full implementation of the Reserve Land and Environment Management Program to provide First Nations with a professional land management training program and support structure to facilitate efficient and effective land and environmental management on reserve.

The ambitious nature of that agenda highlights the importance of effective partnerships in the work of the Lands Branch.

In a spirit of partnership, we have begun to put in place a series of advisory committees on various elements of our change agenda. Initiatives such as the RLEMP training program and FNCIDA have already established these committees to facilitate more regular and open

communication between the Department, First Nations and other partners.

Without our partners in this training program, and the enthusiastic participation of First Nations, what we are celebrating here today would not have been possible.

I would therefore like to thank NALMA and the University of Saskatchewan for their dedication and commitment to building a professional land management certification program that will benefit First Nation land managers across the country.

I would also like to thank all of the graduates here today. Your participation in what is becoming a true success story in First Nations capacity-building has been tremendous.

I can only imagine how empowering it must be for all of you to share this moment together, to celebrate the knowledge and skills that have been acquired over the past two years.

As we all know, training and skills development are critical for the future of First Nations land management.

I had an opportunity some months ago to visit the Innu Nation of Sheshatshiu in Labrador. On that occasion, I was struck by the commitment and enthusiasm of the Chief and her advisors, who, in spite of huge challenges, continue to build their community from the ground up.

When I discussed the training opportunities available under RLEMP, the Chief and her advisors welcomed the opportunity to participate as they saw the tremendous benefits that skills development and capacity building could bring to their community.

The responsible stewardship of reserve lands is a priority for the Department and we will continue to assist First Nations in their movement along the land management governance spectrum at a time and pace of their own choosing.

I look forward to continuing to work with NALMA, the University of Saskatchewan and with all First Nation land managers in improving on an already highly successful training and certification program that will increase opportunities for First Nation communities across the country.

In this ongoing environment of change, we remain committed as a Branch, and as a Department, to building First Nations land management capacity, to promoting the sustainable management of reserve lands and to supporting First Nations in meeting their political, economic, social, cultural and spiritual aspirations.

Thank You.