

LAND USE PLANNING AGREEMENT

Between

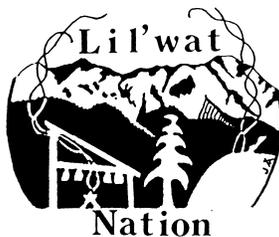
The LIL'WAT NATION

And

The PROVINCE of BRITISH COLUMBIA

as represented by the

Minister of Agriculture and Lands



LAND USE PLANNING AGREEMENT

Between:

The LIL'WAT NATION

And:

**The PROVINCE of BRITISH COLUMBIA
(the Province)**

as represented by the Minister of Agriculture and Lands

(each a Party and collectively the Parties)

WHEREAS:

- A. The Province convened public forums for the Sea-to-Sky and Lillooet Land and Resource Management Plans, received recommendations from those forums and prepared documents entitled "Sea-to-Sky Land and Resource Management Plan Consultation Draft April 14, 2006" (Draft S2S LRMP) and the "Draft Lillooet Land and Resource Management Plan, July 22, 2004" (Draft Lillooet LRMP).
- B. The Territory of the Lil'wat Nation overlaps with the Sea-to-Sky and Lillooet LRMP areas.
- C. The Lil'wat Nation has prepared the Lil'wat Land Use Plan (LLUP) which represents the Lil'wat Nation vision for managing the Lil'wat Territory.
- D. The Parties signed a Statement of Principles which establishes a process to engage in Government-to-Government land use discussions with a goal of harmonizing the LLUP and the Sea-to-Sky LRMP.
- E. The Parties wish to establish this Agreement as an outcome of Government-to-Government discussions.
- F. The Province has committed to consult with the Lil'wat Nation on the development of a protocol that will set out how the Integrated Land Management Bureau and the Lil'wat Nation will work on matters of mutual interest.

- G. Section 35 of the *Constitution Act, 1982* recognizes and affirms any existing aboriginal title and aboriginal rights of the Lil'wat Nation. With respect to sovereignty, title and ownership:

The Lil'wat Nation asserts:

The Lil'wat Nation has held its Territory, including all the lands, waters and resources in its Territory, since time immemorial.

The Lil'wat Nation is the steward of its Territory and is charged with protecting and managing the lands, waters and resources today and for future generations.

The Lil'wat Nation has aboriginal title to and aboriginal rights throughout its Territory. These title and rights have never been ceded, surrendered, or abandoned. Similarly, they have not been extinguished.

The Lil'wat Nation asserts authority to and autonomy to its entire Territory, and an inherent right to govern itself and its uses of the lands, waters and resources of its Territory.

British Columbia asserts:

The lands, waters and resources within the Sea-to-Sky LRMP Area and Lillooet LRMP Area are Crown lands, waters and resources subject to the sovereignty of Her Majesty the Queen and the legislative jurisdiction of the Province of British Columbia.

- H. The Lil'wat Nation seeks the ability to participate meaningfully in decisions relating to land and resource planning and management in Lil'wat Territory.

THE PARTIES AGREE AS FOLLOWS:

1. Definitions

1.1 In this Agreement and the Schedules:

“**Agreement**” means this Agreement on Land Use Planning.

“**Collaborative Management Agreement**” means an agreement between the Province, as represented by the Ministry of Environment, and the Lil’wat Nation that would provide for Lil’wat Nation participation in the management of all existing and future Protected Areas in Lil’wat Territory.

“**Crown lands**” means lands over which the Province asserts sovereignty, ownership and jurisdiction.

“**Deeper Consultation**” means a process or processes that, without agreeing to the nature of aboriginal rights in the area, recognizes the special significance of specific areas where it will apply, falls at the higher end of the scope of consultation described by the Supreme Court of Canada, considers the adequacy of resources, and may include modified time frames for information exchange, additional studies or inventories to identify and / or clarify the nature of the values and interests that need to be addressed, field trips, joint meetings, or other problem solving sessions undertaken with the Lil’wat Nation with a goal of finding acceptable mitigation or potential accommodation.

“**Draft S2S LRMP**” means the document entitled “*Sea-to-Sky LRMP Consultation Draft*” dated April 14, 2006.

“**Draft Lillooet LRMP**” means the document entitled “*Draft Lillooet Land and Resource Management Plan*” dated July 22, 2004.

“**Exceptional or Emergency Circumstances**” means events or situations that require immediate action and includes floods, forest fires or similar events.

“**Government-to-Government**” means any formal opportunities for bilateral discussions between the Parties to seek to foster a cooperative relationship related to land and resource planning and management, including implementation of this Agreement.

“**LLUP**” means the Lil’wat Land Use Plan, dated August 2006.

“**Lillooet LRMP**” means the Lillooet Land and Resource Management Plan which is a strategic land use plan to be approved by the Minister of Agriculture and Lands which covers the area shown in *Schedule A*.

“**Lillooet LRMP Area**” means the area identified in *Schedule A* as the Lillooet LRMP Area.

“Lil’wat Territory” or **“Territory”** means the area over which the Lil’wat Nation asserts sovereignty, stewardship and aboriginal title and rights, and as set out in the map attached as *Schedule A* and as explained in more detail in the LLUP.

“Nt’ákmen Area” means areas of Lil’wat Territory identified by the Lil’wat people as important intact natural and cultural areas that enable Lil’wat people to participate in traditional activities and express their connection to the land, as further described in the LLUP.

“Plan Implementation and Monitoring Committee” (herein **“PIMC”**) means a committee or other body created by the Province, comprised of representatives of government agencies, local government officials, members of the public and First Nations, that will provide ongoing advice and recommendations associated with the interpretation of the S2S LRMP and Lillooet LRMP and the implementation and monitoring process.

“Protected Area” means land in British Columbia that is set aside under the *Ecological Reserves Act* (RSBC 1996, c. 103), the *Park Act* (RSBC 1996, c. 344) or the *Protected Areas of British Columbia Act* (SBC 2000, c. 17), as amended from time to time.

“Province” means the Province of British Columbia.

“Provincial Ministers” means one or more of the following Ministers as appropriate: Forests and Range; Tourism, Sport and the Arts; Agriculture and Lands; Environment; Energy, Mines and Petroleum Resources; and includes their respective statutory decision makers.

“S2S LRMP” means the Sea-to-Sky Land and Resource Management Plan which is a strategic land use plan to be approved by the Minister of Agriculture and Lands which covers the area shown in *Schedule A*; and

“S2S LRMP Area” means the area identified in *Schedule A* as the S2S LRMP Area.

“Strategic Land Use Zones” means the land use zones mapped in *Schedule B* and described in *Schedule C* of this Agreement.

2. Scope of this Agreement

- 2.1 The LLUP presents the Lil'wat Nation's preferred management approach for Lil'wat Territory. The Parties attempted to harmonize the Draft S2S LRMP and the Draft Lillooet LRMP Land Use Zones in a manner that considers the intent of the LLUP.
- 2.2 This Agreement describes the results of negotiations between the Parties relating to harmonization of the LLUP, S2S LRMP and Lillooet LRMP.
- 2.3 The Province recognizes that
- 2.3.1 the Lil'wat Nation's Nt'ákmen Areas are areas of special importance to the Lil'wat people; and
 - 2.3.2 that the Lil'wat Nation desires to protect these areas in accordance with the LLUP.
- 2.4 The S2S LRMP and Lillooet LRMP will include a map showing the boundaries of the Lil'wat Nation's Nt'ákmen Areas, for information. In addition, the Province agrees to include the Lil'wat Territorial Vision, *Schedule D*, in the S2S LRMP and the Lillooet LRMP.
- 2.5 The Province recognizes the interests of the Lil'wat Nation in the S2S and Lillooet LRMP areas, as well as in areas outside of the S2S and Lillooet LRMPs.
- 2.6 If the Province undertakes a land use planning process in the Sunshine Coast area it will seek to collaboratively harmonize that plan with the LLUP, in those areas where the two plans overlap.
- 2.7 This Agreement includes sections 1 to 16 and the following attachments:
- 2.7.1 *Schedule A* – Map: Lil'wat Territory, S2S LRMP Area, and Lillooet LRMP Areas
 - 2.7.2 *Schedule B* – Map: Strategic Land Use Zones
 - 2.7.3 *Schedule C* – Management Direction for Strategic Land Use Zones
 - 2.7.4 *Schedule D* – Lil'wat Territorial Vision
 - 2.7.5 *Schedule E* – Site Specific Management Direction
 - 2.7.6 *Schedule F* – Map: Riparian Management, Owl Creek Cultural Education Area and the Birkenhead River Corridor
 - 2.7.7 *Schedule G* – Map: Lil'wat A7x7ülímcw (Spirited Ground) Areas
 - 2.7.8 *Schedule H* – Management Direction for Lil'wat Nation A7x7ülímcw (Spirited Ground) Areas
 - 2.7.9 *Schedule I* – Map: Commercial Recreation Interest Areas

3. Land Use Zones and Management Objectives

- 3.1 The Parties will support the designation and implementation of the LRMP Strategic Land Use Zones as mapped in *Schedule B* and described in *Schedule C*.
- 3.2 The strategic land use zones contained in the Draft S2S LRMP and the Draft Lillooet LRMP will be amended, as a result of these Government-to-Government discussions, to facilitate:
 - 3.2.1 the creation of a new Strategic Land Use Zone called a conservancy (as defined in the *Park Act*) and the inclusion of new conservancies as Protected Areas under this Agreement;
 - 3.2.2 an addition to the existing Duffy Lake Provincial Park;
 - 3.2.3 the creation of a new “Cultural Emphasis subzone” for the “Wildland Zone” called a “Cultural Wildland,” with specifically recommended management priority, emphasis and direction;
 - 3.2.4 the creation of a new Strategic Land Use Zone called “Cultural Management Area,” with specifically recommended management priority, emphasis and direction; and
 - 3.2.5 the amendment of the recommended boundaries for the Strategic Land Use Zones as identified in *Schedule B*.
- 3.3 The Provincial Ministers will seek to establish the Lil’wat Nt’ákmen Areas as conservancies, Cultural Wildlands or Cultural Management Areas.
- 3.4 The Province agrees that the Owl Creek Cultural Education Area and the Lil’wat Stewardship Areas will be managed in accordance with the management goals and the management objectives set out herein and in *Schedule C*.

4. Collaborative Management of Protected Areas

- 4.1 The Parties agree that the Lil'wat Nation and the Ministry of Environment will commence negotiation of and work diligently toward the conclusion of a Collaborative Management Agreement that will provide for collaborative management of all Protected Areas in Lil'wat Territory.
- 4.2 As the new Protected Areas referred to in s. 5.1 are designated, these too will be brought within the scope of the Collaborative Management Agreement.
- 4.3 The Ministry of Environment and the Lil'wat Nation will negotiate and attempt to reach a Collaborative Management Agreement that provides for:
- protection of Lil'wat A7x7ūlmécw (Spirited Ground) Areas that are located within Protected Areas;
 - recognition of Protected Areas as areas of special interest to the Lil'wat Nation;
 - shared decision-making for Protected Areas;
 - Lil'wat Nation participation in the development of management plans;
 - Lil'wat Nation participation in implementation of management plans;
 - opportunities for joint review and recommendations for Park Use Permits;
 - protection of Lil'wat Nation cultural values and interests in accordance with LLUP and Lil'wat Nation management goals and this Agreement;
 - opportunities for ongoing Lil'wat Nation access to resources for aboriginal, cultural and traditional purposes;
 - opportunities for Lil'wat Nation participation in commercial recreational activities; and
 - identification of economic opportunities within Protected Areas including strategies and capacity building to increase Lil'wat participation in those economic opportunities, including but not limited to opportunities to participate in the management and operation of campgrounds within Protected Areas.
- 4.4 The Parties acknowledge the importance of concluding a Collaborative Management Agreement and creating an implementation team and schedule.

5. Protected Areas

- 5.1 The Draft S2S LRMP and Draft Lillooet LRMP will be amended to support the designation of the new Protected Areas as conservancies and a park extension set out in *Schedules B and C*.
- 5.2 The Ministry of Environment will consider the use of traditional Lil'wat names for the new Protected Areas as per *Schedule C* and agrees to consult with the Lil'wat First Nation prior to using any First Nation names that are not Lil'wat names for Protected Areas in Lil'wat Territory.
- 5.3 If the Protected Areas referred to in s. 5.1 are designated they will be managed in accordance with the Collaborative Management Agreement and ss. 4.1 to 4.3 of this Agreement.
- 5.4 If the Protected Areas referred to in s. 5.1 are not designated within 12 months of the signing of this Agreement, the Parties will meet to discuss the delay and consider whether alternative processes are necessary to achieve the management intent for these areas, as set out in this Agreement.
- 5.5 Following designation of the new Protected Areas, the Lil'wat Nation, the Ministry of Agriculture and Lands and the Ministry of Environment will undertake a tenure review process for all tenures within the proposed Protected Areas. The objective will be to determine whether existing tenures within the proposed Protected Areas should become Park Use Permits and whether or not any tenure amendments are required to meet the management intent of the new Protected Areas and the relevant Protected Areas legislation.
- 5.6 Within any new Protected Areas, new tenures, including tenures for previous uses, will be granted based upon:
 - 5.6.1 the review process in s. 5.5;
 - 5.6.2 provincial and federal legislation and the common law;
 - 5.6.3 this Agreement; and
 - 5.6.4 the management direction in *Schedule C*.
- 5.7 Upon signing this Agreement, the Province will take the following steps to advance the designation process for the new Protected Areas:
 - 5.7.1 consider designations under Part 13 of the *Forest Act*,
 - 5.7.2 consider mineral reserves under the *Mineral Tenure Act*, and
 - 5.7.3 consider notations of interest.

6. Wildland Zones

- 6.1 The Draft S2S LRMP and Draft Lillooet LRMP will be amended to recommend the designation of the Cultural Wildland subzone set out in *Schedules B and C*. The Cultural Wildland subzone designation will apply to all Wildlands within Lil'wat Nt'ákmen and Stewardship Areas.

7. Cultural Management Areas

- 7.1 The Draft S2S LRMP and Draft Lillooet LRMP will be amended to recommend the designation of the Cultural Management Area zones set out in *Schedules B* and *C*. The Cultural Management Area zones will apply to all Lil'wat Nt'ákmen areas that are not zoned as conservancy or Cultural Wildland, as well as to the Lil'wat Nation's Kákila Stewardship Area.
- 7.2 Resource development activities are permitted in Cultural Management Areas in accordance with *Schedule C*.

8. Site Specific Management Direction

- 8.1 A7x7ūl̓m̓ecw (Spirited Ground) Areas
- 8.1.1 The Parties will support the implementation and designation of Lil'wat A7x7ūl̓m̓ecw (Spirited Ground) Areas as described in *Schedule G* and pursuant to management objectives established in *Schedule H*.
- 8.1.2 The implementation described herein does not displace the *Heritage Conservation Act* (R.S.B.C. 1996, c. 187).
- 8.1.3 The Province will implement the protective measures set out in *Schedule H* and take all reasonable steps to ensure the conservation of those A7x7ūl̓m̓ecw (Spirited Ground) Areas.
- 8.1.4 The Parties may amend *Schedules G* and *H* from time to time as new areas warranting designation as A7x7ūl̓m̓ecw (Spirited Ground) Areas are identified.
- 8.2 Qwal̓mak (Upper Birkenhead) Nt'ákmen Area
- 8.2.1 The Province endorses the Lil'wat Nation's initiative to undertake a more detailed level of planning that respects, protects and maintains the integrity of Lil'wat Nation cultural values in the entire Birkenhead River watershed. This Phase II planning will assess how the Birkenhead River watershed is being impacted by development, resource extraction, and recreation and will result in proposed management directions and recommendations intended to improve the health of the watershed. The Province will be invited to participate in this planning process at a more advanced stage.
- 8.2.2 The Parties will seek to harmonize resulting proposed management directions with the implementation of this Agreement and the S2S LRMP.
- 8.2.3 The Province will seriously consider implementing the proposed management directions flowing from this planning process.
- 8.2.4 This planning process will complement, but not replace, collaborative Protected Area management planning for the anticipated Qwal̓mak (Upper Birkenhead) Conservancy.
- 8.3 Skelulátkwa (Owl Creek) Cultural Education Area
- 8.3.1 The Owl Creek watershed will be identified as Skelulátkwa (Owl Creek) Cultural Education Area, which will be managed pursuant to the objectives set out in *Schedules E* and *F*.
- 8.3.2 The Province invites the Lil'wat Nation to apply for a Lease and a License of Occupation, pursuant to the nominal rent tenure program, within the core of the Owl Creek watershed, for cultural education purposes.
- 8.4 Stewardship Areas
- 8.4.1 The LLUP identifies Stewardship Areas. The Lil'wat Nation's management goals for these areas are to protect ecological values and

water quality first and provide opportunities for Lil'wat economic activities where they include provisions to protect the environment.

- 8.4.2 The Parties agree that Stewardship Areas will be managed in accordance with *Schedules B and C*, and will, in addition, be managed in accordance with the provisions under s. 8.1 A7x7ŭlrmecw (Spirited Ground) Areas and s. 8.5 Old Growth and Sensitive Ecosystems.

8.5 Old Growth and Sensitive Ecosystems

- 8.5.1 The Parties will undertake a process to achieve the protection of large old growth forested and sensitive ecosystem areas as set out in *Schedule E*.
- 8.5.2 The process in s. 8.5.1 will result in an increase of no more than 2000 ha of forested land base as Old Growth and Sensitive Ecosystem Areas, including a maximum of 1000 ha of contributing class timber harvesting land base as per *Schedule E*.
- 8.5.3 Once the establishment of new Old Growth and Sensitive Ecosystem Areas set out in s. 8.5.2, has been completed, the Parties agree that the S2S LRMP and the Lillooet LRMP and LLUP have been harmonized with respect to old growth management.
- 8.5.4 The Parties agree that where the new Old Growth and Sensitive Ecosystems Areas also protect other resource values, such as Lil'wat cultural areas, the legal mechanism used to establish these Areas will also identify and protect those other resource values. If, during the process set out in *Schedule E* or at any other point in time, Lil'wat identifies existing Old Growth Management Areas that are protecting other resource values such as Lil'wat cultural areas, Lil'wat will identify these to the Province and the Province will consider amending the objectives for any such existing Old Growth Management Area to identify it as non-moveable or non-replaceable.

8.6 Recreation

- 8.6.1 The Parties recognize that recreation is a major economic driver in the S2S LRMP Area. The Lil'wat Nation seeks to minimize and mitigate the adverse effects of commercial recreation on its communities and on its traditional relationship with the land while at the same time sharing in and sustaining the long-term economic benefits of commercial recreation.
- 8.6.2 The Parties will meet to review Best Management Practices that are currently applied for motorized commercial recreation in Lil'wat Territory and will identify opportunities to improve them to better address Lil'wat Nation interests.
- 8.6.3 The Parties will develop a process to address issues associated with Management Directions for winter recreation.
- 8.6.4 The Province will work with the Lil'wat Nation to identify and facilitate increased Lil'wat Nation participation in resource benefits associated with the commercial recreation sector. This will include, but will not be limited to:

- access to tourism training materials and programs developed by or for the provincial government;
- access to funds to develop and implement a Lil'wat tourism strategy;
- access to funds to upgrade employee training, financial management skills, and participation in tourism and tourism support services management training; and
- access to recreation tenures, recreational campground co-management, and cultural tourism opportunities.

8.6.5 The Province acknowledges the importance to the Lil'wat Nation of an opportunity to increase its participation in commercial recreation, and agrees that conditional withdrawals (*Land Act*, s. 17) of areas in Lil'wat Territory are an appropriate means to achieve this. Therefore, the Province agrees to seek conditional withdrawals of the Commercial Recreation Interest Areas identified below and shown on *Schedule I*, not including any Protected Areas, for a period of one year to allow the Lil'wat Nation to develop a strategy that clarifies the types of commercial recreation activities that would be compatible with the maintenance of Lil'wat cultural values for these areas, and to develop capacity and business plans that will facilitate a greater Lil'wat Nation involvement in commercial recreation in these areas. At the end of one year, the Parties will identify smaller areas and make joint recommendations for conditional withdrawals of up to five years, to allow Lil'wat to fully develop business opportunities in these areas:

- Owl Creek Area
- Meager Creek Area
- Joffre Creek/Spetch Creek Area
- Ryan Creek/Mt. Petersen Area

8.7 Visuals

8.7.1 The Province will develop a visual management strategy to manage visual quality in the S2S LRMP Area. This strategy will establish viewpoints at the Lil'wat communities on Mount Currie Indian Reserve Nos. 6, 8 and 10, for the purposes of establishing visual management objectives aimed at maintaining desirable views around Lil'wat communities.

8.7.2 The Province will work with the Lil'wat Nation in the development of a visual management strategy for the sites listed in s. 8.7.1.

8.8 Riparian

8.8.1 The Draft S2S LRMP will be amended to support the implementation of the river and lake buffers set out in *Schedules E and F*.

8.8.2 The Lil'wat Nation will be engaged in the development of the floodplain management plans for the Meager, Upper Lillooet, Green and Soo Rivers and in any additional floodplain management initiatives that are undertaken in Lil'wat Territory.

- 8.8.3 An enhanced river buffer will be defined for the Upper Lillooet River. This buffer will include the defined floodplain as established in accordance with *Schedule F* and the A7x7ūlmécw (Spirited Ground) Areas as set out in *Schedules G and H*.
- 8.8.4 A management buffer will be established around Lillooet Lake as defined in *Schedules E and F*.
- 8.9 Small-Scale Forestry
- 8.9.1 The Parties will attempt to reach agreement on a process to collaboratively develop a system for small-scale forestry, as set out in *Schedule E*.
- 8.9.2 Cultural Management Areas will be considered priority areas for application of an approved small-scale forestry system.
- 8.10 Cultural Trails
- 8.9.1 The following Cultural Trails will be managed in a way that protects the cultural integrity of the trails.
- Owl Creek Trail; and
 - Joffre Creek to Spetch Creek Trail.
- 8.9.2 Commercial Recreation tenures will not be granted over these trails.
- 8.9.3 The Lil'wat Nation may propose, and the Parties will attempt to reach agreement on, additional Cultural Trails.
- 8.9.4 If significant issues arise respecting recreation use of Cultural Trails, the Parties will collaboratively develop strategies for the management of recreation use on these trails.

9. Ure Creek

- 9.1 The Parties acknowledge the importance of the Ure Creek watershed to the Lil'wat Nation, and agree to apply good will and good faith toward reaching agreement on the management of the Ure Creek watershed.
- 9.2 The Parties also acknowledge provincial economic development interests and the proposed resource development uses in the Ure Creek watershed.
- 9.3 Management Direction and zoning for Ure Creek remains unresolved, as shown in *Schedule B*.
- 9.4 The Lil'wat Nation is seeking an Nt'ákmen level of protection for the Ure Creek watershed and the Province is committed to seeking a creative solution to address the Lil'wat Nation's interests and resolve issues relating to a hydro-electric power project, mineral resources and forestry. The Parties agree to explore options for achieving this goal, and agree that one option that will be considered is the designation of a conservancy.
- 9.5 The Parties will seek to reach agreement on the land use zones, designations, and Management Directions for the Ure Creek watershed within 18 months of signing this Agreement, in accordance with the following:
- 9.5.1 Process: The Parties will meet within one month of the signing of this Agreement to discuss all issues relating to the management of the Ure Creek watershed, subject to requirements of the *Freedom of Information and Protection of Privacy Act* (R.S.B.C. 1996, c. 165). The Province will be prepared to provide full information about all tenures, including expiry dates and renewals, tenure applications and resource allocation commitments made in the Ure Creek watershed. The Parties will discuss all potential management approaches and methods of resolving resource use conflicts to the Ure Creek watershed, and will identify the obstacles to implementation of these management approaches and/or methods. These approaches may require the participation or activities of other provincial ministries or agencies. The Parties will assess the potential management approaches and/or methods and ways to remove the identified obstacles, and will then seek to agree to one or more acceptable management approaches. The Parties will then outline which Party is in a position to address which obstacle, and will identify next steps and timelines.
- 9.5.2 Timing: If the Parties are unable to reach an agreement on the management of the Ure Creek watershed within 18 months of signing this Agreement, the Parties may mutually, in writing, extend the timeline for reaching Agreement. In the absence of such an extension, the Parties agree that this Agreement does not include the Ure Creek watershed and that zoning for this watershed will remain unresolved.
- 9.6 Upon signing this Agreement, provincial representatives will take steps to initiate interim designations in order to maintain options for the resolution of interests in the Ure Creek watershed.

10. Revenue Sharing

- 10.1 The Lil'wat Nation seeks capacity to participate in resource management and in sharing resource benefits from within Lil'wat Territory.
- 10.2 In the New Relationship document, the Province and the First Nations Leadership Council agreed to work together on several initiatives, including mutually acceptable arrangements for sharing resource benefits, including resource revenue.
- 10.3 Within 12 months of signing this Agreement, the Parties will meet to discuss interests and opportunities related to resource benefits sharing within Lil'wat Nation Territory. The discussions will be informed by progress in the discussions between the Province and the First Nations Leadership Council pursuant to the New Relationship, and will include:
 - 10.3.1 the interests of each of the Parties;
 - 10.3.2 opportunities for resource benefits sharing consistent with current provincial policy;
 - 10.3.3 priorities for discussion of further opportunities that may be currently beyond provincial policy; and
 - 10.3.4 identification of a list of action items and the establishment of an action plan to facilitate resource benefits sharing.

11. Protocol for Land Use Decisions

- 11.1 In order to implement this Agreement and fulfill the commitment in the Lil'wat Sea-to-Sky Highway Agreement, the Parties intend to develop a protocol that will govern *Land Act* tenuring decisions in Lil'wat Territory.
- 11.2 The Parties will seek to complete a consultation protocol within 12 months of signing this Agreement.
- 11.3 The protocol discussions will be guided by the following principles:
 - 11.3.1 both Parties have limited capacity for referrals and consultation and desire to make the process as efficient and as effective as possible;
 - 11.3.2 the protocol will be aimed specifically at decisions on tenures for use of land and resources in Lil'wat Territory being considered by the Integrated Land Management Bureau of the Ministry of Agriculture and Lands;
 - 11.3.3 the goal of the protocol is to establish appropriate levels of engagement and a meaningful role for the Lil'wat Nation in decisions affecting the use of land and resources in Lil'wat Territory, including involvement in a determination of the scope of consultation required and availability of adequate resourcing for a meaningful consultation process;
 - 11.3.4 the Parties will explore specific opportunities to streamline and harmonize the consultation process;
 - 11.3.5 the protocol may take into consideration initiatives and recommendations emerging from the New Relationship, as well as opportunities for the Lil'wat Nation to access land application fees for processing referrals and to participate in the revenue generated as a result of tenures; and
 - 11.3.6 the protocol will be consistent with the law on consultation.
- 11.4 The Parties may hold parallel discussions to explore opportunities for the Lil'wat Nation to participate in new economic opportunities for which the Integrated Land Management Bureau is the tenuring agency.

12. Future Watershed Management Planning

- 12.1 The Lil'wat Nation anticipates preparing detailed watershed level plans for all watersheds in Lil'wat Territory, including environmental, cultural and economic resource maps, a cultural use database, inventories of archaeological sites and community-held information, and proposed Management Directions and recommendations for each watershed.
- 12.2 The Parties acknowledge that the Lil'wat Nation intends to complete management planning for all watersheds in its Territory. The Lil'wat Nation may consult the Province with respect to scoping any watershed planning projects.
- 12.3 The Lil'wat Nation will invite the Province to participate in this planning at an appropriate stage.
- 12.4 The Province agrees to review and consider implementing the proposed management directions and recommendations that flow from Lil'wat Nation watershed management planning in a manner that is consistent with this Agreement.

13. Implementation and Monitoring Arrangements

- 13.1 The Province's negotiators will amend the Draft S2S LRMP and Draft Lillooet LRMP to reflect the terms of this Agreement.
- 13.2 Lil'wat Nation will have an opportunity to review and provide comment on the final version of the Draft S2S LRMP and the Draft Lillooet LRMP document(s) to ensure that both LRMPs are consistent with this Agreement.
- 13.3 In the event that the Province establishes a PIMC (or PIMCs), the Province will invite the Lil'wat Nation to participate.
- 13.4 The Lil'wat Nation may choose to have issues specific to its interests resolved on a Government-to-Government basis outside of a PIMC.
- 13.5 In the event that another land use planning process is initiated in Lil'wat Territory, the Lil'wat Nation will be provided with an opportunity to participate in that planning process, including the development of terms of reference, methods and procedures in respect of the planning process.

14. Dispute Resolution

- 14.1 The Parties share the following objectives:
 - 14.1.1 to cooperate with each other to develop harmonious working relationships;
 - 14.1.2 to prevent or minimize disagreements;
 - 14.1.3 to identify disagreements quickly and resolve them in the most expeditious and cost-effective manner possible; and
 - 14.1.4 to resolve disagreements in a non-adversarial, collaborative and informal atmosphere.
- 14.2 The Parties desire and expect that most disagreements will be resolved by informal discussions between or among the Parties, without the necessity of invoking the process set out in s. 14.4.
- 14.3 If a dispute arises between the Parties regarding the interpretation of a provision of this Agreement, the obligation of a Party under this Agreement, or the implementation of this Agreement, the Parties or their duly appointed representatives will meet as soon as practicable to resolve the dispute.
- 14.4 If the matter cannot be resolved under s. 14.3, the Parties will advise one another in writing of the specific nature of the dispute, and their proposed solution to the dispute.
- 14.5 Following the provision of written advice pursuant to s. 14.4, the Parties may agree to seek a meeting of the Minister or Deputy Minister and Chief and Council or a committee of Chief and Council to seek a solution to the matters identified in the written advice.
- 14.6 Notwithstanding s. 14.4, the Parties may seek any additional advice or pursue any alternate means of dispute resolution.
- 14.7 The Parties will bear their own costs associated with the above dispute resolution process, and will bear equally any joint costs.

15. Term, Termination, Review and Amendment

- 15.1 The Parties will have approved this Agreement and it will take effect on the date the Minister of Agriculture and Lands and authorized representatives of Lil'wat Nation sign the Agreement.
- 15.2 The Parties agree to mutually review this Agreement and its effectiveness 24 months after the date of the signing of this Agreement and thereafter upon reasonable request of either Party.
- 15.3 The Parties, by mutual agreement, may choose to amend this Agreement from time to time. The Parties further agree that this Agreement and the S2S LRMP and Lillooet LRMP will be amended as required to address:
 - 15.3.1 critical new information relating to Lil'wat Nation cultural interests and values;
 - 15.3.2 unanticipated impacts, including environmental impacts, on Lil'wat Nation cultural interests and values; and
 - 15.3.3 significant policy or legislative changes.
- 15.4 This Agreement will remain in effect until:
 - 15.4.1 subject to pursuing the dispute resolution process set out in s. 14.4, it is terminated by either Party on 30 days advance written notice to the other Party; or
 - 15.4.2 the date on which the Parties mutually agree to terminate the Agreement.

16. General Provisions

- 16.1 This Agreement is not intended to:
- 16.1.1 be a legally binding contract;
 - 16.1.2 be a treaty or land claims agreement within the meaning of s. 25 and 35 of the *Constitution Act, 1982*;
 - 16.1.3 limit the positions that either Party may take in any future discussions, negotiations, proceedings or court actions regarding the aboriginal title and rights of Lil'wat Nation;
 - 16.1.4 be relied on as an admissions, agreement or acknowledgement by the Lil'wat Nation of provincial jurisdiction over, or ownership of, lands and resources within Lil'wat Territory; or
 - 16.1.5 be relied upon as an admission of fact or liability by the Province or recognition of the scope, nature or specific geographic extent of the aboriginal rights or aboriginal title of the Lil'wat Nation.
- 16.2 In consideration of the promises, protections and processes provided herein and their implementation, the Lil'wat Nation acknowledges that the Province has made some changes to the Draft S2S LRMP and Draft Lillooet LRMP to address Lil'wat Nation interests and concerns. The Parties acknowledge outstanding issues that include but are not limited to resource benefit sharing and land and resource decision-making and management.
- 16.3 The Parties agree that the Protected Areas system, including both existing and proposed new Protected Areas addresses the Province's and the Lil'wat Nation's interests in legislated Protected Areas within *Lil'wat Territory*, provided the Lil'wat Nation is meaningfully involved in collaboratively managing both the existing and new Protected Areas.
- 16.4 Subject to the scope of this Agreement, the Lil'wat Nation recognizes the strategic land use zones in the S2S LRMP and Lillooet LRMP, as amended by this Agreement. For greater certainty, this recognition does not extend to any claim by any other aboriginal group to land or resources in Lil'wat Territory that may be addressed through the strategic land use zones, and does not constitute Lil'wat support for any provincial land use policies such as the two-zone land use system for mineral exploration and mining.
- 16.5 The Parties agree that operational consultation and, if necessary, accommodation, are still to be undertaken on a project-by-project basis, and in respect of any specific decisions or sites where it would otherwise be required under law, and further the Province agrees that the Lil'wat Nation support of the strategic land use zones in the S2S LRMP and the Lillooet LRMP under this Agreement will not be construed as support for, agreement with, or accommodation of any specific project or any future action or decision by the Crown which could infringe on aboriginal title and rights in a particular area.
- 16.6 The Parties agree they will undertake the process set out in s. 11.1 to 11.4 to address land use decisions and agree that this Agreement is not to be construed as resolving issues related to transfers, alienations or other changes in use of

Crown land for development purposes. The Parties further agree that the commitment to Deeper Consultation specifically provided for in this Agreement, for some decisions, does not preclude consultation that is akin to Deeper Consultation in relation to other decisions.

- 16.7 The Parties acknowledge that the implementation of the S2S LRMP may rely on existing documents, studies and plans, including but not limited to wildlife management plans, action plans for endangered or threatened species, and recovery plans for endangered or threatened species, and that the Lil'wat Nation may not have been engaged in the preparation of these plans. The Parties agree that if the Lil'wat Nation identifies a conflict with Lil'wat interests resulting from such documents, studies or plans, the Parties will develop a process for Lil'wat involvement in the updating, review or amendment of such documents, studies or plans.
- 16.8 Other than as expressly indicated in this Agreement, this Agreement does not create, recognize, define, deny, limit or amend any of the rights or responsibilities of the Parties.
- 16.9 This Agreement does not define, abrogate, limit or derogate from any aboriginal title or rights of the Lil'wat Nation.
- 16.10 This Agreement with the Lil'wat Nation does not create, recognize, define, deny, limit or amend any of the rights or responsibilities of any other aboriginal group.
- 16.11 This Agreement does not change or affect the positions either Party has, or may have, regarding its jurisdiction, responsibilities, and/or decision-making authority, nor is it to be interpreted in a manner that would affect or unlawfully interfere with that decision-making authority.
- 16.12 This Agreement will not limit any position either Party may take in present or future negotiations or any legal proceedings, except in relation to this Agreement.
- 16.13 Nothing in this Agreement affects the ability of the Province to respond to any Exceptional or Emergency Circumstances.

The Parties have reached this Agreement on the 11 day, of April, 2008.

Signed on behalf of
the Lil'wat Nation by

Signed on behalf of
Her Majesty the Queen in Right of
the Province of British Columbia by

Chief Leonard Andrew

Pat Bell

Chief Leonard Andrew (Taya)
Lil'wat Nation / Mount Currie Band
Council

Honourable Pat Bell
Minister of Agriculture and Lands

In the presence of,

In the presence of,

Priscilla Ritchie

Joan McIntyre

Witness

Witness

LIST OF SCHEDULES

- Schedule A** **Map: Lil'wat Territory, S2S LRMP and Lillooet LRMP Areas**
- Schedule B** **Map: Strategic Land Use Zones**
- Schedule C** **Management Direction for Strategic Land Use Zones**
- Schedule D** **Lil'wat Territorial Vision**
- Schedule E** **Site Specific Management Direction**
- Schedule F** **Map: Riparian Management Owl Creek Cultural Education Area and the Birkenhead River Corridor**
- Schedule G** **Map: Lil'wat A7x7ūlmécw (Spirited Ground) Areas**
- Schedule H** **Management Direction for Lil'wat Nation A7x7ūlmécw (Spirited Ground) Areas**
- Schedule I** **Map: Commercial Recreation Interest Areas**

Sea-to-Sky

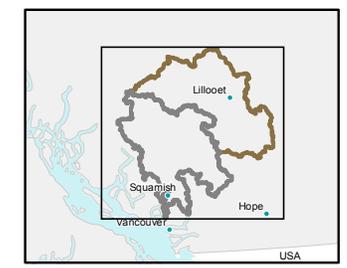
Land and Resource Management Plan

Agreement on Land Use Planning
Lil'wat Nation
and
British Columbia

Schedule A

Lil'wat Territory, S2S LRMP Area,
and Lillooet LRMP Area

-  Lil'wat Territory
-  Sea-to-Sky LRMP
-  Lillooet LRMP



1:1,125,000



Projection: BC Albers
Data Source: ILMB Land & Resource Data Warehouse
Produced by: Coast Region,
Lower Mainland Service Centre, Dora Gunn

Date: March 14, 2008
MXD: s2sirmp_LilWat_agreementMap8x11_14Mar08_schedule_A.mxd

Print Size: 8.5 x 11

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Sea-to-Sky

Land and Resource Management Plan

Agreement on Land Use Planning
Lil'wat Nation
and
British Columbia
Schedule B

Strategic Land Use Zones

-  Lil'wat Territory
-  Sea-to-Sky LRMP
-  BC Parks and Protected Areas
-  Conservancy
-  All Resource Uses Permitted
-  Cultural Management Area
-  Front Country
-  Unresolved



1:800,000

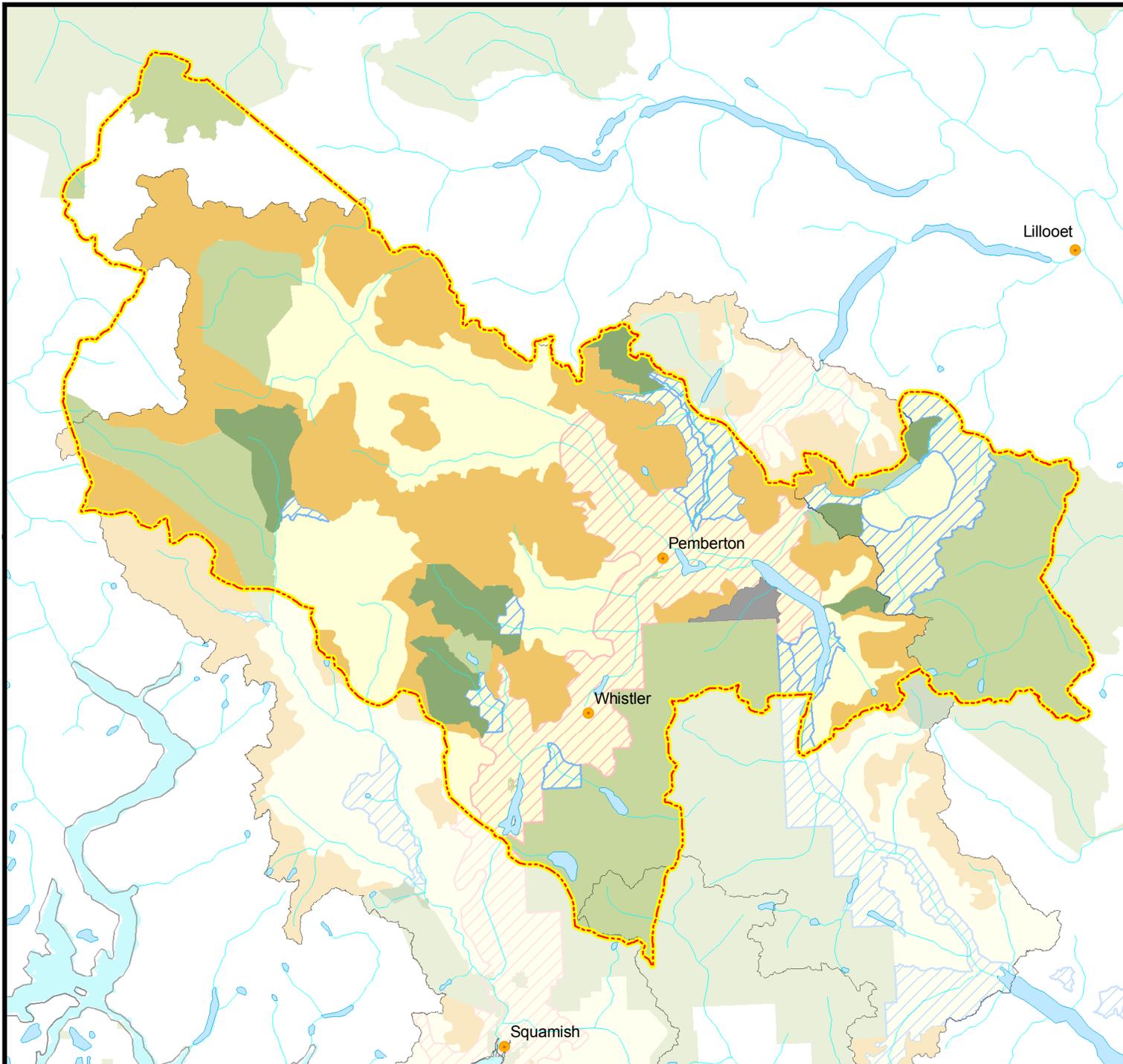
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Projection: BC Albers
Data Source: ILMB Land & Resource Data Warehouse
Produced by: Coast Region,
Lower Mainland Service Centre, Dora Gunn

Date: March 14, 2008
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Print Size: 8.5 x 11

WARNING: The Integrated Land Management Bureau accepts no responsibility for the accuracy or content of the data shown on this map. All data is subject to change and can not be used for legal descriptions. The most current digital files may or may not be stored at ILMB.



Schedule C: Management Direction for Strategic Land Use Zones

Lil'wat Nation identified certain watersheds in the Lil'wat Land Use Plan (LLUP) as areas of highest importance for cultural values and conservation of natural resources. These areas, called Nt'ákmen Areas, will be designated by the Province as conservancies, Cultural Wildlands, and Cultural Management Areas with the overall intent to conserve cultural and ecosystem values within the context of the Sea-to-Sky (S2S) and Lillooet Land and Resource Management Plans (LRMPs). Areas outside of Nt'ákmen Areas are also recognized for important resource and cultural values and will be managed through strategic zones, site specific management and general management direction in the LRMP as amended by this Agreement.

The following table describes uses that are generally accepted or prohibited within the strategic zones described in this Agreement. Direction that is incremental to this is described in the sections below.

Table 1. Strategic Land Use Zones

Zone Summary	Management Intent	Prohibited Uses / Activities	Acceptable Uses
<p>Protected Areas: Conservancies and Parks</p>	<p>Park: Protect representative ecosystems and rare, special and unique natural phenomena. Integrate and balance tourism and recreation, where appropriate. Expand opportunities for Lil'wat cultural activities and tourism products.</p> <p>Conservancy: As above for park, with additional flexibility for approving non-recreational uses, access development and/or specific provisions for First Nations cultural activities and tourism products.</p>	<p>Commercial Logging.</p> <p>Mineral exploration and development.</p> <p>Hydroelectric power generation, except where required for facilities that are otherwise permitted within the conservancy (i.e. lodges).</p>	<p>Continuation of First Nations activities and opportunities for Lil'wat Nation led cultural activities and tourism.</p> <p>Commercial and public recreation.</p> <p>Acceptable uses will be further defined and planned for through collaborative management.</p> <p>Road maintenance and deactivation to be addressed on a conservancy by conservancy basis.</p>
<p>Cultural Wildland</p>	<p>Maintain the areas for the benefit, education and enjoyment of present and future generations. Provide for the continuation of Lil'wat cultural activities and renewable resource harvesting activities.</p> <p>Similar to wildlife Wildland Zone, the Cultural Wildland is to be managed to support viable wildlife populations.</p> <p>Enable sustainable economic development activity.</p>	<p>Commercial logging.</p> <p>Hydroelectric power generation.</p> <p>No new road construction for forestry or early exploration.</p>	<p>Continuation of First Nations activities and opportunities for Lil'wat Nation led cultural activities and tourism.</p> <p>The exploration and development of mineral, aggregate, dimension stone, oil and gas and geothermal resources, subject to the management directions provided in this Agreement and consultation with the Lil'wat Nation as provided in this Agreement.</p>

Table 1. Strategic Land Use Zones Con't

Zone Summary	Management Intent	Prohibited Uses / Activities	Acceptable Uses
<p>Cultural Management Area</p>	<p>Maintain the integrity of the Lil'wat Nation's cultural and heritage resources, including cultural sites.</p> <p>Enable sustainable economic development activity.</p>	<p>Forestry development activity will be permitted as per General Management direction, pursuant to additional objectives that protect Lil'wat cultural values and ecological integrity of these areas, including the application of small-scale forestry guidelines once these have been developed.</p> <p>Existing <i>Land Act</i> tenures will be jointly reviewed prior to renewal or replacement to determine consistency with Lil'wat Nation cultural values and interests and may be amended accordingly.</p>	<p>Continuation of First Nations activities and opportunities for Lil'wat Nation-led cultural activities and tourism.</p> <p>All uses are considered acceptable, subject to the management directions provided in this Agreement and consultation with the Lil'wat Nation as provided in this Agreement.</p>

1. Protected Areas

The following Protected Areas will be established in the Sea-to-Sky and Lillooet LRMPs¹:

- Sú7a / Upper Soo Conservancy
- Qwalímak / Upper Birkenhead River Conservancy
- K'zuzált / Twin Two Conservancy
- Scwálem / Callaghan Conservancy
- Ílacwten / Elaho Conservancy
- 17loqaw7/ 100 Lakes Plateau Conservancy
- Nlháxten / Cerise Creek Conservancy
- Nlháxten / Duffey Lake Park addition

Management intent

Within conservancies, the primary management intent is the maintenance of social and ceremonial and cultural uses by the Lil'wat Nation, the protection and enhancement of any cultural and heritage resources to enable the expression of a connection to the land, and the protection and maintenance of the biological diversity and natural environments, including wildlife habitat values.

¹ The name of the conservancy may be different following consultation with other First Nations.

The overall goals of conservancies are to:

- Provide for the continuation of Lil'wat cultural activities and traditional renewable resource harvesting activities, including, but not limited to:
 - gathering traditional foods;
 - gathering plants used for medicinal and ceremonial purposes;
 - hunting, trapping and fishing;
 - cutting selected trees for ceremonial or artistic purposes;
 - conducting, teaching or demonstrating ceremonies of traditional, spiritual or religious significance;
 - seeking cultural or spiritual inspiration;
 - constructing and using shelters, such as camps, longhouses and pithouses, essential to the pursuit of the above activities; and
 - cultural burning.
- Maintain the areas for the benefit, education and enjoyment of present and future generations.
- Enable sustainable economic development activity consistent with the Lil'wat Nation's social, cultural and ceremonial uses, and where appropriate to the zoning and management direction, including access to non-timber forest products.

Conservancy Management Direction

OBJECTIVES
<ul style="list-style-type: none"> • To maintain opportunities for Lil'wat social, ceremonial and cultural uses. • To protect and enhance the integrity of the Lil'wat Nation's cultural and heritage resources, including sacred sites. • To protect the biological diversity and natural environments within the zone, including wildlife habitat values and low elevation riparian ecosystems. • To maintain, where appropriate, current levels of low intensity backcountry recreational and tourism use. • To increase opportunities for Lil'wat Nation participation in commercial recreation and tourism enterprises.
IMPLEMENTATION DIRECTION
<ul style="list-style-type: none"> • Commercial logging, mineral exploration and development, and hydro electric power generation and development are not permitted in this zone. • Roads are not permitted in this zone except where access is required to access lands beyond the conservancy and no feasible alternative is available. Such permitting will be subject to Deeper Consultation with the Lil'wat Nation, and if appropriate, accommodation. • All activities in conservancies strive to be consistent with Lil'wat cultural values and interests.

IMPLEMENTATION DIRECTION Con't

Planning

- The Province and the Lil'wat Nation will enter into a Collaborative Management Agreement for conservancies, to provide for shared decision-making for these areas, and for the joint development of a detailed management plan for each conservancy that addresses management and decision-making structures and allowable uses and activities.
- The Lil'wat Nation may produce plans or documents for the conservancies that address unique Lil'wat Nation interests in conservancies in order to guide the development of conservancy management plans.
- The end result of collaborative planning will be a joint recommendation to the Minister and Lil'wat Nation Chief and Council.
- New Commercial lodges and facilities are not permitted within these zones except for cultural purposes. Existing commercial lodges and facilities will be reviewed and considered in accordance with s. 5.5 and 5.6.
- Recreation tenures will be reviewed and considered in accordance with s. 5.5 and 5.6.
- Recreational use will be monitored and steps taken to manage the type, amount and location of activities where, in the opinion of the Parties, aesthetic, cultural and/or ecological values are being negatively impacted.
- Existing self-propelled (non-motorized) commercial recreation tenures will be retained, subject to tenure review during the conservancy designation process in accordance with s. 5.5 and 5.6.
- Non-motorized commercial recreation activities are permitted. Any conflicts between recreation and cultural uses will be addressed through a management planning process.
- Motorized access and use is not permitted except for pre-existing uses.
- Other existing land tenures will be retained, subject to the review contemplated in s. 5.5 and 5.6. Unless otherwise agreed, the tenures will not be expanded.
- Guidance will be provided during the Management Planning process regarding the level and nature of other uses not specified in this Agreement.

Areas Specific – Twin Two

- Existing recreation lease lots will be 'save and excepted' from the proposed Twin Two conservancy. The Province will establish "Notations of Interest" on them, and will not sell these recreation lease lots.
- Non-motorized recreation direction (RA 1) will be extended to include the entire watershed except the lower access road.

Table 2. Summary of Purpose and Recommended Uses in Protected Areas

	(K'uzáít / Twin Two	Qwalímak / Upper Birkenhead	Sú7a / Upper Soo	Nlháxten / Duffy Lake Park addition	Nlháxten / Cerise Creek	Scwálem / Callaghan	I7loqaw7/100 Lakes	ílacwten / Elaho
P – Primary Role S – Secondary Role								
Role								
Recreation				S	P	S	S	S
Ecosystem Representation	S		S					
Habitat Conservation / Protection		S				S	S	S
Cultural Heritage Representation / Protection	P	P	P	P	S	P	P	P

2. Cultural Wildlands

The Wildland Zones have been identified for their high wildlife habitat value, remote wilderness characteristics and their cultural and spiritual values to First Nations. As part of this Agreement a number of new wildlands will be designated and some existing wildlands will be rezoned as noted in the table below and described in *Schedule B*.

Table 3. Additions or Changes to Wildland Subzones

Wildland	Sub-zone
Nlháxten Cayoosh	Cultural
Qwalímak Upper Birkenhead	Cultural
Sú7a Upper Soo	Cultural
Skelulátkwa Owl Creek	Cultural
St'uqál'ts Upper Lillooet	Cultural
Úll'us Upper Ryan	Cultural

Management Intent

Within the Cultural Wildlands, the primary management intent is to:

- Provide for the continuation of land and resources to support Lil'wat cultural activities and traditional renewable resource harvesting activities, including, but not limited to:
 - gathering traditional foods;
 - gathering plants used for medicinal and ceremonial purposes;
 - hunting, trapping, and fishing;
 - cutting selected trees for ceremonial or artistic purposes;
 - conducting, teaching or demonstrating ceremonies of traditional, spiritual or religious significance;
 - seeking cultural or spiritual inspiration;
 - constructing and using shelters such as camps, longhouses and pithouses essential to the pursuit of the above activities; and
 - cultural burning.
- Maintain the areas for the benefit, education and enjoyment of present and future generations.
- Enable sustainable economic development activity consistent with Lil'wat social, cultural and ceremonial uses and where appropriate to the zoning and management directions.
- Enable other consistent uses, as appropriate, and subject to the zoning and management directions.
- Conduct activities in a manner that maintains the quality of plant and animal habitats.

Wildland Management Direction

OBJECTIVES

General

- To maintain important wildlife, ecological and natural backcountry/wilderness values.
- To maintain opportunities for backcountry recreation and tourism use, as appropriate to the designated sub-zone.
- To increase opportunities for the Lil'wat Nation participation in commercial recreation enterprises and tourism operations.
- To allow opportunities for subsurface mineral exploration and potential development consistent with this Agreement.

Cultural Subzone

- To protect the integrity of the Lil'wat Nation cultural and heritage resources, including sacred sites.
- To conserve and maintain resources that provide opportunities for social, ceremonial and cultural uses by the Lil'wat Nation.
- To preserve and maintain opportunities for Lil'wat Nation social, ceremonial and cultural uses.

IMPLEMENTATION DIRECTION

- Commercial timber harvesting and hydro electric power generation, including “run-of-the-river” Independent Power Producers (IPPs) are not permitted in these zones.
- All development activities, including subsurface mineral exploration and development, in the Cultural Wildland subzone will be undertaken in a manner that recognizes and seeks to accommodate the cultural interests and values of the Lil’wat Nation and will be subject to Deeper Consultation.
- Exploration for minerals, aggregates, dimension stone, oil and gas and geothermal resources must use low impact methods such as foot and aerial access during early stages of exploration.
- Maintenance of existing roads for access to existing mineral tenures will be permitted with the intent of decommissioning the roads when the tenure expires and access is no longer required for other purposes.
- No new road construction will be permitted for forestry or early exploration. If no feasible alternative is available, road access for advanced exploration or subsurface development will be considered, subject to Deeper Consultation with the Lil’wat Nation, and if appropriate, accommodation.²
- Non-motorized non-commercial backcountry recreation activities are permitted throughout Cultural Wildland subzones, but will be sensitive to Lil’wat values as per the cultural sub-zone.
- Non-motorized commercial recreation activities that do not interfere with Lil’wat Nation A7x7úlñecw (Spirited Ground) Areas traditional use areas, or interfere with ongoing Lil’wat uses, are permitted.
- Recreational lease lots are generally not permitted in this zone.
- Major resorts are not addressed through these objectives and will be addressed through an Environmental Assessment process that is consistent with a requirement for Deeper Consultation.
- Cabins or facilities for Lil’wat Nation cultural purposes, including a recreational lease and multi-use facility in the Owl Creek Cultural Education Area, are allowed.
- The Province will consult with the Lil’wat Nation prior to approving recreation tenures on any trail in Cultural Wildland zones.

The following Management Direction applies to the Cultural Wildlands that are located in Lil’wat Nation Nt’ákmen Areas (Nlháxten/Cayoosh; Qwalímak/Upper Birkenhead; Sú7a/Upper Soo) and to the Skelulátkwa / Owl Creek Cultural Wildland.

- Existing *Land Act* tenures will be jointly reviewed prior to renewal or replacement and amended where required.
- Commercial recreation lodges and facilities are encouraged to locate outside of the Cultural Wildlands, but will be considered where they do not harm known Lil’wat Cultural Sites, traditional use areas, or interfere with ongoing Lil’wat uses.

¹ Advanced exploration is defined as those activities requiring a Notice of Work and development of a Reclamation Program before a permit can be issued. The activities include the following: disturbance of the ground by mechanical means such as drilling, trenching and excavating; blasting; construction, modification, deactivation and reclamation of an exploration access and camps; induced polarization surveys using exposed electrodes; and site reclamation.

3. Cultural Management Areas

The following Cultural Management Areas will be created by this Agreement:

- Sú7a / Upper Soo Cultural Management Area
- Qwalímak / Birkenhead River Cultural Management Area
- Scwálem / Callaghan Cultural Management Area
- Ntsítsuqwtén / Cheakamus Cultural Management Area
- Nlháxten / Cayoosh Cultural Management Area
- Kákila Cultural Management Area

Management Intent

Cultural Management Areas are zones of integrated resource management which have historic and contemporary significance to First Nations. The quality of these areas will be enhanced through the conservation of cultural and heritage resources consistent with the following management objectives. Resource and economic development, including subsurface resource development are permitted, but require that full consideration be given to First Nation interests, including cultural and heritage resources.

General Management Guidelines

OBJECTIVES
<ul style="list-style-type: none">• To conserve and maintain the integrity of the Lil'wat Nation's cultural and heritage resources, including Lil'wat A7x7ūlmécw (Spirited Ground) Areas and sacred sites.• To ensure economic development activities are undertaken in a manner that is sensitive to Lil'wat social, ceremonial and cultural interests, values and uses.• To maintain economically viable opportunities in forestry, energy, subsurface resources and commercial recreation.• To protect high value fisheries in the Birkenhead River.
IMPLEMENTATION DIRECTION
<p>All activities in Lil'wat Cultural Management Areas will strive to be consistent with Lil'wat cultural values and interests.</p> <p>General</p> <ul style="list-style-type: none">• Forestry, subsurface resource development, IPPs and commercial recreation are considered acceptable activities/uses in Cultural Management Areas.• All development proposals are subject to Deeper Consultation.• Existing <i>Land Act</i> tenures will jointly be reviewed prior to renewal or replacement to determine consistency with Lil'wat Nation cultural values and interests and may be amended accordingly.• Construction of new cabins and lodges for recreation will not be permitted in Cultural Management Areas unless it can be demonstrated that they are consistent with cultural uses of the area, through consultation with First Nations.• Major resorts are not addressed through these objectives and will be addressed through an Environmental Assessment process that is consistent with the requirement for Deeper Consultation.• All Cultural Management Areas are priority areas for the implementation of small-scale forestry practices.

Within the Qwalímak / Birkenhead River Cultural Management Area:

- No new harvesting of old growth areas within the Birkenhead River Corridor as shown on Schedule F.
- Land use objectives will be developed to prohibit commercial logging in mature and old forests in the Birkenhead River Corridor as shown on Schedule F. Harvesting will be acceptable in those stands that are less than 40 years in age at the time of the signing of this Agreement, and may be permitted for forest health provided harvesting does not directly affect the integrity of the Area.
- The Parties support and encourage the use of alternatives to pesticides/herbicides for forest management in the corridor.
- The Lil'wat Nation is currently undertaking a Phase II Management Plan for the Birkenhead River watershed. The Province has expressed an interest in participating in the planning process. The Lil'wat Nation proposes the following steps to collaborate constructively with the Province and seeks to ensure that maximum opportunity exists for recommendations to be implemented.
 1. The Lil'wat Nation has obtained funding to initiate the Phase II planning process and is currently in the early phases of data collection, gathering information on topics such as cultural use, fisheries, wildlife and land use. Data sources include Lil'wat and provincial sources and field data collection. This information will be compiled as a technical report, useable for future processes and referrals. The technical report will identify a set of preliminary issues of concern and will result in proposed management direction and recommendations designed to improve the health of the watershed.
 2. Once the technical document is complete, the Lil'wat Nation will invite the Province to participate in the second step of the Phase II planning process. In the second step, the list of issues will be refined and an action plan will be developed to eliminate or minimize the issues of concern through the implementation of the refined management direction and recommendations. Where possible, existing provincial programs and initiatives will be accessed to reduce costs to the Province and the Lil'wat Nation.

Within the Cayoosh Cultural Management Area:

- The Province will support Lil'wat traditional use on the land base by providing for construction of cabins for traditional and cultural purposes.

Schedule D: Lil'wat Territorial Vision

[Note: The statement below is the Lil'wat Nation's perspective regarding resource management. It has not been reviewed or accepted by the Province of BC.]

Lil'wat Territorial Vision

The Lil'wat Nation Traditional Territory is recognized for its wilderness areas, clean water and air, and healthy populations of animals, plants and fish. Our land sustains us physically, culturally, and spiritually. We are stewards of this land, our home, our sanctuary, our garden. We are a people who care for each other and who work to strengthen our community. We live our culture by speaking our language, understanding our history, and maintaining our connection to the land throughout our Traditional Territory. We plan for our future and govern our Traditional Territory as a Nation, making decisions about the land and benefiting from the use of its resources. Our economy sustains the land and serves our people today and for future generations. Our people and our land are one. Our management goals for specific portions of our territory, set out in more detail in our LLUP, are provided for information.

Table 1. Lil'wat Management Goals for Specific Portions of Lil'wat Territory

Area	Lil'wat Cultural Values	Lil'wat Management Goal
Sú7a / Upper Soo Nt'ákmen	<ul style="list-style-type: none"> • food harvesting and preparation • hunting, fishing, trapping, and plant gathering • rock art, burial sites, old village site • protection of wildlife habitat 	<p><u>Conservancy</u>: To preserve an intact natural system for ecological and Lil'wat cultural well being, and expand Lil'wat opportunities for culturally appropriate uses.</p> <p><u>Cultural Wildland</u>: To maintain the Upper Soo Cultural Wildland zone to provide for the continuation of Lil'wat cultural activities, and for the benefit, education and enjoyment of present and future generations, and to support viable wildlife populations.</p> <p><u>Cultural Management Area</u>: To preserve cultural and ecological values while generating economic benefits for the Lil'wat Nation. Priority candidate for small-scale forestry.</p>
Qwalímak / Upper Birkenhead Nt'ákmen	<ul style="list-style-type: none"> • hunting, fishing, trapping and plant gathering • protection of fish and wildlife habitat • ability to connect to the land and celebrate nature 	<p><u>Conservancy</u>: To manage the Upper Birkenhead River headwaters to support cultural activities and ecological functions including important fish and wildlife habitat in the Conservancy area and connecting habitats downstream.</p> <p><u>Cultural Wildland</u>: To maintain cultural opportunities and sites, maintain ecological values in the Upper Birkenhead watershed, outside of the Conservancy area, and to support viable wildlife populations.</p> <p><u>Cultural Management Area</u>: To preserve cultural and ecological values while generating economic benefits for the Lil'wat Nation. Priority candidate for small-scale forestry.</p> <p><u>River Corridor Management Area</u>: To preserve the integrity of cultural sites, riparian areas, old growth forests and ecological functions along the banks of the Birkenhead River.</p>

Table 1. Lil'wat Management Goals for Specific Portions of Lil'wat Territory Con't

Area	Lil'wat Cultural Values	Lil'wat Management Goal
K'zuzált / Twin Two Nt'ákmen	<ul style="list-style-type: none"> • traditional food harvesting • opportunity to reconnect with the land in a relatively undisturbed area close to the community • potential for future fish camp at lakeshore 	<p><u>Conservancy</u>: To preserve the integrity of an intact watershed with a diversity of habitat types and old growth forests for cultural uses and wildlife.</p>
Nlháxten / Cayoosh Nt'ákmen	<ul style="list-style-type: none"> • ceremonial and spiritual use area • Duffey Lake banquet place for extensive traditional food gathering • mineral and plant gathering • opportunity for low impact cultural tours 	<p><u>Duffey Lake Park Extension</u>: To support Lil'wat cultural use in traditionally-used interior habitats.</p> <p><u>Cerise Creek Conservancy</u>: To preserve cultural and ecological values while enabling opportunities for recreational use.</p> <p><u>Cultural Wildland</u>: To provide for the continuation of Lil'wat cultural activities, and for the benefit, education and enjoyment of present and future generations, and to support viable wildlife populations.</p> <p><u>Cultural Management Area</u>: To maintain opportunities for Lil'wat spiritual and sustenance-based activities and ecological values, while generating economic benefits for the Lil'wat Nation. Priority candidate for small-scale forestry.</p>
Mkwál'ts / Ure Creek Nt'ákmen	<ul style="list-style-type: none"> • cultural and spiritual areas (old village, burial sites, culturally modified trees) • material harvesting and preparation • hunting, fishing, trapping and plant gathering. 	<p><u>Conservancy</u>: To preserve an area of significant cultural importance to the Lil'wat Nation, and lands which link Lillooet Lake through productive forest land, to alpine habitats.</p>
Skelulátkwa / Owl Creek Cultural Education Area	<ul style="list-style-type: none"> • spiritual and ceremonial use • first fruit ceremony • vision questing • old village site • intended use for cultural learning 	<p><u>Cultural Education Area in Cultural Wildland</u>: To provide opportunities for Lil'wat people focused on the rejuvenation of Lil'wat culture through ceremonial use and community education, and to support viable wildlife populations. Priority candidate for small-scale forestry.</p>
Kákila / Kakila Stewardship Area	<ul style="list-style-type: none"> • spiritual and ceremonial uses (dwelling sites) • hunting, trapping, resource gathering 	<p><u>Cultural Management Area</u>: To maintain high levels of ecological and cultural integrity while providing for economic opportunities that protect Lil'wat principles. Priority candidate for small-scale forestry.</p>

Table 1. Lil'wat Management Goals for Specific Portions of Lil'wat Territory Con't

Area	Lil'wat Cultural Values	Lil'wat Management Goal
St'uqál'ts / Upper Lillooet Stewardship Area	<ul style="list-style-type: none"> • ceremonial and spiritual use • fishing 	<p><u>Cultural Wildland</u>: To protect ecological values and water quality and to provide for the continuation of Lil'wat cultural activities, and for the benefit, education and enjoyment of present and future generations, and to support viable wildlife populations. To provide opportunities for Lil'wat economic activities where these are proven to protect the environment.</p>
Úll'us / Upper Ryan Stewardship Area	<ul style="list-style-type: none"> • spiritual use • food gathering 	<p><u>Cultural Wildland</u>: To protect ecological values and water quality and to provide for the continuation of Lil'wat cultural activities, and for the benefit, education and enjoyment of present and future generations, and to support viable wildlife populations. To provide opportunities for Lil'wat economic activities where these are proven to protect the environment.</p>

Schedule E: Site Specific Management Direction

1. Riparian Management

Riparian areas are important forage, shade, travel routes and water sources for wildlife. Riparian areas have very high levels of biological productivity and, as a result, many cultural use areas are concentrated in these areas. Riparian areas protect habitat for salmon and other fish species and, as a result, maintaining their function is important to the Lil'wat people. In addition, the Lil'wat people have used and continue to use riparian areas for cultural purposes. The Lil'wat Nation seeks to preserve the evidence of this cultural use and to ensure opportunity for continued cultural use.

OBJECTIVE
Increase the level of conservation of riparian areas where there is a high probability of traditional and current Lil'wat uses.
IMPLEMENTATION DIRECTION
<p>Rivers</p> <ul style="list-style-type: none">• Floodplain management plans will be completed for the Green, Soo and Upper Lillooet Rivers.• Floodplain management plans will be undertaken collaboratively with the Lil'wat Nation and integrate Lil'wat values.• No more than 20% of the floodplain will be available for timber harvest over a rotation.• Lil'wat Nation A7x7ūlmecw (Spirited Ground) Areas located in floodplains will be considered non-operable.• The Province will establish a "super-riparian" zone along the Upper Lillooet River, shown in <i>Schedule F</i>, which includes Lil'wat Nation A7x7ūlmecw (Spirited Ground) Areas overlapping or adjacent to the defined floodplain. <p>Within this zone, forest management objectives are:</p> <ul style="list-style-type: none">– to maintain a minimum of 70% of the area in mature and old forest cover; and– forest development must demonstrate that it is unlikely to impact archaeological or traditional use sites in the management area. <p>Lillooet Lake</p> <ul style="list-style-type: none">• Establish a 100 m management zone on Lillooet Lake. Within the management zone:<ul style="list-style-type: none">– maintain a minimum of 70% of the area in mature and old forest cover; and– forest development must demonstrate that it is unlikely to impact archaeological or traditional use sites in the management area. The recommended approach is to conduct an Archaeological Impact Assessment, an Aboriginal Interest and Use Study, or suitable alternative prior to development within the Lillooet Lake management zone.• Tenure holders in the area are encouraged to use alternatives to herbicides/pesticides within the Lillooet Lake management zone.• The Parties recognize the proximity of the roads alongside Lillooet Lake to archaeological and

cultural sites of the Lil'wat Nation. Prior to authorizing or permitting significant upgrading, including paving, or realignment of the roads alongside Lillooet Lake, the Province will enter into Deeper Consultation with the Lil'wat Nation.

2. Small-Scale Forestry

Lil'wat has expressed an interest in alternative forestry practices for use in culturally and environmentally sensitive areas.

OBJECTIVES

- Silviculture treatments, including regeneration, that maintain a diversity of tree species and stand types compatible with the range of natural variability at the landscape level.
- Silviculture and stand management prescriptions that contain objectives and measures for the maintenance and/or restoration of stand structure to conditions compatible with the range of natural variability at the stand and landscape level.
- Maintenance and restoration of structural components, including at a minimum canopy complexity, live wildlife trees, snags and coarse woody debris, to quantities and distributions that are compatible with the range of natural variability at the stand and landscape level.

IMPLEMENTATION DIRECTION

- The Parties will work collaboratively to develop a small-scale forestry program that is operationally and economically viable. An economically viable system is one that allows operators to develop and harvest timber stands while making a reasonable return on investment, in normal market conditions.
- The Parties will, within three months of the signing of this Agreement, develop a process and timelines for the development and implementation of a small-scale forestry program.
- The Parties will establish a pilot project with one or more licensees to assess the small-scale forestry program. The pilot project will include:
 - selection of a forest stand that is generally representative of forests within Cultural Management Areas;
 - selection of a forester, who will undertake planning for the stand, will be done jointly by Lil'wat, Ministry of Forests and Range (MoFR), Integrated Land Management Bureau (ILMB) and the candidate licensee;
 - exploration of various planning scenarios to explore different models for small-scale forestry;
 - an assessment of the benefits and costs of each scenario;
 - joint selection of a preferred harvesting plan, for implementation by the licensee; and
 - following harvest, an evaluation of the costs and benefits of the pilot.
- If agreement is reached on a small-scale forestry program, the priority for application will be Cultural Management Areas. The Lil'wat Nation's ultimate goal is to develop a program that can be applied throughout Lil'wat Nation Territory.

3. Old Growth and Sensitive Ecosystems

The Lil'wat Nation has identified the protection of large stands of old-growth as important to conserving biodiversity and a range of non-timber values.

OBJECTIVES
<ul style="list-style-type: none">• Maintain representative examples of old condition forested stands in culturally and ecologically important biogeoclimatic variants.• Maintain habitat for old-growth dependent species.• Maintain recruitment habitat for cultural cedar and other culturally important species.• Maintain culturally and ecologically important ecosystems, including but not limited to riparian areas, red and blue listed species habitat, and traditional and cultural use sites.
IMPLEMENTATION DIRECTION
<ul style="list-style-type: none">• New candidate areas will be identified and established to meet the above objectives.• An additional budget of 2000 ha forested landbase / 1000 ha contributing commercially viable timber opportunity area is available to the Lil'wat Nation for protection across Lil'wat Territory.• The candidate areas will be focused in, but not limited to:<ul style="list-style-type: none">– Nt'ákmen & Stewardship areas– CWH ds1 & IDF ww• Mature forest will be considered as candidates, either where no old growth exists, or where old growth candidates are subject to other land use conflicts, subject to Lil'wat Nation agreement.• The Lil'wat Nation will consider provincial policy in the review of candidate areas.• The Parties will review potential old growth protection stands with other protective measures (e.g. Wildlife Habitat Areas) and consider opportunities to overlap these designations.• The following process will be undertaken to identify and establish candidate areas.<ol style="list-style-type: none">1. Within one year following the signing of an agreement, the Lil'wat First Nation will propose, ground truth and finalize its list of candidate old growth areas. Lil'wat representatives will consult with Lil'wat cultural resource specialists and provincial specialists (i.e. wildlife biologists, ecosystem specialists, Recovery teams) to confirm appropriate locations.2. The Lil'wat Nation will submit a list of candidate areas to the lead provincial representative. The Province will complete their tenure check and consult with licensees, as needed.3. The Province will provide the Lil'wat Nation with a list of candidate areas that are acceptable and a list of those of concern. The Province will state the reason for its concern in specific areas, and identify alternatives that achieve protection of similar habitats, features and cultural interests.4. The Lil'wat Nation and the Province will work collaboratively to find a reasonable outcome.

4. Skelulátkwa / Owl Creek Cultural Education Area

The Lil'wat Nation has identified the Skelulátkwa / Owl Creek watershed as a location focused on rejuvenating Lil'wat culture through ceremonial use and community education. A range of activities will continue to be allowed, where they do not conflict with Lil'wat cultural and educational learning activities.

OBJECTIVES

- To protect and enhance opportunities for Lil'wat cultural education as it relates to the land and natural resources.
- To maintain natural conditions that are conducive to spiritual and cultural inspiration.
- To protect and maintain social, ceremonial and cultural uses by the Lil'wat Nation.
- To protect and enhance the integrity of the Lil'wat Nation's cultural and heritage resources, including Lil'wat Nation A7x7ūlmécw (Spirited Ground) Areas.
- To maintain important wildlife, ecological and natural backcountry/wilderness values.
- To focus economic opportunities on Lil'wat learning and community development.
- To manage the area in accordance with the strategic zoning set shown in *Schedule B*.

IMPLEMENTATION DIRECTION

- A conditional withdrawal of the upper Skelulátkwa / Owl Creek Cultural Education Area will be made under the *Land Act*, for a period of five years, to allow the Lil'wat Nation to develop a development strategy that clarifies the types of commercial recreation activities that would be compatible with the maintenance of Lil'wat cultural values for this Area.
- Allowable activities must be consistent with the strategic zoning.
- Maintenance of existing roads for access to the Skelulátkwa / Owl Creek Cultural Education Area will be permitted.
- All development activities within the Owl Creek watershed will be undertaken in a manner that is compatible with the cultural interests and values of the Lil'wat Nation.
- Leases for cabins or any other similar structure and any licenses of occupation which include authorization for such structures is not permitted, unless for Lil'wat cultural purposes or commercial purposes consistent with cultural uses.
- Provide opportunities for Lil'wat Nation to develop facilities required to operate a cultural learning centre, including inviting Lil'wat Nation to apply for a nominal rent lease for a 100 ha area for cultural education purposes, as well as a license of occupation over the remainder of the watershed.
- The Skelulátkwa / Owl Creek Trail will be managed in a way that protects the cultural integrity of the trail and in cooperation with Lil'wat the Province will develop management strategies for recreation use of the trail.
- Lower Owl Creek will be considered a candidate for application of small-scale forestry.
- A review of existing *Land Act* tenures will be conducted to determine compatibility with Lil'wat cultural values and interests, and these tenures will be amended where required.

Sea-to-Sky

Land and Resource Management Plan

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Lil'wat Nation
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Schedule F

Riparian Management,
Owl Creek Cultural Education Area
and the Birkenhead River Corridor

-  Lil'wat Territory
-  Owl Creek Cultural Education Area
-  Birkenhead River Corridor
-  Draft Floodplain Management Areas
-  Lillooet Lake Buffer
-  Sea-to-Sky LRMP boundary
-  BC Parks and Protected Areas

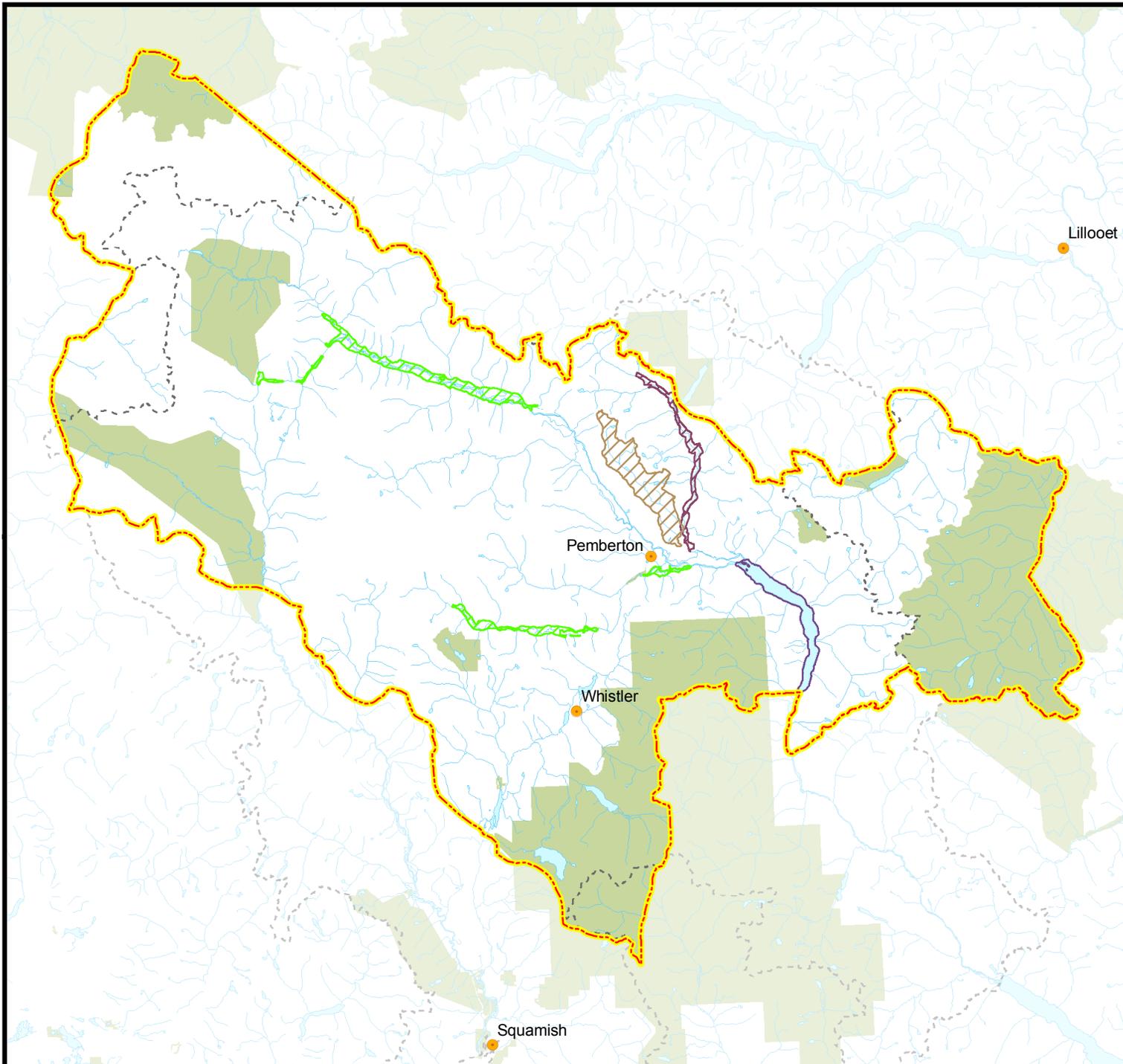


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Sea-to-Sky

Land and Resource Management Plan

Agreement on Land Use Planning
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British Columbia
Schedule G

Lil'wat A7xA'ulmecw
(Spirited Ground) Areas

A7xA'ulmecw (Spirited Ground) Areas

- Category A
- Category B
- Category C

- Lil'wat Territory
- Sea-to-Sky LRMP
- BC Parks and Protected Areas

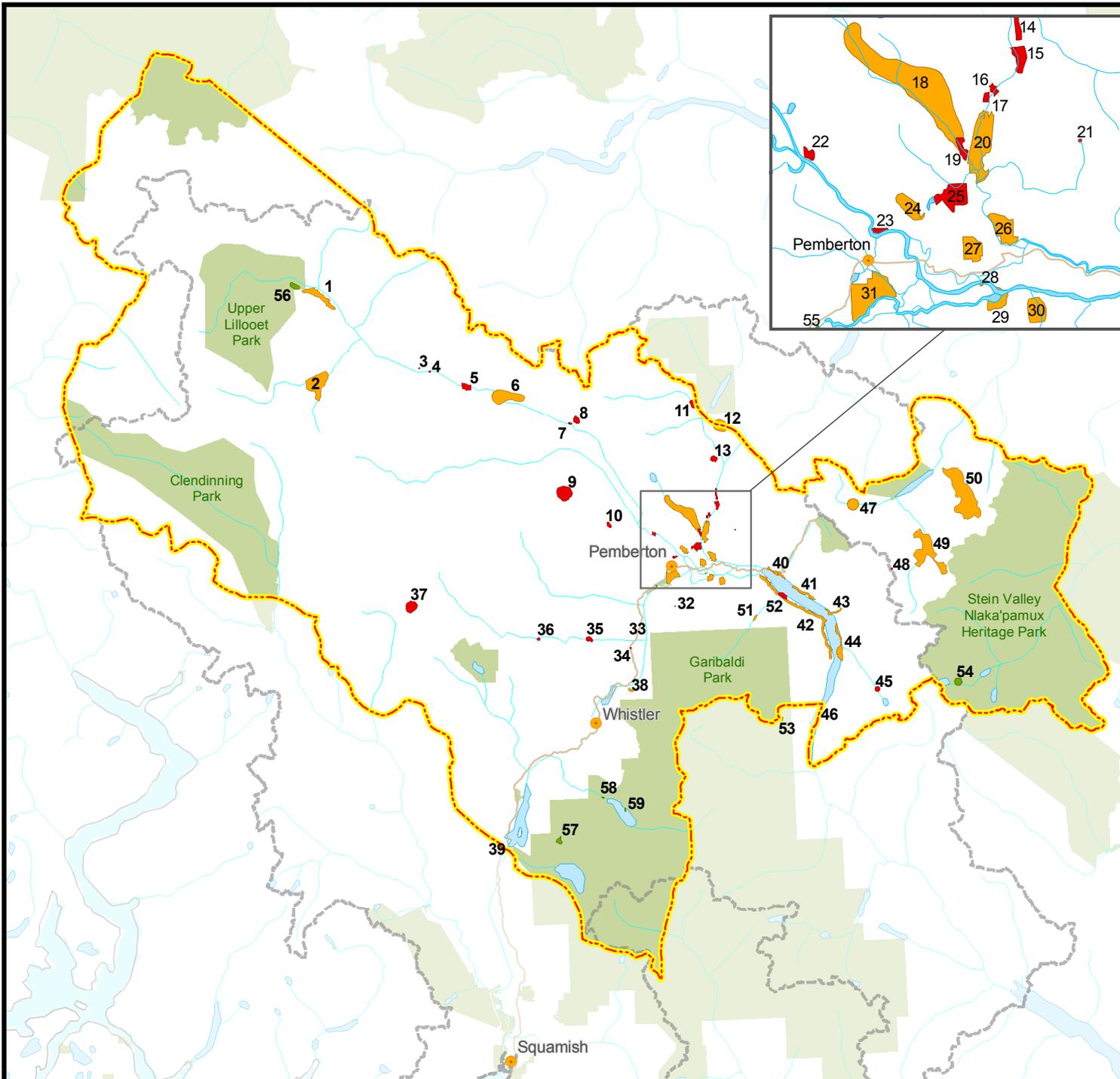


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Schedule H: Management Direction for Lil'wat Nation A7x7ūlmécw (Spirited Ground) Areas

Management Intent

Lil'wat Nation A7x7ūlmécw (Spirited Ground) Areas represent important spiritual, cultural and food gathering areas. The areas range in size, use or value, sensitivity and overall conflict with other resource uses. Based on the specific nature of the area and the level of protection for values required, areas have been divided into categories for management purposes as follows:

Category A: A7x7ūlmécw (Spirited Ground) Areas where values are clearly defined, have a high sensitivity to resource development, require higher levels of protection to maintain the sites or values and where the resource conflicts are relatively low. These areas may include village sites, archaeological sites or spiritual areas, and traditional use areas.

Category B: A7x7ūlmécw (Spirited Ground) Areas where values are dispersed throughout a broad area or where resource conflicts are higher than for Category A sites. These may include a mix of archaeological sites, spiritual areas, traditional use areas, and/or botanical resource gathering areas.

Category C: A7x7ūlmécw (Spirited Ground) Areas within existing Parks and Protected Areas. A7x7ūlmécw (Spirited Ground) Areas that fall within existing Protected Areas benefit from protection from resource extraction activities. Additional management objectives may be developed through the park management planning process in order to maintain the integrity of individual sites or values.

The Parties will consider the following legal designations as mechanisms to implement the measures set out in Table 1.

Table 1.

Legislation / Program	Measure	Availability		
		Cat A	Cat B	Cat C
<i>Crown Land Policy</i>	Notation of Interest	•	•	
<i>Land Act</i>	s. 16 withdrawal from disposition	•		
<i>Land Act</i>	s. 17 conditional withdrawal from disposition	•	•	
<i>Land Act; Section 93.4 (Land Use Objective Regulations)</i>	Ministers' Orders to establish FRPA Objectives	•	•	
<i>Land Act; Section 93.1 and 93.3³ or equivalent legislation</i>	Designated Areas and Objectives established by Lieutenant Governor-in Council	•	•	
<i>Forest and Range Practices Act, Government Action Regulations (BC Reg. 582/2004)</i>	Designation of resource features (see s. 5 to 15)	•	•	
<i>Heritage Conservation Act</i>	Cultural heritage site or object	•	•	•
<i>Park Act</i>	Management planning pursuant to Collaborative Management Agreement			•
<i>Mineral Tenure Act</i>	s.17 Conditional Acquisition Reserve	•		

Management Direction

OBJECTIVES
<ul style="list-style-type: none"> • Maintain resources that provide opportunities for social, ceremonial and cultural uses by the Lil'wat Nation. • Maintain natural and aesthetic conditions that are conducive to spiritual and cultural uses. • Provide for the continuation of cultural activities and traditional renewable resource harvesting activities. • Enable other compatible uses, as appropriate to the zoning and management direction for each area.

³ Not in force at the time of the signing of this Agreement.

IMPLEMENTATION DIRECTION

Category A A7x7ūlṡecw (Spirited Ground) Areas

- Land use objectives to prohibit commercial logging in A7x7ūlṡecw (Spirited Ground) Areas will be developed, save and except for the harvest pursuant to approved cutting permits existing at the date this Agreement takes effect and for forest health provided harvesting does not directly affect the integrity of the Area.
- Roads for access to existing and planned forest cutblocks for harvesting activities will be permitted. Decommissioning of these roads will be contemplated, in consultation with the Lil'wat Nation, when access is no longer required.
- New *Land Act* tenures will not be granted except for projects of provincial significance. The Province will consult with the Lil'wat Nation to discuss and assess potential impacts of an application for Crown land on the cultural values of the Area in order to avoid any negative impacts. Applications for Crown land tenures that overlap Areas may be amended to delete the area of overlap within the Area.
- Projects of provincial significance that cannot be practically relocated may be permitted in A7x7ūlṡecw (Spirited Ground) Areas, subject to the Required Assessment set out in Table 2 and to Deeper Consultation with the Lil'wat Nation, and if required, accommodation.
- No new road construction is permitted but if no feasible alternative is available, road access for mineral development will be considered, subject to the Required Assessment set out in Table 2 and to Deeper Consultation with the Lil'wat Nation, and if required, accommodation. Activities will seek to limit cumulative impacts and mitigate or reduce disturbance to A7x7ūlṡecw (Spirited Ground) Areas by maximizing the use of existing infrastructure.
- Management Direction will be created to ensure that subsurface resource exploration and development activities minimize disturbance to the Area and where exploration and development does occur, it will conserve the integrity of Lil'wat Nation cultural and heritage values associated with the Area.
- The Province will ensure the Required Assessment set out in Table 2 is conducted and engage in Deeper Consultation with the Lil'wat Nation prior to authorizing activities, including but not limited to mineral exploration, that have the potential to impact the Lil'wat Nation cultural and heritage values associated with the Area.
- Where the Management Direction requires that an existing Commercial Recreation (CR) tenure will be allowed to continue, the Parties will jointly review the management plan for the CR tenure, and that management plan will be amended where reasonable.

Category B A7x7ūlṡecw (Spirited Ground) Areas

- Resource development activities are generally permitted where they do not impact the cultural values associated with the Area as determined through the appropriate assessment and consultation with the Lil'wat Nation. Management Direction for each Area is described in Table 2 below.
- For Category B, A7x7ūlṡecw (Spirited Ground) Areas where a Botanical Resource Strategy is identified as the Required Assessment in Table 2, as a priority the Province and the Lil'wat Nation will seek to develop an Area-specific ecologically based forest management strategy for each Area.

Table 2. Lil'wat Nation A7x7ūlmécw (Spirited Ground) Areas

Ref #	Name	Category	Assessment Required	Implementation Direction
1	Salal Creek – Keyhole Falls	B	Aboriginal Interest and Use Study, Archaeological Overview Assessment	Management direction that will be developed for subsurface resources will apply to new mineral tenures, to new Mines Act permits required for work on existing tenures, and to major amendments to permits. The Province and Lil'wat Nation will maintain opportunities for public recreation.
2	Meager	B	Aboriginal Interest and Use Study, Botanical Resource strategy	Management direction that will be developed for subsurface resources will apply to new mineral tenures, to new Mines Act permits required for work on existing tenures, and to major amendments to permits. The Province will support Lil'wat Nation to develop information kiosk in accordance with Lil'wat Cultural Tourism / Interpretation initiative, and are open to discussions that could lead to expansion of facilities and continued use of the area.
3	29 Mile	A	Aboriginal Interest and Use Study	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation.
4	27 Mile	A	Aboriginal Interest and Use Study	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation.
5	North Creek	A	Aboriginal Interest and Use Study	Allow existing CR tenure to continue.
6	Sampson Creek	B	Archaeological Impact Assessment Aboriginal Interest and Use Study	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation. The Province will support Lil'wat Nation to develop information kiosk in accordance with Lil'wat Cultural Tourism / Interpretation initiative.
7	Oxbow Lake	A	Aboriginal Interest and Use Study	
8	Wolverine Creek	A	Archaeological Impact Assessment, Aboriginal Interest and Use Study	The Province and Lil'wat Nation will maintain current use consistent with the existing institutional lease.
9	Sugarloaf	A	Archaeological Overview Assessment	Allow existing CR tenure to continue.
10	North Millar	A	Archaeological Impact Assessment, Aboriginal Interest and Use Study	The Province and Lil'wat Nation will maintain use of the horseback riding trail for commercial recreation access to land beyond the Spirited Ground Area. Management direction that will be developed for subsurface resources will apply to new mineral tenures, to new Mines Act permits required for work on existing tenures, and to major amendments to permits. Maintain use of the existing road associated with the IPP tenure.
11	Upper Birkenhead	A	Archaeological Impact Assessment	The Province and Lil'wat Nation will ensure that designation mechanism allows for maintenance of the existing Forest Service Road.

Ref #	Name	Category	Assessment Required	Implementation Direction
12	Gates Falls	B	Archaeological Overview Assessment	
13	Lower Birkenhead	A	Archaeological Impact Assessment, Aboriginal Interest and Use Study	
14	Spetch Creek	A	Archaeological Impact Assessment, Aboriginal Interest and Use Study	The Province and Lil'wat Nation will ensure that designation mechanism allows for modification and management of existing utility corridors. Ongoing vegetation management of existing right-of-way corridors will be sensitive to the nature of the site.
15	Hindu Flats	A	Archaeological Impact Assessment, Aboriginal Interest and Use Study	Ensure that designation mechanism allows for modification and ongoing management of existing utility corridors. Ongoing vegetation management of existing right-of-way corridors will be sensitive to the nature of the site.
16	Lokla	A	Aboriginal Interest and Use Study	The Province and Lil'wat Nation will ensure that designation mechanism allows for modification and ongoing management of existing utility corridors. Ongoing vegetation management of existing right-of-way corridors will be sensitive to the nature of the site. Management direction that will be developed for subsurface resources will apply to new mineral tenures, to new Mines Act permits required for work on existing tenures, and to major amendments to permits.
17	IR 4	A	Archaeological Impact Assessment, Aboriginal Interest and Use Study	Management direction that will be developed for subsurface resources will apply to new mineral tenures, to new Mines Act permits required for work on existing tenures, and to major amendments to permits.
18	Owl Creek	B	Archaeological Impact Assessment, Aboriginal Interest and Use Study, Botanical Resource Strategy	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation. See additional management direction outlined in Schedule E, section 4.
19	Owl Creek Pool	A	Aboriginal Interest and Use Study	See additional management direction outlined in Schedule E, section 4. Allow activities to continue on existing approved cutblocks in a manner that is sensitive to the cultural nature of the area.
20	Birkenhead Bailey Bridge	B	Archaeological Impact Assessment, Aboriginal Interest and Use Study	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation. The Province will support Lil'wat Nation to develop information kiosk in accordance with Lil'wat Cultural Tourism / Interpretation initiative.
21	Grandfather Mountain	A	Aboriginal Interest and Use Study	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation.

Ref #	Name	Category	Assessment Required	Implementation Direction
22	MacKenzie Basin	A	Archaeological Impact Assessment, Aboriginal Interest and Use Study	
23	Smoke-a-butt Trail	A	Archaeological Overview Assessment Aboriginal Interest and Use Study	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation to exclude railway right-of-way. Parties will assess the impact of the unmanaged bike trail on Lil'wat Cultural values and identify options and collaborative opportunities to mitigate or reduce any impacts that are found, and ensure that any proposed maintenance or development of the bike trail conserves the integrity of the Cultural Area.
24	Ivey Lake West	B	Preliminary Field Reconnaissance, Botanical Resource Strategy	
25	Mosquito Lake	A	Archaeological Impact Assessment, Aboriginal Interest and Use Study	
26	Walkers Bridge	B	Aboriginal Interest and Use Study	Maintain opportunities to modify and manage public transportation corridor.
27	Hi7hi	B	Archaeological Impact Assessment, Aboriginal Interest and Use Study	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation. Parties will assess the impact of bike trails on Lil'wat Cultural values and identify options and collaborative opportunities to mitigate or reduce any impacts that are found, and ensure that any proposed maintenance or development of trails conserves the integrity of the Cultural Area. Ensure that legal designation does not preclude opportunities for identification as part of the Sea-to-Sky Trail system.
28	Pemberton Airport	B	Archaeological Impact Assessment, Aboriginal Interest and Use Study	Opportunities for airport expansion will not be precluded.
29	Green – Lillooet River	B	Archaeological Impact Assessment, Aboriginal Interest and Use Study	Opportunities for airport expansion will not be precluded.
30	Gravelle Creek	B	Archaeological Overview Assessment, Botanical Resource Strategy	Parties will review water power applications to mitigate impacts prior to adjudication.

Ref #	Name	Category	Assessment Required	Implementation Direction
31	Signal Hill	B	Archaeological Impact Assessment, Aboriginal Interest and Use Study	Opportunities will be considered to coordinate forest fire management strategies within the boundary. The Province will support Lil'wat Nation to develop information kiosk in accordance with Lil'wat Cultural Tourism / Interpretation initiative.
32	Ts'zil	B	Aboriginal Interest and Use Study	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation.
33	6 Mile Creek	A	Aboriginal Interest and Use Study	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation. Ensure that legal designation allows for modification and management of existing utility corridors. Final Implementation Direction to be confirmed after further consultation with affected First Nations.
34	Shadow Lake	A	Archaeological Impact Assessment, Aboriginal Interest and Use Study	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation. Ensure that legal designation allows for the continued existence of the interpretive forest. MoFR will consult with Lil'wat Nation on any changes to the management of the interpretive forest. Respect existing CR tenure. Final Implementation Direction to be confirmed after consultation with affected First Nations.
35	Lower Soo	A	Aboriginal Interest and Use Study	Ensure that designation mechanism permits recreational and commercial uses to the existing Forest Service Road Allow activities to continue on existing approved cutblocks in a manner that is sensitive to the cultural nature of the area.. Final Implementation Direction to be confirmed after consultation with affected First Nations.
36	Soo Waterfall	A	Archaeological Overview Assessment, Aboriginal Interest and Use Study	Management direction that will be developed for subsurface resources will apply to new mineral tenures, to new Mines Act permits required for work on existing tenures, and to major amendments to permits. Ensure that designation mechanism permits recreational and commercial uses to the existing Forest Service Road. Final Implementation Direction to be confirmed after consultation with affected First Nations.
37	Lesser Ring	A	Aboriginal Interest and Use Study	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation.. Final Implementation Direction to be confirmed after consultation with affected First Nations.
38	Green Lake	B	Aboriginal Interest and Use Study	Final Implementation Direction to be confirmed after consultation with affected First Nations.
39	Cheakamus Canyon	A	Aboriginal Interest and Use Study	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation. Final Implementation Direction to be confirmed after further consultation with affected First Nations.

Ref #	Name	Category	Assessment Required	Implementation Direction
40	Lillooet Lake - Fish Camp	B	Archaeological Impact Assessment, Aboriginal Interest and Use Study	See additional management direction outlined in Schedule E, Section 1 – Lillooet Lake Buffer. The Province and Lil'wat Nation will maintain opportunities to develop and manage public recreation infrastructure.
41	Lillooet Lake North	B	Archaeological Impact Assessment, Aboriginal Interest and Use Study	See additional management direction outlined in Schedule E, Section 1 – Lillooet Lake Buffer. Maintain opportunities to develop and manage public recreation infrastructure.
42	Lillooet Lake South	B	Archaeological Impact Assessment, Aboriginal Interest and Use Study	The Province will support Lil'wat Nation to develop information kiosk in accordance with Lil'wat Cultural Tourism / Interpretation initiative. See additional management direction outlined in Schedule F, Section 1 – Lillooet Lake Buffer. Final Implementation Direction to be confirmed after consultation with affected First Nations.
43	Lower Twin One	B	Archaeological Impact Assessment, Aboriginal Interest and Use Study	Maintain opportunities to develop and manage public recreation infrastructure. The Province will support Lil'wat Nation to develop information kiosk in accordance with Lil'wat Cultural Tourism / Interpretation initiative. See additional management direction outlined in Schedule E, Section 1 – Lillooet Lake Buffer. Final Implementation Direction to be confirmed after consultation with affected First Nations.
44	Driftwood	B	Archaeological Impact Assessment, Aboriginal Interest and Use Study	Maintain opportunities to develop and manage public recreation infrastructure. The Province will support Lil'wat Nation to develop information kiosk in accordance with Lil'wat Cultural Tourism / Interpretation initiative. See additional management direction outlined in Schedule E, Section 1 – Lillooet Lake Buffer. Final Implementation Direction to be confirmed after consultation with affected First Nations.
45	Lizzie Lake	A	Archaeological Impact Assessment, Aboriginal Interest and Use Study	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation. Ensure that legal designation permits access on the existing Forest Service Road. Respect existing CR tenure. Final Implementation Direction to be confirmed after consultation with affected First Nations.
46	Tenas Lake	B	Archaeological Impact Assessment, Aboriginal Interest and Use Study	Final Implementation Direction to be confirmed after consultation with affected First Nations.
47	Cayoosh	B	Botanical Resource Strategy	Manage according to direction for botanical forest products.
48	Upper Twin One	A	Archaeological Impact Assessment	The Province will work with Lil'wat Nation to refine the area boundary, prior to legal designation. Respect existing CR tenure.

Ref #	Name	Category	Assessment Required	Implementation Direction
49	Van Horlick	B	Botanical Resource Strategy	Manage according to direction for botanical forest products.
50	Rabbit Pass	B	Botanical Resource Strategy	Manage according to direction for botanical forest products.
51	Upper Ure	B	Aboriginal Interest and Use Study	
52	Ure Fan	A	Archaeological Impact Assessment, Aboriginal Interest and Use Study	
53	Gunsight Mountain	C		Objectives and implementation direction are to be developed in collaboration with Lil'wat First Nation, and incorporated into Park Management Plan.
54	Stein	C		Objectives and implementation direction are to be developed in collaboration with Lil'wat First Nation, and incorporated into Park Management Plan.
55	Nairn	C		Objectives and implementation direction are to be developed in collaboration with Lil'wat First Nation, and incorporated into Park Management Plan.
56	Upper Lillooet	C		Objectives and implementation direction are to be developed in collaboration with Lil'wat First Nation, and incorporated into Park Management Plan.
57	Black Tusk	C		Objectives and implementation direction are to be developed in collaboration with Lil'wat First Nation, and incorporated into Park Management Plan.
58	Cheakamus Lake	C		Objectives and implementation direction are to be developed in collaboration with Lil'wat First Nation, and incorporated into Park Management Plan.
59	Singing Creek	C		Objectives and implementation direction are to be developed in collaboration with Lil'wat First Nation, and incorporated into Park Management Plan.

Sea-to-Sky

Land and Resource Management Plan

Agreement on Land Use Planning
Lil'wat Nation
and
British Columbia

Schedule I

Commercial Recreation
Interest Areas

-  Lil'wat Territory
-  Sea-to-Sky LRMP boundary
-  Commercial Recreation Interest Areas
-  BC Parks and Protected Areas



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