STRATEGIC LAND USE PLANNING AGREEMENT

BETWEEN

In-SHUCK-ch NATION

as represented by the

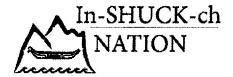
In-SHUCK-ch Nation Interim Government

AND

THE PROVINCE OF BRITISH COLUMBIA

as represented by the

Minister of Agriculture and Lands





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In-SHUCK-ch NATION

as represented by the

In-SHUCK-ch Nation Interim Government

AND

THE PROVINCE OF BRITISH COLUMBIA

as represented by the

Minister of Agriculture and Lands

(collectively "the Parties")

WHEREAS

- a) The Province initiated a Sea-to-Sky Land and Resource Management Plan ("S2S LRMP") process for the Squamish Forest District in 2000 and convened a multi-stakeholder and inter-agency planning forum. First Nations in the S2S LRMP Area (including the In-SHUCK-ch Nation) were invited to participate in the planning process as members of the forum but for a variety of reasons chose not to.
- b) The Province has received from that planning forum a package of land use recommendations, and has prepared a Draft Sea-to-Sky Land and Resource Management Plan (the "Draft S2S LRMP").
- c) The Province is completing government to government consultations with potentially affected First Nations on the basis of the strategic land use zones in the Draft S2S LRMP and intends to finalize the S2S LRMP following these consultations.
- d) The In-SHUCK-ch Nation has developed a land stewardship plan that it intends to incorporate into an over-arching, integrated plan called the Seven Generations Plan. The land stewardship plan addresses land stewardship, environmental protection, resource use and economic development within the In-SHUCK-ch Nation Area.
- e) Starting in 2006, the In-SHUCK-ch Nation and the Province engaged in Government to Government discussions aimed at harmonizing the Draft S2S LRMP and the In-SHUCK-ch Nation land stewardship plan.

- f) The In-SHUCK-ch Nation, the Province and Canada are engaged in stage five of the B.C. Treaty Commission treaty negotiation process.
- g) The In-SHUCK-ch Nation and the Province wish to establish a relationship regarding land use planning and wish to maintain this relationship over the long term.
- h) This land use agreement applies to the entire In-SHUCK-ch Nation Area.
- i) The In-SHUCK-ch Nation assert that:
 - They have continuously occupied the In-SHUCK-ch Nation Area since before memory;
 - They have resource stewardship, traditional, cultural, and economic interests in the In-SHUCK-ch Nation Area;
 - They hold existing aboriginal rights, title or other interests to the In-SHUCK-ch
 Nation Area which are recognized and affirmed by Section 35 of the Constitution
 Act, 1982, including the right to make decisions on how the land and its
 resources are used and the responsibility to steward such land and resources on
 behalf of this and future generations;
 - On the Effective Date, In-SHUCK-ch Nation's aboriginal rights, including aboriginal title, will be modified and will continue as modified, in accordance with the Final Agreement.
 - The lands, waters and resources belong to In-SHUCK-ch Nation and are subject to the inherent sovereignty, jurisdiction, and the collective rights of In-SHUCK-ch Nation; and
 - In-SHUCK-ch Nation have never ceded, sold, or surrendered the In-SHUCK-ch Nation Area to the Crown or otherwise.
- j) With respect to sovereignty, title and ownership, it is the position of the Province that:
 - The lands, waters and resources covered by the Draft S2S LRMP are Crown lands, waters and resources, and are subject to certain rights and interests, and to the sovereignty of Her Majesty the Queen and the legislative jurisdiction of the Province; and
 - The Province will approve and implement the S2S LRMP in accordance with provincial legislation and policy, in order to promote a strong and vibrant provincial economy, healthy communities, and a sustainable environment.

THE PARTIES AGREE AS FOLLOWS:

1. Definitions

- 1.1. In this Agreement and the Schedules:
 - a) "Agreement" means this Strategic Land Use Planning Agreement;

- b) "Common Area" means the area where the S2S LRMP Area and the In-SHUCK-ch Nation Area intersect, as identified on Map 3 of Schedule A;
- c) "Consultation" means provision to a Party of:
 - Notice of a matter to be decided;
 - If requested by a Party, sufficient information in respect of the matter to permit the Party to prepare its view on the matter;
 - A reasonable period of time to permit the Party to prepare its views on the matter:
 - An opportunity for the Party to present its views on the matter; and
 - A full and fair consideration of any views on the matter so presented by the Party;
- d) "Consultation Policies" means the provincial consultation policy and the draft *In-SHUCK-ch Nation Consultation Policy*, dated July 8, 2005, including any consultation policies developed pursuant to it;
- e) "Draft S2S LRMP" means the document entitled "Sea-to-Sky LRMP Consultation Draft", dated April 14, 2006;
- f) "Effective Date" means the date upon which the Final Agreement takes effect;
- g) "Final Agreement" means the In-SHUCK-ch Nation Final Agreement that is being negotiated and may be concluded between In-SHUCK-ch Nation, Her Majesty the Queen in Right of British Columbia, and Her Majesty the Queen in Right of Canada under the British Columbia Treaty Commission process, and, if concluded, includes any amendments made in accordance with its provisions;
- h) "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;
- i) "In-SHUCK-ch Nation" means the collectivity that comprises all the In-SHUCK-ch Nation individuals and for greater certainty includes all members of the Douglas Indian Band, Skatin Indian Band, and Samahquam Indian Band;
- j) "In-SHUCK-ch Nation Area" means the area set out in Map 2 of Schedule A;
- k) "In-SHUCK-ch Nation Interim Government" means the government which represents the interests of In-SHUCK-ch Nation, and for greater certainty includes the chiefs and councils of Douglas Indian Band, Skatin Indian Band and Samahguam Indian Band;
- I) "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 the implementation and monitoring process;

- m) "Province" means the Province of British Columbia;
- n) "Recreation Site" means an area of Crown land that is established as a recreation site by the Minister responsible for the Ministry of Tourism, Sport and the Arts under Section 56 of the Forest and Range Practices Act;
- o) **"S2S LRMP Area"** means the area identified on Map 1 of Schedule A as the S2S LRMP Area:

2. Nature of this Agreement

- 2.1. This Agreement is intended to confirm areas of agreement between the Parties with respect to amendments, additions or deletions to the recommendations contained in the Draft S2S LRMP. If a recommendation set out in the Draft S2S LRMP is not referenced in this Agreement, the In-SHUCK-ch Nation is deemed to be in agreement with that recommendation.
- 2.2. The In-SHUCK-ch Nation Interim Government, representing the whole of the In-SHUCK-ch Nation, is authorized to execute this Agreement.

3. Scope of this Agreement

3.1. With the exception of section 8, the geographic scope of this Agreement is limited to the Common Area.

4. Parts of this Agreement

- 4.1. This Agreement consists of sections 1.1 to 18.13 and the following Schedules:
 - a) Schedule A Sea to Sky LRMP, In-SHUCK-ch Nation Area and Common Area;
 - b) Schedule B Land Use Zones & Conservancies;
 - c) Schedule C Viewsheds, Access & Recreation Features;
 - d) Schedule D Areas Requiring Further Discussion; and
 - e) Schedule E In-SHUCK-ch Nation Land Stewardship Statement.

5. Land Use Zones

- 5.1. The recommended Land Use Zones contained in the Draft S2S LRMP will be amended by:
 - a) creating a new strategic land use zone entitled the 'cultural management area',
 as set out and described in Map 1 and Table 1 of Schedule B;

- b) creating a new 'cultural emphasis subzone' for the wildland zones as set out and described in Map 1 and Table 3 of Schedule B;
- c) amending the recommended emphasis priority and management direction for the recommended wildland subzones, as set out in Table 4 of Schedule B; and
- d) amending the recommended boundaries for the Land Use Zones within the Common Area, as identified in Map 1 of Schedule B.
- 5.2. The Parties will initiate a process to harmonize their Consultation Policies in order to develop a mutually acceptable consultation protocol in respect of the cultural management area described in Table 1 of Schedule B.
- 5.3. The cultural management area consultation protocol developed under paragraph 5.2 will be consistent with any agreement reached through a treaty interim measure and will be consistent with the Final Agreement. Components of the consultation protocol may need to be revisited after the Final Agreement is reached.
- 5.4. The Parties agree that, for the In-SHUCK-ch Mountain cultural site identified on Map 2 of Schedule B, the land use direction and designations set out in Table 2 of Schedule B be recommended to the Minister of Agriculture and Lands for establishment.
- 5.5. With respect to 5.4, within one year of ratification of this Agreement, the Parties will agree to a mutually acceptable commercial timber harvesting regime for the existing cutblocks within this site. The exact boundary and uses permitted in this site will be determined during this time.

6. Conservancies

- 6.1. The Draft S2S LRMP will be amended to support the designation of the conservancies set out in Map 1 and Table 5 of Schedule B under the *Protected Areas of BC Act*.
- 6.2. If the conservancies referred to in 6.1 are designated under the *Protected Areas of BC Act*, the In-SHUCK-ch Nation and the Ministry of Environment will undertake a process to attempt to reach agreement on a collaborative management agreement for those conservancies.

7. Recreation

- 7.1. The Draft S2S LRMP will be amended to recommend the designation of the recreation features set out in Table 1 of Schedule C as recreation sites.
- 7.2. If the recreation features referred to in 7.1 are designated as recreation sites under Provincial Law, the Province will undertake a process to attempt to reach agreement with In-SHUCK-ch Nation on recreation site management plans which

incorporate In-SHUCK-ch Nation cultural values. The Province will initiate a similar process with respect to any existing recreation site management plans in the Common Area to achieve the same objective, as appropriate.

7.3. The Province will seek to implement the management direction for Franks Creek, identified in Map 3 of Schedule C for the purposes specified in Table 2 of Schedule C

8. Areas Requiring Further Discussion

- 8.1. Subject to 8.2, the Province will seek to implement the land use direction and/or designations as set out in Table 1 and Table 2 of Schedule D for the areas identified on Map 1 of Schedule D.
- 8.2. The Parties acknowledge that further discussion between the Parties, consultation with other First Nations and consultation with stakeholders is required and will be completed prior to making a final recommendation for the areas referred to in 8.1.

9. Visual Quality

- 9.1. The following recommended implementation direction contained in the 'Frontcountry Zone Resource Management Direction' section of the Draft S2S LRMP will be deleted:
 - h) Should a paved road be developed in the lower Lillooet River valley (e.g., linking Pemberton with the north end of Harrison Lake or points further south) then this area should be added to the Frontcountry Zone and brought under the "Visual Landscape Management Strategy".
- 9.2. The Province will develop a visual management strategy for the viewsheds identified on Map 1 of Schedule C, and in this regard:
 - a) the visual inventory component of the project will be completed by In-SHUCK-ch Nation; and
 - b) the completed visual management strategy will not result in timber supply impacts greater than the impacts under the current (2004) visual management regime.

10. Access

10.1. The roads in the S2S LRMP area identified on Map 2 of Schedule C will be included as information for discussion if a coordinated access management plan project is initiated for the S2S LRMP Area.

11. Water

11.1 The Draft S2S LRMP will be amended to include the Franks Creek (Perrets Reserve) water supply area on the list of 'community water supply areas of concern'.

12. Community Viability Strategy

12.1 The Province will fund the In-SHUCK-ch Nation to complete an In-SHUCK-ch Nation community viability strategy.

13. In-SHUCK-ch Nation Land Stewardship Statement

13.1. The Draft S2S LRMP will be amended to include the In-SHUCK-ch Nation Land Stewardship Statement, as set out in Schedule E, in a section documenting key In-SHUCK-ch Nation interests and values.

14. Implementation and Monitoring Arrangements

- 14.1. In-SHUCK-ch Nation will have an opportunity to review and provide comment on the final version of the Draft S2S LRMP document.
- 14.2. In the event that the Province establishes a PIMC, the Province will invite the In-SHUCK-ch Nation to participate.
- 14.3. The In-SHUCK-ch Nation may choose to have issues specific to its interests resolved on a Government to Government basis outside of the PIMC.
- 14.4. In the event that another land use planning process is initiated in the In-SHUCK-ch Nation Area, the In-SHUCK-ch 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.
- 14.5. If the Province establishes a multi-stakeholder and multi-First Nation Wildlife Advisory Committee with respect to fish and wildlife-related issues within the S2S LRMP Area the In-SHUCK-ch Nation will be provided with an opportunity to participate on that committee. In-SHUCK-ch Nation may choose to have fish and wildlife related issues specific to its interests resolved on a government to government basis.

15. Funding

- 15.1. The Province will provide the In-SHUCK-ch Nation with a sum of \$75,000 to support the implementation of the projects specified in this Agreement, subject to:
 - a) an appropriation by the Legislature; and
 - b) the Financial Administration Act.
- 15.2. The Parties will work together to identify internal and external funding opportunities to support the implementation of this Agreement.

15.3. The Parties will make every reasonable effort to implement this Agreement in a cost-effective manner.

16. Dispute Resolution

- 16.1. The dispute resolution process described in clauses 16.2 through 16.5 is specific to the terms of this Agreement and does not supercede:
 - a) dispute resolution processes established under other legislation or agreements between the parties to deal with operational planning matters; or
 - b) dispute resolution processes agreed to under the terms of any treaty related interim measure or any other agreements.
- 16.2. The Parties share the following objectives:
 - a) to cooperate with each other to develop harmonious working relationships;
 - b) to prevent or minimize disagreements;
 - c) to identify disagreements quickly and resolve them in the most expeditious and cost-effective manner possible; and
 - d) to resolve disagreements in a non-adversarial, collaborative and informal atmosphere
- 16.3. 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 section 16.4.
- 16.4. In the event that a dispute arises between the Parties regarding the interpretation or implementation of this Agreement, and is not resolved informally, the Parties agree to the following process as a means to attempt to resolve the dispute:
 - a) written notice setting out the dispute in question will be forwarded from the Party alleging the dispute to the other Party:
 - b) the dispute will be first referred to the In-SHUCK-ch Nation and the ILMB Regional Executive Director, Coast for attempted resolution;
 - c) if, in the opinion of either Party, no resolution is likely to be reached within a reasonable time period between the In-SHUCK-ch Nation Chief Executive Officer and the ILMB Regional Executive Director, Coast, the dispute will be referred to the ILMB Associate Deputy Minister for attempted resolution with the In-SHUCK-ch Nation Interim Government;
 - d) if, in the opinion of either Party, no resolution is likely to be reached within a reasonable time period between the In-SHUCK-ch Nation Interim Government and the ILMB Associate Deputy Minister, the dispute will be referred to the Minister of Agriculture and Lands for attempted resolution with the In-SHUCK-ch Nation Interim Government; and
 - e) if no resolution is achieved between the In-SHUCK-ch Nation Interim Government and the Minister of Agriculture and Lands, the dispute may, with the agreement of the Parties, be referred to mediation or non-binding arbitration.

16.5. The Parties will bear their own costs associated with the above dispute resolution process, and will bear equally any joint costs.

17. Term, Termination and Amendment

- 17.1. The Parties will have approved this Agreement once the Minister of Agriculture and Lands and authorized representatives of In-SHUCK-ch Nation have signed the Agreement.
- 17.2. The Parties, by mutual agreement, may choose to revise this Agreement from time to time.
- 17.3. This Agreement will remain in effect until:
 - a) Subject to exhausting the dispute resolution process set out in section 16.4, it is terminated by either Party on written notice to the other Party; or
 - b) The date on which the Parties mutually agree to terminate the Agreement.

18. General Provisions

- 18.1. This Agreement is not intended to:
 - a) be a legally binding contract;
 - b) be a treaty or land claims agreement within the meaning of sections 25 and 35 of the *Constitution Act, 1982*;
 - c) limit the positions that either Party may take in any future discussions, negotiations, proceedings or court actions regarding the aboriginal title and rights of In-SHUCK-ch Nation, including any treaty rights, and alleged interference with such title and rights;
 - d) change or affect the positions either Party has, or may have, regarding its jurisdiction, responsibilities and/or decision-making authority; or
 - e) be interpreted or implemented in a manner that fetters the discretion of statutory decision-makers under Provincial law.
- 18.2. In consideration of the direction and processes provided herein, the In-SHUCK-ch Nation agrees that it has been meaningfully consulted on that portion of the S2S LRMP covered by this Agreement.
- 18.3. This Agreement does not, in itself, relieve the Province of, or fulfill, any lawful obligation to meaningfully consult and, if appropriate, seek workable accommodation with the In-SHUCK-ch Nation regarding approval of resource development plans, land and resource tenures and other strategic, administrative or operational land and resource development decisions.

- 18.4. Other than as expressly indicated in this Agreement, this Agreement does not create, recognize, define, deny, limit, abrogate or derogate from, or amend any of the rights or responsibilities of the Parties.
- 18.5. For greater certainty, this Agreement does not affect, abrogate or derogate from any aboriginal or treaty right of the In-SHUCK-ch Nation.
- 18.6. This Agreement does not define, deny, limit, abrogate or derogate from, or amend any of the rights or responsibilities of any other aboriginal group and the Parties acknowledge that the S2S LRMP will address any legal duties owed by the Province to other aboriginal groups.
- 18.7. In the event that a Final Agreement is concluded and subject to the terms of the Final Agreement, the Parties agree in principle that:
 - a) with respect to In-SHUCK-ch Nation treaty settlement land, the S2S LRMP will cease to apply upon the Effective Date;
 - b) off treaty settlement land the S2S LRMP will continue to apply under provincial policy and, as required, may be amended to reflect changes in policy or legislation;
 - the Province and In-SHUCK-ch Nation desire to maintain this agreement, or an amended agreement, respecting land use planning following completion of Final Agreement;
 - d) prior to the Effective Date, this Agreement will be revisited by the Parties and may be amended to ensure consistency with the Final Agreement;
 - e) the Final Agreement will prevail to the extent of any inconsistency with this Agreement and;
 - f) the Parties will undertake necessary steps to ensure the continued existence of this Agreement, or an amended agreement, between the Province and any new government which replaces the In-SHUCK-ch Nation Interim Government.
- 18.8. Any reference to a statute in this Agreement includes all regulations made under that statute and any amendments or replacement of that statute and its regulations.
- 18.9. There will be no presumption that any ambiguity in any of the terms of this Agreement should be interpreted in favour of either Party.
- 18.10. The word "including" when following any general statement or term is not to be construed to limit the general statement or term to the specific items which immediately follow the general statement or term to similar items whether or not words such as "without limit" or "but not limited to" are used, but rather the general statement or term is to be construed to refer to all other items that could reasonably fall within the broadest possible scope of the general statement or term.

- 18.11. The Parties will monitor progress in the "New Relationship" discussions and, at the request of either Party, will consider jointly whether to amend this Agreement to reflect developments in those discussions.
- 18.12. Nothing in this Agreement affects the ability of the Parties to respond to any emergency circumstances.
- 18.13. The Parties may jointly agree in writing to invite other governments, including First Nations, to participate in the implementation of this Agreement.
- 18.14. When the Parties engage in negotiations and discussions, or any other action to implement this Agreement, those negotiations, discussions or other actions will be conducted in good faith.

6th day of July , 2007.
Por Be
Minister of Agriculture and Lands
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Map 1: Sea to Sky LRMP Area

Map 2: In-SHUCK-ch Nation Area

Map 3: Common Area

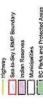
Sea-to-Sky

Land and Resource Management Plan

Strategic Land Use Planning Agreement between In-SHUCK-ch Nation and the Province of British Columbia

Schedule A: Map 1

Sea to Sky LRMP Area







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Sea-to-Sky

Land and Resource Management Plan

Strategic Land Use Planning Agreement between In-SHUCK-ch Nation and the Province of British Columbia

Schedule A: Map 3

Common Area

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Highway
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Map 1: Land Use Zones and Conservancies

Map 2: In-SHUCK-ch Mountain

Sea-to-Sky Land Use Zones and Conservancies Land and Resource Management Plan Strategic Land Use Planning Agreement between In-SHUCK-ch Nation and the Province of British Columbia Data; March 1, 2007 MXO; s2skmp_g2g_schodule_8_Map1_8.5x11_01March07.mxd Integrated Land
Management Bureau Schedule B: Map 1 Common Area
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Management Bureau Schedule B: Map 2 In-SHUCK-ch Mountain Indian Reserves

Parks and Protected Areas B Zone 4 Zone 3 Zone 2 Zone 1 In-SHUCK-ch Mountain Garibaldi Park

Table 1: Cultural Management Area Management Direction

Management Intent

Cultural Management Areas are zones of integrated resource management which have historic and contemporary significance to First Nations. First Nations wish to enhance the quality of these areas through the conservation of cultural and heritage resources. In order to give adequate consideration to these resources, the intent is to complete a consultation protocol for this zone that will facilitate improved information sharing. Resource and economic development, including subsurface resource development is permitted, but requires that full consideration be given to First Nation cultural and heritage resources. Forest harvesting will consider impacts on non-timber forest products, non-timber values and key community viewsheds.

Objectives

- Conserve and/or maintain the integrity of First Nation cultural and heritage resources
- Maintain opportunities for First Nations to practice traditional harvesting for cultural purposes.
- Maintain opportunities for commercial timber harvesting.
- Maintain opportunities to access economic, recreation and conservation values.
- Prevent or mitigate ecological impacts of roads.

Implementation Direction

- a) Forest development is permitted in this zone and will operate under the relevant Provincial forestry legislation, regulations, and standards as well as wildlife and floodplain management plans.
- b) A visual management strategy for the Lillooet River corridor will be completed in order to guide forest development in the key viewsheds.
- c) First Nation Traditional Use Studies or other sources of ethnographic information will be considered when undertaking development activities.
- d) Economic development is permitted, but requires consideration of First Nation cultural and heritage resources in areas identified as cultural sites or as identified in a Traditional Use Study.
- e) Subsurface mineral exploration and development is permitted. As per existing provincial government mining policy: Exploration and mining are considered temporary land uses with sites returned to a natural state afterwards. Advanced planning for decommissioning and the full environmental cycle must be made clear ahead of time. Funding must be in place ahead of time to cover decommissioning in case of business failure. Advanced exploration and mining

¹ A Traditional Use Study (TUS) exists for the In-SHUCK-ch Nation Area, including the cultural management areas.

² If a consultation protocol is completed for this zone it will apply subject to the terms of a Final Agreement on Treaty.

activities will seek to minimize cumulative impacts and mitigate or reduce disturbance to First Nation cultural sites by maximizing the use of existing infrastructure.³

- f) Backcountry recreation activities (commercial and non-commercial) are permitted throughout Cultural Management Areas.
- g) Motorized and non-motorized recreational access is permitted within these zones.
- h) Hunting and angling are permitted throughout these zones except where prohibited under the Wildlife Act and other relevant legislation.

The In-SHUCK-ch Mountain cultural site is within the Cultural Management Area (CMA) Zone. This site will become a special management sub zone of the CMA subject to the more specific management direction specified below.

Table 2: In-SHUCK-ch Mountain Management Direction

Management Intent

In-SHUCK-ch Mountain holds historic, cultural and spiritual significance to the Lillooet peoples. This area is to be managed as a cultural site for the conservation of cultural and heritage resources. The cultural site overlaps with a provincial park and the cultural management area. It is to be managed in four zones: Zone 1, Garibaldi Provincial Park; Zone 2, upper slopes of In-SHUCK-ch Mountain to the edge of Garibaldi Provincial Park, Zone 3 the mid-slope area of the mountain and Zone 4, the edge of the proposed treaty settlement land down to the shore of Little Lillooet Lake,

Zone 1 will be considered during a park management planning process as a special management zone. Zone 2 is a no forest harvesting, restricted economic development zone. Zone 3 and Zone 4 are forest stewardship harvest zones subject to further planning. Cultural and heritage resources, viewscapes, forest health, and economic impacts will be key considerations in determining the appropriate management of commercial forestry in these zones.

Zone 2 Draft Objectives

- Conserve and maintain the integrity of First Nations' cultural and heritage resources by limiting
 physical disturbance in this zone.
- Limit timber harvesting to activity required to maintain forest health.
- Protect the scenic quality of the viewscape from the communities on Lillooet Lake.
- Prevent disturbance to cultural and heritage resources from subsurface resource exploration by
 using low impact methods such as foot and aerial access during early stages of exploration.
- Minimize disturbance caused by commercial economic development by not permitting the disposition of Crown land.

³ 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.

Zone 3 and Zone 4 Draft Objectives

- Conserve and maintain the integrity of First Nations' cultural and heritage resources by managing physical disturbance in this zone.
- Protect the scenic quality of the viewscape from the communities on Lillooet Lake.
- Maintain landscape connectivity by managing harvest regimes, planning distribution of cutblocks and linking old growth management and established wildlife areas where possible.
- Prevent disturbance to cultural and heritage resources from subsurface resource exploration by using low impact methods such as foot and aerial access during early stages of exploration.
- Minimize disturbance to cultural and heritage resources from commercial economic development by discouraging new Crown land dispositions.

Implementation Direction

- a) During a 1 year planning period, the Province and In-SHUCK-ch Nation will confirm the exact boundaries and uses permitted in this cultural site and will agree to terms to guide harvest of the existing cutblocks blocks in Zone 3.
- Zone 3 will be guided by a 1 2 year forest stewardship program with In-SHUCK-ch Nation.
- c) A completed visual management strategy for the Lillooet River Corridor will also guide forest development in this site.
- d) Within zones 2 and 3, recommend establishment of a conditional reserve under the Mineral Tenures Act which requires mineral exploration and development to conserve the integrity of First Nation cultural and heritage resources.⁴
- e) Recommend that Land Act Reserves be established in zones 2 and 3 in order to restrict crown land dispositions.

Table 3: Wildland Zone - Cultural Emphasis Sub-zone

Management Intent

In addition to their high wildlife habitat values, remote wilderness characteristics and resulting high potential for backcountry recreation and tourism, the cultural emphasis sub zone is identified for its First Nation cultural and heritage resources. Subject to the LRMP management direction for Wildland zones, this sub-zone is to be managed for:

- First Nation cultural and heritage resources, including traditional harvesting for cultural uses:
- wildlife, ecological conservation and natural backcountry/ wilderness characteristics; and
- backcountry recreation and tourism uses and values.

Subsurface resource development is permitted but consideration must be given to First Nation

⁴ Province will determine the appropriate mechanism for establishing a reserve.

cultural and heritage resources.

Objectives

- Conserve or maintain the integrity of First Nation cultural and heritage resources.
- · Maintain viable populations of wildlife species native to this area.
- Maintain opportunities for self-propelled backcountry tourism and wilderness recreation.

Implementation Direction

- a) All development activities within the sub zone will be undertaken in a manner that takes into consideration First Nation cultural and heritage resources.
- b) Commercial and non-commercial recreation and tourism development are permitted.
- c) The existing motorized recreation tenures will be grand fathered. Renewal of these tenures or applications for expansion must consider the management intent and direction for the sub-zone.
- d) Commercial timber harvesting and "run-of-the-river" IPPs are not permitted in these subzones.
- e) The exploration and development of mineral, aggregate, dimension stone, oil and gas and geothermal resources is acceptable within cultural emphasis sub-zones but must take into consideration First Nation cultural and heritage resources.
- f) 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.⁵
- g) Advanced exploration and mining activities will seek to minimize cumulative impacts and mitigate or reduce disturbance to First Nation cultural sites by maximizing the use of existing infrastructure.

⁵ Early stage exploration is defined as activities that do not require a permit and includes the following: prospecting using hand tools; geological/geochemical surveying; airborne geophysical surveying; ground geophysical surveying without the use of exposed, energized electrodes; hand trenching without the use of explosives; or establishment of exploration grid lines that do not require the felling of trees.

Table 4: Emphasis Priority and Management Direction for Specific Wildland Subzones

Area #	Sub zone Description	Emphasis	Management Direction
30	North Lizzie Creek to Rogers Creek watershed divide includence	Cultural	This sub zone contains the In-SHUCK-ch cultural site wetscin'átkwa.
	"finger"		Management direction includes maintenance of the remote and wild character and opportunities for a cultural experience, with no new motorized access for commercial recreation purposes or development of lodges ⁶
	Upper Douglas	Wildlife	No public or commercial recreation infrastructure of any sort.

Management plans will be prepared once the Conservancies are established. Management direction provided in Table 5 represents initial direction for those plans.

Table 5: Conservancies

Name of Conservancy	Specific Management Direction
kólii7 – Upper Rogers Creek	This Conservancy will be established to protect the many values associated with kóliji7 as an In-SHUCK-ch Nation cultural site.
	This is a permanent protected area. Management direction is maintenance of a pristine natural environment. No development is to be allowed that would endanger or jeopardize pictographs and petroglyphs. This precludes logging or any other invasive development such as exploration, mining, roads, or tourism facilities.

⁶ "Lodge" means a commercially operated recreational building with accommodation for more than 12 people.

xáxtsa7 – Douglas Creek	This Conservancy will be established to protect the many values associated with xáxtsa7 as an In-SHUCK-ch Nation cultural site.
	This is a permanent protected area. Management direction is maintenance of a pristine natural environment. Pictographs must not be disturbed. This precludes logging or any other invasive development such as exploration, mining, or tourism facility in the immediate area. Road development to access timber resources beyond the Conservancy will be permitted.

Schedule C: Viewsheds, Access and Recreation Features

Map 1: Viewsheds

Map 2: Access Considerations

Map 3: Recreation Features

Land and Resource Management Plan Strategic Land Use Planning Agreement between In-SHUCK-ch Nation and the Province of British Columbia Date: Harch 1, 2007
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Viewshed A.

Viewshed B.

Viewshed B.

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Indian Reserves
Indian Reserves
Structure and Protected Areas Schedule C: Map 2 B

Sea-to-Sky

Sea-to-Sky

Land and Resource Management Plan

Strategic Land Use Planning Agreement between In-SHUCK-ch Nation and the Province of British Columbia

Schedule C: Map 3

Recreation Features and Land Act Reserves in Common Area





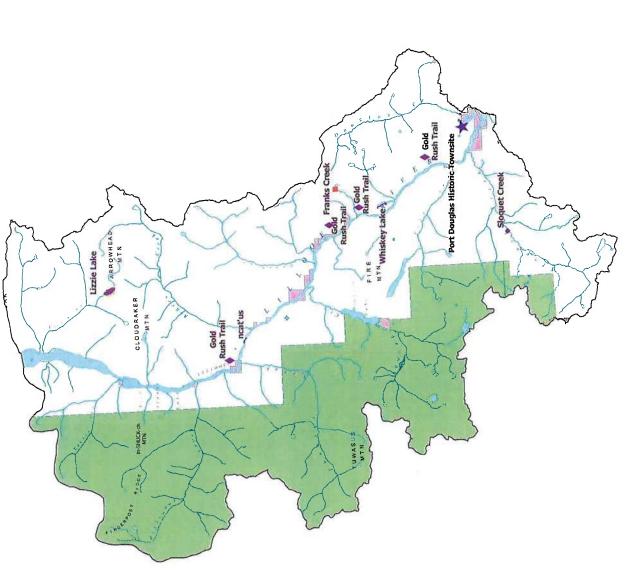
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Schedule C: Viewsheds, Access and Recreation Features

The recreation features listed below are recommended in section 7.1 of the agreement for designation as recreation sites.

Table 1: Recreation Features

#	Name of Recommended Recreation Features
1.	Battleship Lakes approach route (in the north Lizzie Creek drainage)
2.	Goldrush Trail
3.	Lizzie Lake area / wetscin'átkwa
4.	Sloquet Hot Springs / zlukw
5.	Port Douglas Historic Town Site
6.	Whiskey Lake / tsalilh
7.	Facing Up-Hill / ncáťus

The Land Act reserve noted below is recommended in section 7.3 of the agreement.

Table 2: Land Act Conditional Withdrawal

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Management Intent		
This management direction is to apply to Franks Creek for the lesser of 5 years or until In-SHUCK-ch Nation completes an economic development strategy for the In-SHUCK-ch Nation area which clarifies the types of commercial recreation development that would be compatible with maintenance of the cultural values of the site.		
Objectives		
To maintain cultural and heritage resources.		
To maintain important economic, recreation and conservation values.		
To provide opportunities for recreational and tourism use.		
Interim Implementation Direction		
Proposed economic development will be sensitive to cultural and heritage resources.		
Name of Recommended Reserve	Type of Reserve	
Franks Creek / cúmivgs Land Act Conditional Withdrawl		

Schedule D – Areas Requiring Further Discussion
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Map 1 – Areas Requiring Further Discussion

Land and Resource Management Plan Sea-to-Sky MACO scaleing, 50g schedule, D. 36x44 (10 Machd7 mxd WARNING). The Integrated Land Management Bereau access no responsibility for the securacy or content of the data down on this man 40 data is suched to decide and management of the data down on this man 40 data is suched to decide and manage and or mady and or feed to decide feed for the form and the mass current togals files may not may not be storated at Like Strategic Land Use Planning Agreement between In-SHUCK-ch Nation and the Province of British Columbia In-SHUCK-ch Nation Area In-SHUCK-ch Nation AlP Treaty Settlement Land Projection: Albers Datum: NAD 83 Data Source: LiMB Land & Recource Data Warehou Produced by Cosest Region. Lower Mainland Service Centre. SM Integrated Land Areas Requiring Further Discussion Schedule D: Map 1 URGUHAR **⊢** BEAR RIVER SILVER 29 И 0 R R BREAKENROGE chehalis CAIRN GRAINGER PEAK Douglas

Schedule D - Areas Requiring Further Discussion

The areas listed in Table 1 and 2 and identified on Map 1 of Schedule D are outside of the Common Area. The Parties agree at a principled level that these areas are appropriate for the designation or management direction set out below. However, the Parties recognize that further discussion between the Parties, with other stakeholders and consultation with other First Nations is required before a final decision on the recommended designation or management direction for these areas can be made, and the Parties agree to undertake such discussions.

Table 1: Areas Requiring Further Discussion

Name of Area	Intended Tool	Specific Management Direction
(n) k'cín'was – Long Island West	Conservancy	Fixed permanent protected area, including the foreshore. Pictographs must not be disturbed. Crown land disposition, forestry, mineral exploration and associated roads will not be permitted. Park management plan will outline specific management direction.
stálhec – Doctor's Point	Land Act: Conditional Withdrawl Reserve Land Use Objectives Mineral Tenures Act: Conditional Acquisition Reserves	See table 2 below.
Clear Creek	Land Act: Conditional Withdrawl Reserve	This area is to remain a recreation site but is to be reserved from disposition for 5 years. Applications for Land Act tenures will consider the cultural values of the site. The Province will revisit the status of the reserve if a management plan is completed for this site.
(n) k'cín'was – Long Island Central	Land Act: Land Use Objectives	Management direction equal to that provided by the Cultural Management Area as per Schedule B.
(s) yáqtsa7 – Big Silver Camp	Land Act: Land Use Objectives	Limited development. Possible expansion of existing facilities for cultural interpretive, recreation or tourism uses.
<u>mólkwcen -</u> Mt. Breakenridge	Land Act: Land Use Objectives	Management direction equal to that provided by the Cultural Management Area as per Schedule B.
palalúksut/ xwits'álmen Cattermole Mountain	Land Act: Land Use Objectives	Management direction equal to that provided by the Cultural Management Area as per Schedule B.
20 Mile Bay	Land Act: Land Use Objectives	Management direction equal to that provided by the Cultural Management Area as per Schedule B.

Schedule D - Areas Requiring Further Discussion

Table 2: Doctor's Point Management Direction

MANAGEMENT INTENT

The intent for this area is to give priority to conserving First Nation cultural and heritage resources. Opportunities for expansion of commercial recreation and other tenures will be limited but economic development which is sensitive to cultural interests will be accommodated. Visual quality of the area is to be maintained and basic forest management practices for forest health will apply.

OBJECTIVES

- To conserve and maintain the integrity of First Nations' cultural and heritage resources.
- To maintain the natural environment and resources which provide opportunities for First Nation traditional harvesting for cultural uses.
- To maintain a high quality viewscape from Harrison Lake facing inland and from Doctor's Point facing south.

IMPLEMENTATION DIRECTION

- a) All development activities within Doctor's Point and the foreshore area will be undertaken in a manner that takes into consideration First Nation cultural and heritage resources.
- b) Commercial timber harvesting is not permitted.
- 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.
- d) Establish a reserve and develop objectives to conserve the integrity of First Nation cultural and heritage resources during mineral exploration and development.⁸
- e) New Land Act tenures are discouraged.

⁷ Doctor's point contains pictographs and petroglyphs. As well, see Schedule E for a description of the cultural and spiritual significance of this area to the In-SHUCK-ch Nation.

⁸ Province will determine the appropriate mechanism for establishing a reserve.

Schedule E - In-SHUCK-ch Nation Land Stewardship Statement

Preface: The following is a statement from the In-SHUCK-ch Nation that provides their views on Land Stewardship. This section represents the views of the In-SHUCK-ch Nation, and its inclusion in the LRMP does not constitute agreement by the Province.

In-SHUCK-ch was formally declared, by general assembly resolution on May 29, 2005. In-SHUCK-ch Council was established as interim government and given the mandate to define, exercise and protect the sovereign Title and Rights of the Nation using the Seven Generation Plan to implement the Nation. The Seven Generations Plan defines who we are, what is important to us, and where we wish to go as a people and as a nation. Our Land Stewardship Plan defines our intentions with regard to stewardship of land and resources in our territory. We acknowledge our responsibility to clarify and define our shared interests with the Lil'wat Nation and the Chehalis First Nation.

Social and economic well-being of all peoples depends on common respect for the land. In-SHUCK-ch Nation intends to be the lead stewards in our territory. We will work with British Columbia and Canada, and with stakeholders and other interested parties to ensure that the lands and resources of our territory are respected and cared for.

There are currently four categories of lands within our territory, and each requires a different approach to stewardship: Indian reserves; fee simple land; provincial parks and protected areas; and provincial Crown land. In-SHUCK-ch Nation is negotiating in Stage 5 of the BC Treaty Commission process, and we hope to "bridge" between current land designations and post-treaty jurisdictions, wherever practical.

In-SHUCK-ch Nation intends to undertake community planning within the existing Indian reserves and within lands identified as potential Treaty Settlement Lands. This will involve land use zoning as well as emergency and disaster risk assessment and planning. Known risks are associated with fire, flooding, landslide, avalanche, earthquake, and other natural or human-caused catastrophe.

There are two fee simple properties within the core territory. District Lot 1747 (Skookumchuck Hotsprings) was recently purchased by Canada from Mr. E. A. Tretheway. District Lot 1749 will be purchased by Douglas First Nation, and these will become part of Treaty Settlement Lands.

In-SHUCK-ch Nation desires to negotiate and conclude co-management agreements with British Columbia for areas of provincial parks with our territory. Landscape level ecologically based stewardship of our land requires our direct involvement in planning and management decisions for large areas of Garibaldi, Golden Ears, and Pinecone Burke Provincial Parks.

The largest component of our territory is provincial Crown land. In-SHUCK-ch Nation considers the territory a unit; one whole *organism* which requires consideration as such. Past management of the land has been divided between provincial parks and two forest districts. Before now the land was never considered as a whole. Past management resulted in a heavily logged landscape. There was no comprehensive planning for environmental protection or resource utilization. In-SHUCK-ch Nation is committed to changing this approach. We are taking responsibility, as lead stewards of the land, to ensure that we pass to all children a legacy which they deserve and of which we can all be proud.

Schedule E - In-SHUCK-ch Nation Land Stewardship Statement

Cultural Protection Areas

The In-SHUCK-ch Nation has identified places within the territory which are particularly important for the protection of cultural and traditional use values. A wide range of features and values are associated with these places, including traditional subsistence or spiritual use, pictographs, petroglyphs, hot springs, and association with legend and mythology. These Cultural Protection Areas are largely site specific and are generally small in extent.

The nineteen Cultural Protection Areas are as follows (some fall outside of the Sea-to-Sky area but are identified here for completeness):

Ucwalmicwts Name	English Name
nsvqts	In-SHUCK-ch Mountain
wetscinátkwa7	Lizzie Lake
kólii7	Upper Rogers Creek
ncáťus	Facing Up Hill
tsek	St. Agnes' Well
ts'walhnalh	Glacier Island
ts'gwélep'	Fire Mountain
-	Red Mountain
cúmlvqs_	Frank's Creek
tsalél'lh	Whiskey Lake
xáxtsa7	Douglas Creek
zu7q'w	Sloquet Creek
palalúksut/	Cairn Needle/ Cattermole
xwits'álmen	Mountain
mó <u>l</u> kwcen	Mt. Breakenridge
stálhec	Doctor's Point
-	Clear Creek
(s)yáqtsa7	Big Silver Camp
(n) k'cín'was	Long Island Central
(n)k'cín'was	Long Island West

Within the Cultural Protection Areas, the primary management intent is to:

- Maintain the areas for the benefit, education and enjoyment of present and future generations;
- Provide for the continuation of cultural activities and traditional renewable resource harvesting activities;
- Enable sustainable economic development activity, where appropriate to the zoning and management direction for each area; and
- Enable other compatible uses, as appropriate to the zoning and management direction for each area.

Schedule E – In-SHUCK-ch Nation Land Stewardship Statement

Through negotiation, a number of land designations and legal tools are used to achieve protection or In-SHUCK-ch control of the Cultural Protection Areas. The following have been identified for one or more areas:

- Provincial park;
- Conservancy;
- Negotiation of treaty settlement land;
- Sea-to-Sky Wildland Zone, Cultural/Traditional Sub zone;
- Recreation site:
- Archaeological site;
- · Land use objectives under the Land Act;
- Conditional withdrawl reserves under the Land Act;
- Conditional acquisition reserves under the Mineral Tenures Act;
- Scenic Area; and
- Cuitural Management Area.

In-SHUCK-ch Mountain and Doctors Point

These two places require additional discussion here.

In-SHUCK-ch Mountain has tremendous cultural significance to our people. We name our people for the mountain – it towers over us in more than simply a physical way. All of the Lillooet peoples share a common link to In-SHUCK-ch Mountain through our account of the universal flood story. Our people survived the great flood in a large canoe which *Ntci'nemkin* built on the direction of the Creator, which was tied to the summit of In-SHUCK-ch. Respect and protection of In-SHUCK-ch is of primary importance to us.

Doctor's Point is one of the most important Transformer sites in In-SHUCK-ch traditional territory. Transformers, known traditionally as *Atse'malh* (an immortal creature composed of four brothers, a sister, and mink), were sent down from the heavens by the Creator near the beginning of time to eradicate evil, reward good people, and make corrections to the earth's landscape. The legends state that the Indian doctor Shay (or Tsoop in some accounts) challenged the Transformers to various feats of power and was victorious, at which point they turned him to stone. Offerings must be made at Doctor's Point when traveling by boat up the lake, or the lake will get very turbulent and upset one's vessel.

Cultural Management Areas

The boundaries of Cultural Protection Areas have been expanded in some instances to create buffer zones called Cultural Management Areas. The Cultural Protection Areas (CPA) and Cultural Management Areas (CMA) have provided some of the foundation for government-to-government negotiations between the In-SHUCK-ch Nation and the Province associated with the completion of the Sea-to-Sky Land and Resource Management Plan. As an outcome of these negotiations, resource management direction has been developed for the Cultural Management Areas that addresses the interests of the In-SHUCK-ch Nation while providing for the social, economic and environmental interests of the residents of the region and province as a whole.