

# **Partnership Agreement**

to develop  
An Integrated Land and Resource Management Plan for the Indian River Watershed

**Between**

**The Tsleil-Waututh Nation**

**And**

**Her Majesty the Queen in Right of the Province of British Columbia**

**(as represented by the Integrated Land Management Bureau of the Ministry of  
Agriculture and Lands)**

**(the "Province")**

**(the Parties)**

## **WHEREAS:**

- A. The Tsleil-Waututh Nation asserts aboriginal rights and title to its stated area of traditional use as shown in the map attached;
- B. The Indian River watershed represents a core area of interest to the Tsleil-Waututh Nation;
- C. The Tsleil-Waututh Nation has a woodlot, private lands, and chart area for a non-renewable Forest License in the Indian River Watershed;
- D. Tsleil-Waututh Nation and the Province have a co-operative management agreement for the Say-Nuth-Khaw-Yum/Indian Arm Park;
- E. The Province of British Columbia has prepared a draft Sea-to-Sky Land and Resource Management Plan (LRMP) which includes the Indian River watershed;
- F. The Province has legislative requirements for establishing landscape level biodiversity goals for the Indian River watershed;

- G The Province and Tsleil-Waututh Nation wish to harmonize the draft LRMP with Tsleil-Waututh Nation interests;
- H The Tsleil-Waututh Nation and the Province wish to ensure that the cultural and natural resources in the Indian River watershed are managed in an integrated and sustainable manner to benefit current and future generations;

The Parties agree that further, more detailed planning should be undertaken in the watershed, and they wish to do this in a collaborative fashion; and

The Parties wish to create a showcase of sustainable land use and natural resource management in the Indian River Watershed for the 2010 Olympics.

## **THEREFORE THE PARTIES AGREE AS FOLLOWS:**

### **1. Objectives of this Agreement**

1.1. The Objectives of this agreement are to:

- a) Initiate an Indian River Integrated Land and Resource Management Plan (the Plan) that is led by the Tsleil-Waututh Nation; and
- b) Harmonize the Sea to Sky LRMP with the Plan.

### **2. Indian River Integrated Land and Resource Management Plan**

2.1. Purpose of the Plan:

- a) Identify a vision, values and goals for the Indian River Watershed;
- b) Develop land use and natural resource management objectives that will make the Indian River Watershed a showcase for excellence in sustainable management;
- c) Clarify and implement the strategic direction found in the Sea to Sky LRMP;
- d) Incorporate Tsleil-Waututh Nation interests in the Indian River Watershed into provincial resource management plans; and
- e) Develop support for the recommended Plan with all levels of government, including First Nations governments, the public, and other stakeholders.

2.2. Specific topics that will be addressed include, but are not limited to:

- a) Identifying Tsleil-Waututh Nation cultural features, and strategies to manage or protect those features;
- b) Access management, including utility corridors;
- c) Protection and enhancement of salmonid habitat;
- d) Measures to conserve any red or blue-listed species, or regionally important wildlife;
- e) Identifying Tsleil-Waututh Nation economic opportunities including potential tourism opportunities, local energy supplies, and economic infrastructure;

- f) Identify opportunities to improve forest productivity and the economic viability of forestry;
- g) A forest health strategy; and
- h) Mineral exploration and development;

2.3. Opportunities and linkages:

- a) The process may explore opportunities to coordinate with marine planning initiatives in Indian Arm. These opportunities will require collaboration from the authorities that have a responsibility to manage marine resources.
- b) The process may coordinate its work with the collaborative management of Say-Nuth-Khaw-Yum/Indian Arm Provincial Park, and the park management planning process that is underway between Tsleil-Waututh Nation and the Province.

2.4. Implications:

- a) The draft Plan will include an assessment of the cultural, social, environmental, and economic implications of implementing the Plan.

2.5. Tsleil-Waututh Nation Role:

- a) The Tsleil-Waututh Nation will convene and manage the planning process.
- b) The Tsleil-Waututh Nation will establish retain a project coordinator, who will be responsible for ongoing development of the Plan.
- c) The Tsleil-Waututh Nation will establish a Project Steering Committee that will meet periodically to provide strategic guidance to the Plan.
- d) The Project Steering Committee will include, as a minimum, 3 members of the Tsleil-Waututh Nation, up to three provincial government representatives, and will provide opportunities for other government participation.

2.6. Provincial Government Role:

- a) The provincial government, represented by the Ministry of Agriculture and Lands, will participate in the Project Steering Committee.
- b) The provincial government will assist with attempts to secure funds required to complete the project in addition to the funds described in Section 4; and
- c) The Province will provide technical expertise on an as-needed basis, including GIS data;

2.7. Stakeholder Participation:

- a) The project will include a consultation strategy with the of goal engaging stakeholders in the process and developing high levels of support for the recommended plan;
- b) Major tenure holders with an interest in the watershed will be provided an opportunity to review the draft plan and the process will seek to gain their support for the recommended plan;

2.8. Other Government Participation:

- a) Other governments with an interest in the watershed, including First Nations, local government, and federal agencies will be provided an opportunity to participate in the planning process.
- b) Other First Nations have submitted statements of intent and supporting maps to the British Columbia Treaty Commission, which may include a portion of the Indian River Watershed. Where those First Nations wish to participate in this planning process, the Parties will meet with them to structure an appropriate role that meets the needs of those First Nations and the Parties.

#### 2.9. Recommendations

- a) The Steering Committee will recommend a plan to the Tsleil-Waututh Nation, the Province of BC, interested governments, and tenure holders in the watershed;
- b) Upon receipt of the recommendation, the Tsleil-Waututh Nation, the Province, and tenure holders will engage in their own decision making processes, and they may choose to adopt the plan in its entirety, adopt components of the plan, or to not adopt the plan;

#### 2.10. Implementation of the Plan

- a) The Plan will identify mechanisms that are recommended for implementation.
- b) The Province, in its discretion, may adopt a plan under Section 2.9(b), in which case implementation of that Plan will be carried out in accordance with provincial policy and law.
- c) Tsleil-Waututh Nation, in its discretion, may adopt a plan under Section 2.9(b), in which implementation of that Plan will be carried in accordance with Tsleil-Waututh Nation customs policies and laws.
- d) Until the Parties approve the Plan, the recommendations in the Plan are without prejudice and not binding upon the Parties or stakeholders.

### 3. Approval of the Sea-to-Sky LRMP

- 3.1. The Tsleil-Waututh Nation agrees to support the approval and designation of the strategic land use zones contained in the Sea-to-Sky LRMP (map attached). In the event of an inconsistency between the LRMP and the recommended Plan, the Parties will meet to resolve the inconsistency prior to referring the Plan to the approval process in 2.10(b).

### 4. Resourcing

- 4.1. The Ministry of Agriculture and Lands will provide the Tsleil-Waututh Nation with a conditional grant agreement for \$50,000 in fiscal year 2005/06 to support implementation of this agreement.
- 4.2. The Province will work with the Tsleil-Waututh Nation to seek other funds to complete this project including requests from the federal government, foundations or third parties as well as consideration for further provincial funding in fiscal year 2006/07, subject to available appropriations for that purpose.
- 4.3. The Parties agree that the completion of this project and the Plan is conditional upon securing additional project resources beyond those referred to in this section.

## 5. Implementation of this Agreement

5.1. This agreement will be implemented when it is signed by a representative of the Province and of the Tsleil-Waututh Nation.

5.2. The following milestones will guide implementation of the agreement:

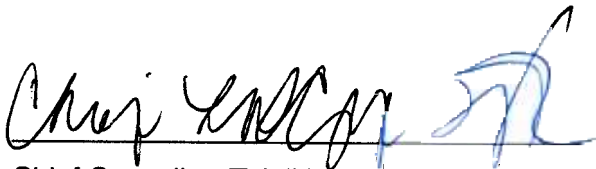
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|---------------------------------------|---------------|
| a) Retain Project Coordinator         | November 2005 |
| b) Form Project Steering Committee    | November 2005 |
| c) Approve a Terms of Reference       | March 2006    |
| d) Complete inventory and data base   | November 2006 |
| e) Initial consultation               | February 2007 |
| f) Prepare Draft Plan                 | March 2007    |
| g) Final consultation                 | May 2007      |
| h) Submit Recommended Plan            | June 2007     |
| i) Plan implementation and monitoring | ongoing       |

## 6. General Provisions

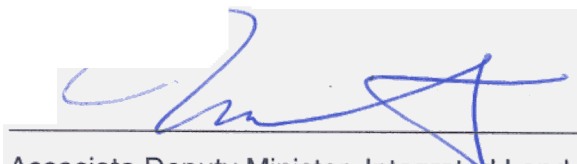
- 6.1. This Agreement is not a treaty or a lands claims agreement within the meaning of section 25 and 35 of the Constitution Act, 1982 and does not define, amend, recognize, affirm, deny or limit the aboriginal rights, including aboriginal title, or treaty rights, of the First Nation.
- 6.2. This Agreement will not limit the positions that a Party or a First Nation may take in future negotiations or court actions.
- 6.3. Any reference to a statute in this Agreement includes all regulations made under that statute and any amendments or replacement of that statute.

This Agreement dated for reference December 16, 2005.

Signed on behalf of:



Chief Councilor, Tsleil-Waututh Nation



Associate Deputy Minister, Integrated Land Management Bureau



Witness



# LAND AND RESOURCE MANAGEMENT PLAN

MAP 1: PARTNERSHIP AGREEMENT  
BETWEEN TSLEIL-WAUTUTH NATION  
AND INTEGRATED LAND  
MANAGEMENT BUREAU

2005 DECEMBER 16

- Tsleil-Waututh Nation Territory
- Indian Reserves
- Private Land
- Integrated Forest Management Zone
- Wildland Zone (Mining/Tourism Permitted - No Forest Harvesting/Hydro)
- Existing Parks/Protected Areas
- Municipalities
- Sea-to-Sky LRPMP
- Major Highways



Projector: Azura    Datum: April 83  
 Data Source: E-MO Data Warehouse  
 Created by: Integrated Land Manager  
 Date: December 14, 2008  
 File: B:\envision\hmr\mads\m10101

**0606749** The Ministry of Transportation Resource Management 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 documentation. The most current digital data may be obtained at \$250.



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