

ACTION PLAN IMPLEMENTATION STATUS UPDATE
REPORT TO THE EVALUATION, PERFORMANCE MEASUREMENT AND REVIEW COMMITTEE - AS OF MARCH 31, 2011

LANDS AND ECONOMIC DEVELOPMENT

Impact Evaluation of Contributions to Indian Bands for Land Management on Reserve (1570-07/09068)

APPROVAL DATE: 24/09/10

PROJECT RECOMMENDATIONS	ACTION PLAN	EXPECTED COMPLETION DATE	PROGRAM RESPONSE
<p>1)</p> <p>a) Continue to work towards:</p> <ul style="list-style-type: none"> National ATR legislation that incorporates process and approval improvements to streamline the process and increase efficiency. Legislative alternatives to the current designation process, which is cumbersome, unresponsive and sets a standard that has no off-reserve equivalent. <p>b) Consider legislative change in the following areas:</p> <ul style="list-style-type: none"> Recognition of some forms of modern land tenure arrangements outside of the <i>Indian Act</i>. Legislative and regulatory base for a modern land registry with possible interim arrangements with provincial land registries. 	<p>LED is continuing an engagement process with the Assembly of First Nations (AFN) on Additions to Reserve (ATR) and associated land management issues in accordance with the November 2007 Political Agreement signed by Minister Strahl and the National Chief. The joint agenda includes determining the possibility of proposing national legislation. These discussions will include the possibility of expanding any legislative proposal to deal with the areas raised by the evaluators, and more specifically to provide an optional alternative to some of the Indian Act land management tools. Any new tools would be focussed on supporting First Nations in economic and community development and address the impediments to effective land management that exist in the <i>Indian Act</i>.</p>	<p>On-going/dependent on the engagement process</p>	<p>Status: Ongoing</p> <p>Update/Rationale: As of 31/03/2011:</p> <p>a) An INAC-AFN Joint Working Group is making recommendations for improvements to the ATR process based on a detailed case study on the experiences of various First Nations in the current ATR process.</p> <p>Concurrently, INAC will be analyzing the current land submission process to determine where efficiencies can be found. In addition to this, the Lands Branch is updating the Lands Management Manual to promote consistent land management practices across Canada and to promote efficiencies.</p> <p>b) National ATR legislation is targeted for development in the 2012-2013 fiscal year.</p> <p>AES: Underway</p>
<p>2) Examine the feasibility of broadening the reach and accessibility of the ATR and RLEMP programs through:</p>	<p>a) As noted above, LED is continuing an engagement process with the AFN on ATR. The joint agenda includes a</p>		<p>Status: Ongoing</p> <p>Update/Rationale: As of 31/03/2011:</p>

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<p>a) Providing for the implementation of a greater number of ATRs from policy categories other than legal obligations.</p> <p>b) Extending RLEMP access to First Nations of varying land management capacities, taking into consideration INAC's Capacity Development Policy being proposed.</p>	<p>renovation of the ATR policy and process, which includes a review of the policy categories and how they are prioritized, and will focus on the efficiency and effectiveness of the process. The parties have noted that the current policy is not supportive of ATRs undertaken for economic development purposes in situations where the ATRs are not also Legal Obligations or Community Additions.</p> <p>b) Additional funds for the land management programs were secured through the Aboriginal Economic Development Action Plan. INAC is presently in the process of renovating the current programs in an effort to identify more efficient mechanisms to meet First Nations' requirements related to land management capacity.</p>	<p>On-going</p> <p>On-going</p>	<p>a) The INAC-AFN joint working group is making recommendations for improving the ATR process and examining the feasibility of creating additional ATR categories. The Lands and Environment Branch will implement in 2011 changes to the ATR policy to add a new category required in anticipation of the work of the Specific Claims Tribunal.</p> <p>As well, a new prioritization process for ATRs is being established in 2011 with greater focus on ATRs with economic development potential.</p> <p>b) A stable funding commitment for lands capacity programming (RLEMP) was obtained in 2009-2010. Structural changes have been implemented to better align lands and economic development capacity building programs. Changes will be implemented as part of broader program renovations expected to be completed in 2012-2013.</p> <p>AES: Underway</p>
<p>3) Increase internal capacity and effectiveness of INAC land management services through the development of clear roles and responsibilities both within LED and among stakeholders and delivery partners, appropriate classification levels, training, tools and incentives to decrease turnover.</p>	<p>LED, in consultation with regions and stakeholders, will develop communications strategies and related products. An example of this is that LED partnered with the National Aboriginal Lands Managers Association (NALMA) to produce an ATR Manual for First Nations. The manual, which will be rolled out by NALMA at its October 2010 National Meeting, clarifies the roles and responsibilities of First Nations, the</p>	<p>ATR Manual set for delivery to First Nations fall/winter 2010/11</p> <p>NALMA Training under review, due January 2011</p>	<p>Status: Ongoing</p> <p>Update/Rationale: As of 31/03/2011:</p> <p>a) The NALMA ATR Toolkit was distributed at the NALMA National Gathering in October 2010 to the First Nations who were present. It was also mailed out to every English First Nation in Canada during the months of</p>

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	<p>department and other parties in the ATR process. LED has also partnered with the Office of the Surveyor General of Canada, Natural Resources Canada (NRCan) to work with five First Nations across the country to address the survey and parcel fabric on-reserve, which is typically of a much lower quality than off-reserve and results in numerous boundary and other disputes. The objective is to develop tools and systems that will be used to assist a wider range of First Nations with survey and boundary issues. Discussions are also underway with NALMA on the possibility of providing land management training to LED staff across the country. Additional opportunities for such joint work will be explored with AFN, NALMA and/or other First Nation partners. The issue of LED classification levels and staff turnover will be discussed with regional offices as part of the reorganization activities that are occurring both in Headquarters and in Regional Operations across the country. The reorganization activities and other efforts noted above are occurring in order to develop a more coherent approach to land management as a response to the Federal Framework on Aboriginal Economic Development.</p>		<p>November/December. The toolkit has been translated, the translation is being verified and will be mailed out early in the new fiscal year.</p> <p>b) NALMA has provided ATR training to: Manitoba First Nations as well as departmental staff in January 2011, Saskatchewan, Atlantic, Ontario and Quebec First Nations in March 2011.</p> <p>c) NRCan is wrapping up work with the pilot First Nations on the parcel fabric renewal and will be presenting its findings early in the new fiscal year.</p> <p>d) NRCan and INAC are leveraging the findings of the pilot project to develop new methodologies and standards to reduce the cost of internal surveys on reserve and to maintain the newly rectified parcel fabric on an on-going basis.</p> <p>e) A working group has been established with the First Nations Housing directorate to better align INAC activities on reserve land.</p> <p>f) The Lands Branch has recently reorganized into the Lands and Environmental Management Branch in order to better connect environmental issues with land issues and policy initiatives. As part of broader Sector reorganization, RLEMP and FNLM were moved to the Communities</p>

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			<p>Opportunities Branch. The new Lands and Environment Branch is currently conducting a workload/capacity analysis which will result in redefinition of job descriptions over the upcoming year.</p> <p>g) An analysis of regional concerns and business practices has been completed and communications improved through monthly conference calls and biannual meetings. Work is underway to integrate regional performance reporting and work plans with headquarters efforts and business planning.</p> <p>h) An overall review of policy priorities and strategic initiatives is on-going in conjunction with the AFN joint working group in order to link project and priorities with consultation opportunities.</p> <p>i) Regions are/will be completing the reorganization to align with the LED model. More work is required to determine roles and responsibilities post-reorganization.</p> <p>AES: Underway</p>
<p>4)</p> <p>a) Encourage joint/multiple collaboration between First Nations with limited capacity including continued support to Aboriginal organizations (e.g. NALMA and</p>	<p>a) The initiatives highlighted in numbers 1, 2 and 3 above are based on collaboration with First Nations and will provide benefits to a full range of First Nations including those with limited land</p>	<p>On-going</p>	<p>Status: Ongoing</p> <p>Update/Rationale: As of 31/03/2011:</p> <p>The INAC-AFN will be looking at developing legislative</p>

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<p>Tribal Councils) that support and enable capacity-building among First Nations.</p> <p>b) Promote greater coordination and integration between economic development and land management functions and other INAC programs such as Capital Infrastructure.</p>	<p>management capacity. These efforts will continue as will the pursuit of additional opportunities to work collaboratively with AFN, NALMA and other First Nations organizations.</p> <p>b) An independent study has provided evidence that the First Nations Land Management regime enables economic development on reserve. Using the current land management programs' strength, INAC is providing the opportunity to First Nations with land management experience to transition to sectoral self-governance. The Department encourages and provides incentives to communities using a Land Use Plan. In addition, the Department will be exploring the feasibility of incorporating economic development plans within a Land Use Plan. In addition, LED is working collaboratively with the department's capital infrastructure in Regional Operations and Education and Social Development Programs and Partnerships Sector, having established a working committee at the Director General level.</p>	<p>On-going</p>	<p>tools for greater land planning authority of First Nations</p> <p>a) The Department will be examining legislative tools for greater land planning authority of First Nations. In addition, the Lands Branch continues to work jointly with NALMA who in turn supports and enables capacity building among First Nations on land management. In 2011-2012, a second round of training will be provided to First Nations on the ATR Toolkit.</p> <p>b) An organizational change has been implemented to unify the management of lands and economic development capacity programming (RLEMP and CEDO). Community Economic Development programming is being renovated to connect more strongly with infrastructure programming (land use plans integrated with capital plans and forging connections between commercial infrastructure and economic development).</p> <p>c) The Lands and Environment Branch has engaged with Capital (Housing) program and are working together on issues such as land use planning and individual land tenure on reserve. Through the INAC-AFN joint working group, Lands is engaged at a national level in partnership with the AFN, NALMA and NRCan.</p> <p>AES: Underway</p>

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5) Improve financial data and monitor the implementation of the ATR and RLEMP performance measurement strategies.	5) The Department develops the Performance Measurement Framework based on the Report on Plans and Priorities and the approved Performance Measurement Strategies. The financial component of the programs and the implementation of Performance Measurement Strategies will be monitored with quarterly reports and adjustments made as appropriate.	On-going	<p>Status: Ongoing</p> <p>Update/Rationale: As of 31/03/2011:</p> <ul style="list-style-type: none"> a) Investments in the Indian Land Registry and the National ATR Tracking System have been made to improve measurability of performance data. Development of data standards is planned for the 2011/12 fiscal year. b) As a function of the reorganization, the financial management, budgets and financial coding is being examined and realigned according to program areas and function. Work is commencing to align the core land management authority with the program renovation initiative as well as the capacity building initiative ongoing in the department. c) Performance measurement indicators are being re-examined with the goal of developing more accurate and informative measures. This work is being done in alignment with LED program renovation. <p>AES: Underway</p>