



LAND-USE FRAMEWORK

Response to *Aboriginal Consultation*
on the Draft Alberta Land-use Framework 2008

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Introduction

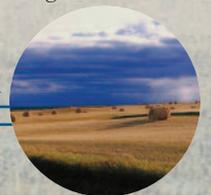
On May 21, 2008, the Government of Alberta (GoA) released the draft Land-use Framework (LUF) which was developed with input from stakeholder groups, members of First Nations, the Métis Settlements General Council (MSGC), Métis organizations, and the general public. The LUF initiative sets out an approach to manage public and private lands as well as air, water and biodiversity in order to achieve Alberta's long-term economic, environmental and social goals. The LUF provides a blueprint for land management and decision-making that addresses Alberta's growth pressures. From May to October 2008, the Government of Alberta consulted with Aboriginal Communities¹ on the draft LUF.

The final LUF has been approved by Cabinet and was released on December 3, 2008 by the Honourable Ted Morton, Minister of Sustainable Resource Development. According to the overarching direction of the final LUF, legislation will be introduced to support the implementation of regional planning.

During the Aboriginal consultation process, the GoA's efforts have been to respect the constitutionally protected treaty and aboriginal rights of First Nations and Métis peoples. This document provides First Nations, the MSGC and Métis organizations as well as other Albertans with:

- 1) a summary of the input heard during consultation meetings with Aboriginal Communities,
- 2) an outline of the input that was incorporated and where it appears in the final LUF,
- 3) feedback of what input (either through consultation meetings or written submissions) will be used in regional planning, and
- 4) confirmation of what input has not been incorporated into the final LUF and why.

¹ Aboriginal Communities - communities comprised of First Nations or of Métis. Case law in this area is still developing and the use of this term in this document is not intended as the Government of Alberta's recognition that any particular First Nation or Métis group is, or is not, a community that can or does hold any particular (or any) aboriginal or treaty rights within the meaning of section 35 of the *Constitution Act*, 1982, R.S.C. 1985, App. II, No. 44, Sched. B, Pt. II, s. 35.



Methodology

Following the release of the draft LUF on May 21, 2008, the GoA sent invitation letters (including a copy of the draft LUF) to First Nations, MSGC, and Métis Nation of Alberta (MNA) contacts to engage Aboriginal Communities in the consultation process. The LUF consultation team confirmed that the letters were received by Aboriginal Communities. The purpose of this was to ensure that each Aboriginal Community had access to the draft LUF for internal review before participating in the consultation process.

The LUF consultation team secured consultation and engagement meetings with First Nations through follow-up calls to the contacts as well as through the efforts of staff in Aboriginal Relations and Sustainable Resource Development. A liaison was identified in the initial contact with each First Nation so that a LUF team representative was able to confirm meeting details.

The MSGC organized a consultation process with its Settlement communities in order to respond to the GoA's consultation process on the draft LUF. Consolidated feedback from the Settlements was reviewed by MSGC executives and was presented to the LUF consultation team. During this presentation, MSGC submitted a written report with their input into the draft LUF.

The LUF consultation team secured an initial meeting with the leadership of the MNA. At the request of the MNA, the GoA gave an introductory meeting on the LUF to MNA members at the MNA Annual General Meeting. In addition to this, the LUF consultation team secured two meetings with MNA Locals.

The chart on the next page indicates the number of Aboriginal Communities that participated in the consultation process on the draft LUF.



Participation in Draft LUF Consultation and Engagement

	Number of: First Nations, Métis Settlements or Organizations
Treaty 6	7
Treaty 7	7
Treaty 8	15
Non - Status First Nations	1
Métis Nation of Alberta (MNA)	3
Métis Settlement General Council (MSGC)	1

The Aboriginal consultation process for the draft LUF was scheduled to run from June to September 2008, however, in response to requests from various First Nations, the MSGC and Métis organizations, the GoA extended the time for input until the end of October 2008. During the Aboriginal consultation process, the LUF consultation team facilitated and documented the discussion between the GoA and each First Nation, Métis Settlement or Métis organization.

The summary reports generated for each of the consultation meetings had two goals. First, they aimed to capture the intent of both parties regarding LUF consultation. Second, they served to document the discussion in order to meet applicable provincial policies and guidelines and to promote a continued dialogue on land-use issues.

The summary reports provide a record of the main issues and feedback provided by each Aboriginal Community. These reports have been circulated to participants from the GoA and members of each Aboriginal Community to verify that the summaries accurately reflect the content of each meeting. In addition to input provided during consultation meetings, several Aboriginal Communities submitted written responses to the draft LUF. Most written responses contained details more relevant to regional planning, but the apparent intents of the

written responses are considered as part of the Aboriginal consultation process on the draft LUF.

At the end of the consultation process, it was clear that First Nations, Métis Settlements and Métis organizations place importance on similar issues. This summary of the Aboriginal consultation follows five themes that emerged from the consultation meetings and the written submissions. The input from First Nations, Métis Settlements and Métis organizations is the basis of the themes. The supporting statements are not direct quotes from individuals, but paraphrase the feedback received from Aboriginal Communities that share similar perspectives.



First Nations, Métis Settlements and Métis organizations that participated in the consultation process for the draft LUF offered similar perspectives and themes on not only the draft LUF itself but also the processes adopted for the LUF initiative. The issues presented below represent input given at consultation meetings as well as through subsequent written submissions. The following summary consolidates the consultation and engagement feedback into five common themes.

1. Participation in Land-use Planning
2. Consultation, Rights and Legal Considerations
3. Land-use Planning and Traditional Use
4. Emphasis on Environmental and Social Outcomes
5. Development of Cumulative Effects Management Thresholds

Following a summary of each of these themes, the analysis addresses the following areas:

- how the feedback was incorporated into the final version of the LUF,
- how the feedback may be considered in the regional planning process, and
- why some input has not been developed further and was not incorporated into the final LUF.

Participation in Land-use Planning

What was heard from Aboriginal Communities

There is strong interest in the structure and process of regional land-use planning for the province. First Nations, Métis Settlements and Métis organizations have indicated that they will look to maximize their influence in the regional planning process through the proposed governance structure. The majority of



Aboriginal Communities see the Regional Advisory Council (RAC) as a governance body that will have significant influence in regional planning and feel that their interests must be represented appropriately at this forum. Many also emphasized that representation on the RAC by parties other than the individual First Nations, Métis Settlement or Métis organization is problematic.

The primary issues which Aboriginal Communities identified in relation to the Participation in Land-use Planning theme are:

- Aboriginal Communities feel it is imperative to be engaged in the LUF process because of their intimate connection and stewardship responsibilities to the land. First Nations, Métis Settlements and Métis organizations expressed a desire for each respective First Nation, Métis Settlement or Métis organization to reach internal consensus on how they could best approach the LUF so that their needs are addressed. It was also stated that there is a significant gap between the high-level nature of the LUF and the reality of the Aboriginal Communities with respect to implementation of solutions to land-use issues.
- Aboriginal Communities expressed concerns over the intention of the government to involve Aboriginal Communities in a meaningful way. In their view, the proposed RAC governance structure does not allow for meaningful representation of Aboriginal Communities. There is a desire for the Aboriginal perspective to be afforded a higher, and more comprehensive, consideration than the perspective of other stakeholders. As such, there is a desire for inclusion and engagement in a process with influence comparable to the RAC as well as representation on each of the proposed governance structures (Cabinet Committee and Land-use Secretariat). There is a desire for Aboriginal Communities to represent and speak for themselves at the RAC and otherwise.

- Aboriginal Communities expressed concern that the feedback they provided prior to May 2008 had not been incorporated in the draft LUF document. There is the resultant concern that Aboriginal input will not be incorporated at the regional planning level either.
- The involvement of industry in the LUF process to date and the strength of their influence on the process in the future is a concern to Aboriginal Communities.
- Aboriginal Communities expressed a need for province-wide education and awareness programs about Aboriginal culture, rights and history.

The Government of Alberta's Response

The GoA has consulted First Nations in good faith and engaged the MSGC and Métis organizations in a thorough process to gain input on how Aboriginal Communities wish to participate in land-use planning. The GoA has addressed the "Inclusion of Aboriginal peoples in Regional Planning" through Strategy 7 in the Final LUF 2008 (page 4)² which states that "Aboriginal peoples will be encouraged to participate in the development of land-use plans."

The GoA also intends to involve and engage First Nations communities, Métis Settlements and Métis organizations in the regional planning process by conducting additional consultations (page 8) on regional plans (including plans for land, air, water, and biodiversity). Furthermore, page 49 of the final LUF indicates that in developing regional plans, the GoA will "continue to work with First Nations to better understand and consider their traditional land uses."

In response to concerns raised over the type of involvement afforded to Aboriginal Communities on the RACs, the final LUF indicates that Aboriginal Community representatives will be included (page 29). First Nations, Métis Settlements and Métis organizations indicated their belief that the LUF is purposefully vague to limit their

² This and subsequent references to page numbers are to the final LUF document, as released in December 2008.



participation in regional planning; however, the GoA has addressed this concern by utilizing the Aboriginal Consultation Final Report (page 45) as a tool to help guide regional planning. By consulting with a wide variety of stakeholders, members of First Nations, Métis Settlements, Métis organizations, and the general public, the GoA has ensured that it has gained diverse input in order to effectively balance the needs of all Albertans (page 8).

Although not all stakeholder, Aboriginal, and public input was expressly incorporated into the final LUF, the GoA will highlight where detailed input will be reflected in the subsequent components of the LUF initiative. Regional planning will address the following concerns:

- aligning the high-level strategic direction of the LUF with on-the-ground realities,
- providing Aboriginal Community members with a voice,
- developing regional plans at a local level to better understand the needs of the community, and
- encouraging Aboriginal Communities to participate in the regional planning process.

The GoA encourages Aboriginal Communities to participate in land-use planning through increased consultations on the regional plans (page 8). Most First Nations communities, Métis Settlements and Métis organizations felt that they should participate in land-use planning and did not feel that this was appropriately addressed in the LUF; however, the GoA aims to use previous input from First Nations, Métis Settlements and Métis organizations as stated on page 45 of the final LUF. Furthermore, the GoA has included Aboriginal Communities in the timelines to develop regional plans (page 49).

Consultation, Rights and Legal Consideration

What was heard from Aboriginal Communities

First Nations, Métis Settlements and Métis organizations have several concerns about *The Government of Alberta's First Nations Consultation Policy on Land Management and Resource Development* (2005). In their opinion, most Aboriginal Communities have not agreed to the provincial consultation guidelines. They stated that they were not appropriately consulted or engaged during the development phase. They feel that the current guidelines do not appropriately address the interests of Aboriginal peoples nor do these guidelines appropriately respect their rights.

There has been consistent support for an advisory process in addition to the RAC. Aboriginal Communities feel the need for a separate process preferably in addition to consultations with individual Aboriginal Communities.

The primary issues which Aboriginal Communities identified in relation to the Consultation, Rights and Legal Consideration theme are:

- Some Aboriginal Communities did not consider the initial LUF meeting undertaken during the draft LUF review process to be consultation since they felt they had not been given enough time to review the document and discuss it at the Council level with either their Chiefs or their Chairmen, and in some cases, with their community.
- First Nations noted that their rights are constitutionally protected and must be respected throughout the LUF process. They felt that these rights occupy a status that is higher than other stakeholder groups and should be afforded greater influence in the LUF process. Some Aboriginal Communities felt that engagement with them should be more comprehensive than for other stakeholders and that consultation should occur on a government-to-government (elected official to elected official) basis.



- Some Aboriginal Communities stated that the LUF does not meaningfully address how regional plans will support the continued exercise of aboriginal and treaty rights. Aboriginal Communities are open to meaningful consultation that upholds and respects treaty and aboriginal rights, and which meaningfully incorporates the feedback that they have provided. Given historical relationships between Aboriginal peoples and the GoA, some Aboriginal Communities are hesitant to believe that the GoA is meeting with them in good faith.
- Concerns were raised that the GoA would not conduct a thorough consultation process and not fulfill its “legal duty to accommodate.” Some First Nations were concerned about having to abide by the province’s consultation guidelines particularly since First Nations have not approved them, and in some cases, have adopted their own guidelines. Some felt that this lack of agreement in developing the province’s consultation process is inconsistent with the government-to-government process alluded to in the LUF document.
- Métis Settlements were concerned that there are no formal consultation guidelines in place for the GoA to work with them on land management plans and were concerned about what the impacts of this would be for the Métis Settlements. The MSGC felt strongly that the Métis Settlements should be differentiated from First Nations.
- Aboriginal Communities identified that the continued pace of development on, and near, what they consider to be traditional lands will further limit their ability to exercise their aboriginal and treaty rights. Further, the lack of an accepted consultation protocol has made it a challenge to motivate industry to engage in consultations in what some Aboriginal Communities consider to be their traditional territories.
- Aboriginal Communities stated that the LUF should be legislated in order to enforce implementation of each regional plan. Many Aboriginal Communities indicated that although it is not their desire, they will seek legal remedies if they feel that they have not been adequately consulted or adequately included in regional planning.
- Concerns were raised over the limited capacity (human resources, technology, funding, etc.) in Aboriginal Communities to become involved in meaningful consultation processes in the short time frame available.

The Government of Alberta’s Response

The GoA has been committed to engaging Aboriginal Communities, trying to understand the perspective of Aboriginal Communities and in developing meaningful relationships with Aboriginal Communities. The GoA believes that many of the concerns raised during the consultation process have been addressed in the final LUF document. The GoA feels that the nature of commitment is clearly evident on page 49 in the “Timeframe for Implementation” section of the LUF. In this section, the GoA has identified the initiatives that are critical to the success of the LUF and the timeframe of implementation for each initiative. The GoA has identified that we need to continue to work with First Nations to better understand and consider their traditional land uses (page 49). This has been identified as an ongoing commitment in the LUF process.

With respect to the extent of our consultation efforts with Aboriginal Communities, the efforts have been summarized in the final LUF (page 8). The GoA has demonstrated understanding of Aboriginal Communities’ connection to the land and has shown commitment to respecting the relevant feedback in the statement “they (First Nations and Métis community organizations) provided their views on the future of land use in the province in conjunction with their concerns on upholding their



traditional and cultural values” (page 8). Further, with respect to improvements in the LUF consultation process, the final LUF also acknowledges that Albertans identified a requirement for increased consultation with “First Nations and Métis communities, stakeholders and the public in order to ensure a fair opportunity to influence new policies and decisions” (page 8).

With respect to a meaningful consultation process, the GoA is committed to *The Government of Alberta’s First Nations Consultation Policy on Land Management and Resource Development* (2005). The LUF consultation team demonstrated this during consultation meetings. As indicated on page 41, the GoA is also committed to the “ongoing review and monitoring of the policy with the intent of changing and improving it.” Such a review is currently underway, and when queried during LUF consultation meetings, GoA staff (including Aboriginal Relations staff) noted accordingly. While some First Nations question the benefits of the policy, it does provide a starting point for consultation with a commitment to improvement.

The GoA understands the significance of the constitutionally protected rights of Aboriginal Communities. In several locations throughout the final LUF document, the GoA describes our intention to be respectful of these rights which is addressed through the inclusion of this principle as one of the Guiding Principles of the LUF (page 16 and 17). The final LUF states that the GoA “will continue to work with aboriginal communities’ governments, while respecting the special role and relationship of the federal government regarding the aboriginal peoples. The GoA recognizes that consultation should take place on matters that impact treaty or constitutionally protected rights of First Nations and Métis peoples” (page 16-17). Respect for the constitutionally protected rights of Aboriginal Communities is also the primary tenet of *Strategy 7: Inclusion of aboriginal peoples in land-use planning*, which recognizes the GoA’s commitment to continued consultation of those communities that hold such rights.

The GoA intends to uphold its legal duty to consult First Nations by conducting consultation meetings during the regional planning process, and by otherwise communicating with First Nations, as appropriate. Furthermore, if First Nations collectively feel it is beneficial to meet in a larger forum to discuss applicable regional plans, the GoA will attend and participate in these sessions, if invited.

A tool for addressing many of the concerns raised during the Aboriginal engagement process is included in the Priority Actions of the LUF in *Section B: Addressing provincial policy gaps and areas of interest* (page 45). In this section there are a number of specific areas of provincial interest where clear provincial policy does not exist. The GoA is committed to addressing the provincial policy gaps in the following areas:

- managing subsurface and surface activities within the province,
- reducing fragmentation and conversion of agricultural lands,
- developing a transportation and utility corridors strategy,
- managing recreational use of public lands,
- conserving and protecting the diversity of Alberta’s ecological regions, and
- managing flood risk.

The GoA recognizes and respects the differences between First Nations, the MSGC and the MNA. The GoA has respected these differences throughout the consultation process and has acknowledged and responded to these differences in the final LUF document.

There is one notable concern in this theme that was not directly addressed in the final LUF, but which will be addressed at the regional planning process level. This relates to the concerns raised over the continued pace of development further limiting the ability of Aboriginal Communities to exercise their constitutionally protected rights.



The GoA “will continue to meet Alberta’s legal duty to consult aboriginal communities whose constitutionally protected rights under section 35 of the *Constitution Act*, 1982 are potentially adversely impacted by development” (page 41).

The GoA also heard that it was important to Aboriginal Communities that consultation be consistent with “government-to-government” relations. On page 16 and 17, the final LUF indicates that Alberta will “continue to work with aboriginal communities’ governments.”

Land-use Planning and Traditional Use

What was heard from Aboriginal Communities

First Nations and Métis Settlements have serious concerns about the GoA’s intent for land-use planning in areas considered to be traditional territories by First Nations and Métis Settlements. Many First Nations and Métis Settlements favour preserved and protected areas to ensure the future exercise of their Treaty rights or traditional land uses.

First Nations reserves and Métis Settlement land have defined areas. Traditional land use often extends much further and sometimes straddles the province’s proposed regional planning regions. Many members of these communities believe that they should contribute to, and be consulted on, regional plans in regions where their traditional land use occurs; not just where their reserve or settlement land is found.

The primary issues which Aboriginal Communities identified in relation to the *Land-use Planning and Traditional Use* theme are:

- Traditionally, many Aboriginal Communities have been nomadic and as such the areas where traditional land use occurred were extensive. In the view of some groups, these traditional territories should be recognized throughout the

LUF process and Aboriginal Communities should have a real voice in the planning process.

- There is concern that the LUF process will further erode the types of traditional use activities in which Aboriginal Communities can engage on what they consider to be their traditional territories. First Nations and Métis Settlements recommended that they should be compensated for any losses to, or harvesting in, what they see as their traditional lands.
- It was felt that the draft LUF document did not go far enough in its commitment to preserving traditional aspects of Aboriginal Communities. The draft LUF was not clear on the continuance of provincial funding for Traditional Use Studies (TUS). Also the phrase “strive to protect and preserve” was insufficient in demonstrating provincial commitment to protecting and preserving identified sacred and cultural sites (including buffer zones) over time.

The Government of Alberta’s Response

The GoA appreciates the importance of traditional land use to Aboriginal Communities and recognizes that the extent of traditional land use does not necessarily coincide with the boundaries of the regional planning areas. The GoA believes that it will provide Aboriginal Communities with the ability to address this concern through their involvement in the regional planning processes of those regional plans where traditional land use continues. As discussed in the previous section, this level of involvement in the LUF process will provide Aboriginal Communities with an opportunity and a forum to work with the provincial government to address concerns related to traditional land use.

Strategy 7 encourages Aboriginal peoples to participate in the development of land-use plans. The information contained on page 41 further explains this in the recognition of the unique, historic connection of Aboriginal peoples to the land and the statement that “those First Nations and



Métis communities that hold constitutionally protected rights are uniquely positioned to inform land-use planning” (page 41). As well, in *Strategy 6* the GoA has committed to incorporating “scientific and traditional ecological knowledge to inform land and natural resource planning and decision-making” (page 38) in the Integrated Information Management System that will be developed. On page 39 it is further identified that in facilitating the establishment of a network that connects researchers, practitioners, institutions and programs, opportunities for using traditional knowledge along with scientific data will be explored.

As discussed in the previous section, the GoA has demonstrated the nature of our commitment to Aboriginal involvement in land-use planning on page 49, in the Timeframe for Implementation section of the LUF. The GoA has identified the need to encourage Aboriginal Communities to participate in the development of land-use plans as an ongoing commitment to the LUF process.

Emphasis on Environmental and Social Outcomes

What was heard from Aboriginal Communities

Aboriginal Communities maintain that they were the first stewards of the land. As such, they not only have an interest in the preservation of the land, but see land as a major factor that defines their culture. In general, Aboriginal Communities did not feel that there was an appropriate balance among the three desired outcomes in the draft LUF. They believe that environmental and social outcomes must carry more weight than economic outcomes in order to create balance.

The primary issues which Aboriginal Communities identified in relation to the Emphasis on Environmental and Social Outcomes are:

- That above all else, most Aboriginal Communities want to protect, conserve and sustain their traditional ways of life while ensuring that there are economic opportunities for community members. Aboriginal Communities are concerned that the LUF focuses too much attention on economic development and insufficient levels of attention of traditional lifestyles and culture.
- The need to change references to “protecting and preserving identified sacred cultural sites” to be more comprehensive and include both sacred and cultural sites as well as non-identified, burial, ceremonial, medicinal, hunting and gathering sites.

The Government of Alberta’s Response

Throughout the final LUF, several references have been made to the importance of environmental, social, historical, and cultural dimensions; inter-generational responsibilities and environmental stewardship. The vision for the LUF, as stated on page 15, is rooted in several of these principles. The vision identifies that Albertans’ well-being is rooted in more than just jobs and economic development but also includes “significant environmental, social and cultural dimensions.” This vision also confirms “the principles of sustainability and inter-generational responsibilities.”

Cultural opportunities are discussed specifically in the Desired Outcomes of the LUF. The GoA has identified the creation of people-friendly communities with ample recreational and cultural opportunities among the Desired Outcomes (page 15 and 23). Further, it is noted on page 24 that the identification and protection of significant historical resources and the effective management of potential impacts is included in this outcome.

The concept of stewardship is discussed extensively in the Conservation and Stewardship section of the LUF. The GoA has identified that it has a responsibility to partner with Albertans, including



other levels of government (which includes the governments of Aboriginal Communities), to facilitate new stewardship opportunities. It is anticipated that both economic tools and other approaches will be employed to achieve this.

The GoA also believes that involvement in the development of the regional plans (page 41) will assist Aboriginal Communities in addressing these concerns. Through these processes, Aboriginal representatives will have the opportunity to become involved in decisions that affect both environmental preservation and economic development for Aboriginal Communities.

The GoA understands the importance of protecting and preserving cultural and historical sites to Aboriginal Communities. In addition to the protection of cultural and historical sites afforded under Alberta's *Historical Resources Act*, the intent to conserve and protect cultural sites has remained in the final LUF. Direct reference to cultural preservation is included in the Glossary (page 51) under the definitions for Conservation and Historical resources. With those definitions in mind, the GoA will develop a strategy for conservation and stewardship of land (pages 3, 33, 34). As identified above, page 24 also discusses the importance of the identification and protection of significant historical resources and the effective management of potential impacts. Finally, the GoA intends to accommodate population growth and improve quality of life opportunities through development of a plan for provincial parks (pages 46, 50). This may assist in protecting and preserving significant cultural and historical sites for future generations.

Development of Cumulative Effects Management Thresholds

What was heard from Aboriginal Communities

There was considerable concern expressed that the rapid pace of development will increase the GoA's

tolerance for environmental disturbance and pollution. The belief is that environmental analysis completed at this point in time would demonstrate significant environmental impacts as compared to earlier, baseline measurements.

Aboriginal Communities believe that thresholds or limits for land use must include traditional knowledge and experience as well as scientific measures. However, they are hesitant to share TUS data for fear that it will be used inappropriately.

The primary issues which Aboriginal Communities identified in relation to the development of Cumulative Effects Management (CEM) thresholds are:

- Many Aboriginal Communities indicated they are willing to work with the GoA to establish regional and local CEM thresholds. They indicated that the thresholds should be developed through both scientific measures and traditional knowledge and experience from local Aboriginal Communities and should cross regional boundaries when appropriate. This is especially important when traditional land-use areas cross regional boundaries.
- Some Aboriginal Communities questioned the timelines set out in the LUF. With respect to development of the regional plans, they suggested that the established timelines are too long. There is a fear that industrial development will outpace plan development, rendering the process ineffective. With respect to the development of CEM thresholds, there is concern that not enough time is being allotted to the process. Similarly, not enough time has been allocated for the development of the appropriate databases and tracking mechanisms.
- The receipt of funding for TUS is critical to meaningful participation in the development of CEM thresholds.



The Government of Alberta's Response

An entire section of the final LUF has been devoted to the topic of cumulative effects. The GoA is committed to developing a process that identifies appropriate thresholds, measurable management objectives, indicators and targets for the environment at regional levels and, where appropriate, at local levels (page 31). The GoA understands that watersheds, airsheds and landscapes have a finite carrying capacity and, as such, CEM studies cannot be confined to the boundaries of regional planning areas. The GoA intends to develop the CEM thresholds on the basis of the principles that define CEM. With respect to timelines, GoA sees the implementation of CEM as an iterative process that will evolve over the course of the LUF planning thresholds.



The approval of the LUF has enabled the formal commencement of the development of the regional land-use plans. These plans will be based on local information, knowledge and experience. Aboriginal input will be sought and valued in the process. There are a number of ways that Aboriginal Communities will be able to provide input during the development of a regional plan.

Regional Advisory Councils

The RACs are appointed by Cabinet and provide advice to, and receive direction from, the Cabinet and provide advice to the Land-use Secretariat on the development of the regional plan.

Representatives of Aboriginal (First Nation and Métis) perspectives will be invited to sit on the RACs. Treaty organizations have been requested to facilitate the nomination of First Nations members as these representatives.

Consultation on the Regional Plan

The GoA is committed to consultation as required by law and under *The Government of Alberta's First Nations Consultation Policy on Land Management and Resource Development* (2005). In keeping with this commitment, the GoA recognizes that the Aboriginal consultation process on the regional plans is not a single event but a part of an overall process.

Public Consultation

The RAC will advise the GoA on the best ways to consult with the public. In addition to increased consultations during the regional planning process, the GoA will encourage Albertans from Aboriginal Communities to participate in public information and consultations in whatever forms these may take.



Other Initiatives

Concurrently with the regional planning process, there will be other ongoing and anticipated GoA initiatives that are mentioned in the LUF, where First Nations may wish to discuss some of the consultation-related issues raised during the consultation on the draft LUF. These include the ongoing review of Alberta's First Nations consultation policy and guidelines, and the trilateral process.

Alberta's First Nations Consultation Policy and Guidelines Review

During 2009, the GoA will be conducting a review of the *Government of Alberta's First Nations Consultation Policy on Land Management and Resource Development* (2005) (page 41). During this process, the GoA will seek input from First Nations, industry, and GoA decision-makers and staff on how best to improve on the 2005 policy, as well as the current guidelines.

