

BRIEFING NOTE FOR INFORMATION

DATE: March 31, 2023

PREPARED FOR: Honourable Minister Cullen, Minister of Water, Land and Resource Stewardship

ISSUE: Media interest in Simpcw First Nation's declaration of the Raush Valley Indigenous Protected and Conserved Area

KEY POINTS:

- The Province of British Columbia (B.C.) recognizes that Indigenous Protected and Conserved Areas (IPCA) are Indigenous-led, self-determined and can include a broad range of interests that will vary by each IPCA across B.C. B.C. is exploring the concept to understand our role and interests and recognizes that an IPCA does not require Crown-land designation. B.C. has not set criteria for supporting a Nation's vision for an IPCA.
- s.13; s.16
- Where an Indigenous government identifies the desire to involve the provincial government and there is a shared interest to develop conservation management goals, there are several strategic approaches to address the complex interests with the most applicable program being Modernized Land Use Planning (MLUP).

BACKGROUND:

- On March 27, 2023, Simpcw formally declared the Raush Valley an IPCA stating an intent to conserve the biodiverse valley, and to protect Símpcwemc (Simpwéw people's) traditional and ongoing use of the area.
- The Raush Valley is an area of cultural significance for the Simpcw and they have an interest in entering into land use planning with the Province. The entire watershed is largely undeveloped, rich in recreation opportunities as well as old growth values. It supports diverse wildlife habitats and biodiversity that provide environments to practice and maintain Simpcw's cultural activities.
- The Simpcw have a long history of protecting the valley, either through campaigning for protected areas or proactively negotiating with forest companies in harvest planning. Protection of the valley is consistent with Simpcw's moderate to strong strength of claim to Aboriginal rights.
- s.13; s.16
- In 2001, two areas totaling 6,861 hectares within the watershed were protected under the *Parks Act* as recommended for protection by the Robson Valley Land and Resource Management Plan (1999).

DISCUSSION:

- There is no formal Provincial legislative process to recognize the Indigenous designation of an IPCA. Stated conservation and management goals by Indigenous peoples offer an opportunity for the Province and Indigenous communities to explore and determine mutually agreeable management and conservation goals.
- Aligning Indigenous-led conservation with land use planning and working through that process ensures economic, environmental, social, and cultural objectives are met and that robust consultations with Indigenous peoples, stakeholders and the public are included.
- The Ministry of Water, Land and Resource Stewardship (WLRs) has not yet sought a land use planning mandate for the area covered by the Simpcw territory, including the Raush Valley.
- s.13; s.16

- s.13

- B.C. has not received any permit applications for the Raush Valley between the two protected areas.

MINISTRY RESPONSE:

- B.C. is excited to continue conversations with Simpcw with respect to their declared IPCA.
- The declaration by Simpcw does not result in a change to current provincial land use status but does indicate an opportunity for Simpcw and the province to continue to engage on long-term stewardship of the area.
- B.C. recognizes that a supporting legal framework for IPCAs is necessary and any work on this front would be co-developed provincially with First Nations.
- Land use designations to support the IPCA are best considered through government-to-government land use planning and public engagement. Land use planning allows for a transparent process that ensures interested groups understand what kinds of land use changes are being contemplated.
- Prior to any land use or statutory decision (including new related permits or designations) government would consult with all potentially affected First Nations.
- Agreement between the Simpcw and BC on the management, roles, responsibilities, outcomes, etc. for the area is developed through land use planning.
- Government-to-government collaboration through a land use planning process ensures that economic, environmental, social, and cultural objectives are met and that robust consultations with Indigenous peoples, stakeholders and the public are included.
- As we engage in government-to-government processes with Indigenous partners we will explore all opportunities to realize the shared stewardship vision for the land.

Attachment(s): Map of the Simpcw First Nation Territory and the Raush Valley IPCA



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REVIEWED BY:

	Initials	Date
DM	LH	March 31, 2023
ADM	DM	March 31, 2023
ED North Area	JC	March 31, 2023

Map: Simpcw First Nation Raush Valley IPCA boundary

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Source: Simpcw First Nation Facebook page