



Date: 16/02/2023

To: Chair and Directors, Cariboo Regional District Board

And To: Brian Carruthers, Interim Chief Administrative Officer

From: Gerald Pinchbeck, Manager of Communications

Date of Meeting: Cariboo Regional District Board_Feb24_2023

File: 400-50-20

Short Summary:

NCLGA Resolution on Support for Local Governments Implementing the Declaration Act

Voting:

Corporate Vote - Unweighted

Memorandum:

At the February 3, 2023, Board of Directors meeting, the Board adopted resolution 2023-2-14, as follows:

That a resolution for the 2023 North Central Local Government Association's Annual General Meeting and Convention be drafted requesting that the Agricultural Land Commission revert to its previous system of receiving Agricultural Land Reserve applications directly rather than processing them through the CRD Board. The CRD should be a referral agency to provide input rather than having the final decision on whether an ALR application goes forward, given the limited information the Board receives in these circumstances.

Since the meeting, staff reviewed the background of the resolution, core concerns, and ultimate considerations with Director Massier. In review, it was identified that the core concern was navigating the impacts of indigenous rights and title while administering local government responsibilities under provincial statutes and regulations, including the *Agricultural Land Commission Act*.

The focus on research and development for this resolution as a result focused on the broader impacts of the *Declaration on the Rights of Indigenous Peoples Act [Declaration Act]* which was adopted into law in 2019. The Act calls for reforms to Provincial laws to implement the principles of the United Nations Declaration on the Rights of Indigenous Peoples in order to reflect their rights and title.

Staff are now presenting the following resolution for the Board's consideration and referral to the North Central Local Government Association (NCLGA):

WHEREAS all levels of government in British Columbia have a role in advancing the principles of reconciliation as set out in the Declaration on the Rights of Indigenous Peoples Act;

AND WHEREAS local governments have statutory obligations in relation to a number of Provincial Acts and regulations, which has resulted in expectations on local government to more broadly consider the principles of reconciliation when exercising those statutory obligations;

THEREFORE BE IT RESOLVED that the North Central Local Government Association and Union of B.C. Municipalities lobby the Province of BC to provide timely clarification, support, and involvement for local governments regarding the expectations and requirements of local governments in advancing commitments to reconciliation and UNDRIP when fulfilling their statutory obligations under relevant provincial legislation.

Attachments:

None.

Financial Implications:

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Policy Implications:

The Declaration Act has unknown implications to the Cariboo Regional District's policies and bylaws. At present, there is no policy respecting the specifics of the Declaration Act, however it is anticipated that there will be significant strategic, policy, and governance implications as the Act's principles are implemented in law.

Alignment with Strategic Plan:

- ☐ **Communication:** Facilitate communication strategies throughout the entire Cariboo Regional District that meet the needs of residents, community stakeholders, and other levels of government.
- ☐ **Planning:** Intentionally plan services and activities of the CRD to prepare for future needs of residents and community stakeholders.
- ☐ **Economic Sustainability:** Foster an environment to ensure the economic sustainability of CRD communities and the region.
- ☒ **Governance:** Ensure that CRD governance policy and practices are intentional, transparent, and respectful.

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CAO Comments:

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Options:

1. Receipt and adopt the draft resolution as presented and refer to the NCLGA;
2. Consider and propose an alternate resolution and refer to the NCLGA;
3. Receive this report for information.

Recommendation:

That the agenda item summary from Gerald Pinchbeck, Manager of Communications, dated February 16, 2023, regarding a proposed resolution for the North Central Local Government Association requesting support from the Province of B.C. for local governments in implementing the principles of the United Nations Declaration on the Rights of Indigenous Peoples, be received. *Further action at the discretion of the Board.*