

VIRTUAL WEBINAR

Land Codes & Community Engagement

Thu, July 16th 2020

9:30 AM (PDT) – 60 minutes



Angie Derrickson

Manager, Training, Mentorship
& Professional Development

TMPD Virtual Webinar Welcome



2020 Virtual Webinar Schedule



Training, Mentorship & Professional Development

TMPD Virtual Webinar & Workshop

2020 Schedule

7.	Community Engagement (techniques, online tools, data collection)	Jul 16
8.	Impacts COVID 19 – Part 4 – TBD	Jul 30
9.	Framework Agreement Background	Aug 13
10.	Matrimonial Real Property Laws under Land Code, NALMA-COEMRP Partnership	Aug 27
11.	Mines and Minerals, Oil and Gas, Surface Access – Title & OIC	Sep 10
12.	Planning, Planning Types and Integrated Planning	Sep 24
13.	Property Transfer Tax, TULO Partnership (Tzeachten Case Study)	Oct 8
14.	Impacts COVID 19 – Part 5 – TBD	Oct 22
15.	Lands Advisory Board – Annual General Meeting	Oct 27-28
16.	Different meanings of Consultation & Engagement across Canada	Nov 5
17.	ATR/TLE, TULO Partnership (Brokenhead Case Study)	Nov 19
18.	Individual Agreement – Roles, Responsibilities & Expectations	Dec 3
19.	Historical Treaties	Dec 17



<https://labrc.com/events/>



TMPD Virtual Webinar Guidelines



Some administrative details to enhance the Webinar session:

1. Mute all your devices
2. Recording in Progress
3. SLIDO Questions, Comments, Closing Poll





Virtual Webinar Questions & Poll

Connect laptop & mobile device to:

Website-App www.sli.do

Event Code [#TMPD-JUL-16](#)



Presentation & Materials

are available online: www.labrc.com/event



Agenda & Objectives



9:30

Welcome & Introduction

9:35

Community Engagement and the Framework Agreement

9:40

Land Code and community engagement thresholds

9:45

Levels of community engagement under Land Code

9:50

The role of consultants in community engagement

9:55

Community Engagement Strategies & Online Engagement

10:00

Community Based Approaches – Examples from FA Signatories

10:25

Slido, Q&A

10:30

Closing



10:30-10:45

Virtual Mix & Mingle

TMPD Virtual Webinar Presenters



Stephen McGlenn

Specialist, Land Use Planning
& Curriculum Delivery

RESOURCE CENTRE
First Nation Hub for Land
Governance Planning



Gord Dumas

Executive Director
Land, Environment & Resources

Nisichawayasihk Cree Nation



Tania Solonas

Land Management Officer

Mcleod Lake Indian Band



Cheryl Knockwood

Governance Coordinator

Membertou First Nation

Framework Agreement



“Supporting First Nations to exercise their Inherent Right to govern their Lands and Resources.”



Land Codes and Accountability

Laws, Plans, Policies, Instruments



Land Code



Framework Agreement on First Nations Land Management

Lands-related decisions, laws and planning must comply with rules & procedures outlined in the Land Code and related Laws (e.g. Lands Advisory Committee, community input and approvals).

Ratification of Land Code must adhere to FA and follow Community Ratification Procedure (CRP). Once ratified, FN is accountable to members, not the Minister.

G2G, negotiated based on [29 Principles](#). Provides Land Code option to FN's.



Community Engagement – what’s different?

<u>Indian Act</u>	<u>Framework Agreement & Land Code</u>
Imposed, regulated and amended by Canada on communities with no choice, no required input, no consent.	Negotiated and amended by FNs on a G2G basis, Optional and requires Community Approval
Members do not have a clear role in all decision making, access to information or dispute resolution.	Members have clear role in decision making, approvals, access to information and dispute resolution
Lacks any planning structure , built on Eurocentric, patriarchal ideals and the exclusion of community voices, voices of women, elders, youth.	Communities define the planning process. A Land Code recognizes the ability to enact and enforce law around Indigenous principles .
Only the Council may introduce land by-laws, with no requirement for membership input or consent .	Except emergency laws and administrative laws, Laws require community input/approval and ratification . There are due process requirements; members can propose new Laws.
Council (with the approval of the Minister) negotiates leases up to 99 years	Interests only granted in accordance with the Land Code, e.g. community approval required for any lease beyond <u>25/49</u> yrs.
Council may approve land for development or other uses without the consent of the membership or without following a Plan.	Council may draft and enact a LUP that is approved by membership . All uses of the land must comply with the LUP.
No Conflict of Interest	Land Codes contain conflict-of-interest and transparency provisions
Accountability/Reporting to the Department of Indian Affairs.	Accountability/Reporting to membership.

How do Operational FN's meet their community engagement thresholds?



Examples of strategies to increase community engagement under a Land Code:



Lands Advisory
Committee/
Lands Authority



Land Use,
Environmental
& Community Planning



Law Development
Workshops

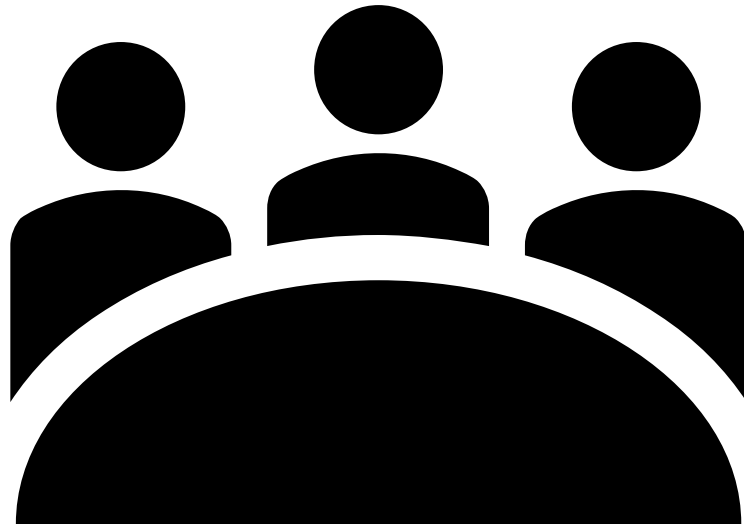


Membership
Meetings



Ratification
Votes





Lands Advisory Committee/Lands Authority

Land Code Committees often morph into Lands Advisory Committee

Can double as Land-use Planning Advisory Committee or

Can be enshrined in Land Code or law

Multiple membership models

Can play a fundamental role in almost all aspects of
Lands Governance Planning

Can be a recommending or advisory body, or delegated authority



Community Engagement, Planning & Land Code



Lands Governance Planning



Planning brings the Land Code structure to life!

Community Engagement/Empowerment is at the heart of planning

Planning is about the **Public Interest** and the **Public Good**

Planning under the FA: **involvement, transparency & accountability**

Unique methods, tools, protocols and practices to each FN

Planning and community engagement emerges at all levels in Land Code implementation:

Land Code - thresholds

Framework Agreement – LC Ratification



Environment



Use & Occupancy

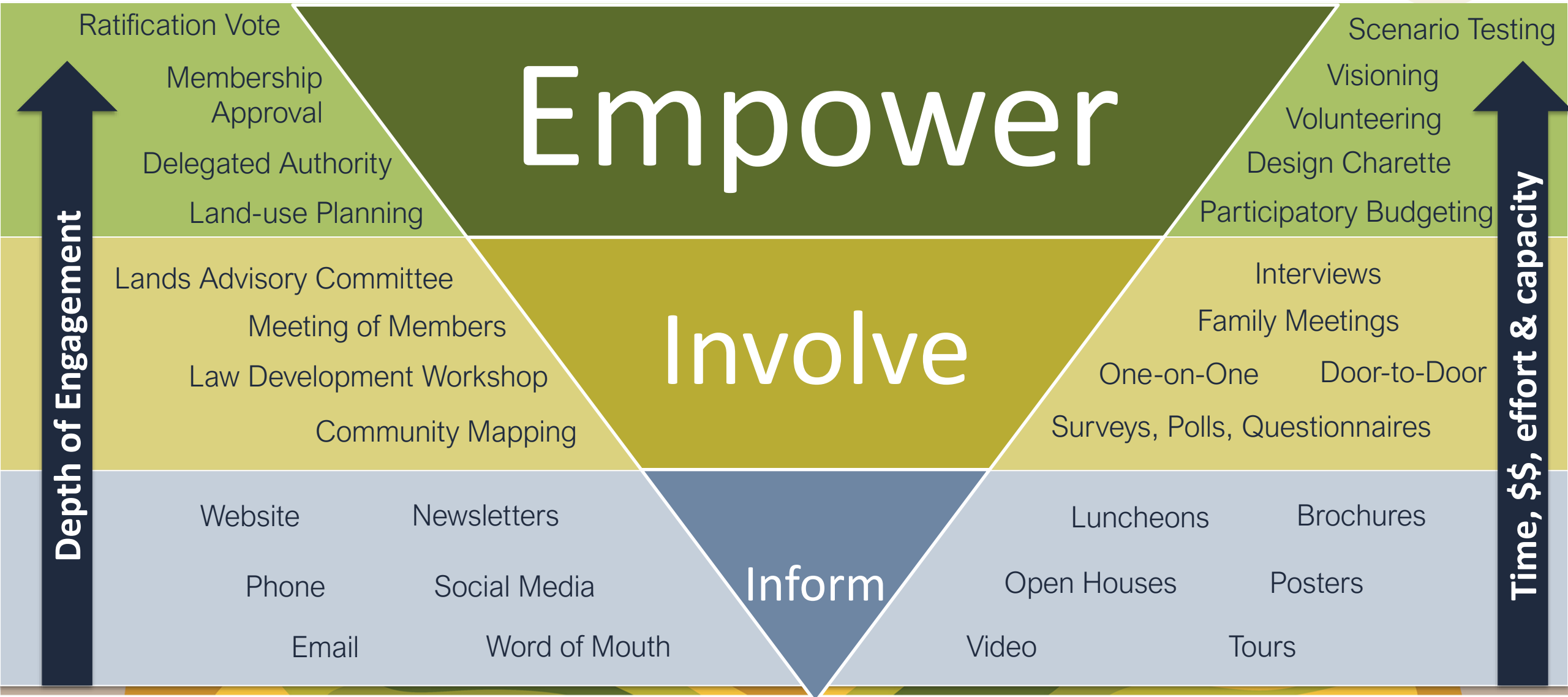


Community Development



Law & Plan Development

Levels of Community Engagement under Land Code



How Land Code FN's are designing inclusive and accessible community engagement



Transportation



Food



Childcare



Protocol



Give away



Community
Engagement &
Social Media Strategy



Hiring and training
Facilitators & Planners



Whose voice is not
being heard?



Establish meeting
ground rules



Listening and Caring





What is the role of consultants in community engagement?

Best practice: For planning work, make sure your consultant is a RPP/MCIP!

Consultant Driven



Collaborative



Community Driven



Expertise
Need
Dependency



Capacity
Time
Control

Best practice: Always issue an RFP!

Community Engagement Strategy – key considerations



- What's the planning structure in your community? What other planning processes are happening? How can community engagement be synchronized and integrated across your First Nation organization?
- What is the project(s) you are engaging the community on?
- What do your Land Code and/or Laws require for community engagement?
- What is the purpose of engagement? What specific decision or project is being informed by the engagement?
- What does successful engagement look like? Are you informing, involving and/or empowering the membership?
- What is the role of leadership? How will they be involved?
- Who needs to be engaged? Be specific and strategic.
- What are their engagement needs & preferences? Be accommodating, inclusive and accessible.
- Who is doing the engagement? You? Consultant? Who designs the process?
- What values inform your engagement?
- What cultural protocols inform your engagement? How will you recognize and record traditional knowledge?
- What tools & techniques will you use to engage? Surveys, door-to-door, world café style, etc.
- How will you collect and store the information you gather?
- What will you do with what you find out?
- How will you honour the contributions your members make?
- What resources, space and equipment do you have available?
- What's your budget? Time limit?
- What's your schedule? When and where are you meeting?

Reminder: We're here to assist you!



Tools for Online Engagement (subscriptions may be required)



Participatory Budgeting

Idea collection & management

Online Community Mapping

Online Voting

Records Management

Database Management



Scenario Planning

Polling, questionnaires, forums

Visioning

Project Management

Document overviews, review and editing

Video conferencing(mostly free):

Virtual Meetings

Screen & File Sharing

Online Surveys & Polls

Other:

Website

Social Media Strategy

Email



Community Based Approaches

1. Who facilitates engagement in your community?
The Lands Department? Consultants? How do you prepare and plan for community engagement?
2. Please share an example of a successful, innovative or unique approach, event or technique in community engagement that you have implemented in your community.
3. What kind of advice would you give to a First Nation developing a community engagement plan or preparing for a major planning process (e.g. Land Use Plan, Environmental Management Plan, Law Development, etc.)?



Prairies



West



Memberton
WELCOMING THE WORLD!

East





Join at
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WEBINAR: Land Codes & Community Engagement



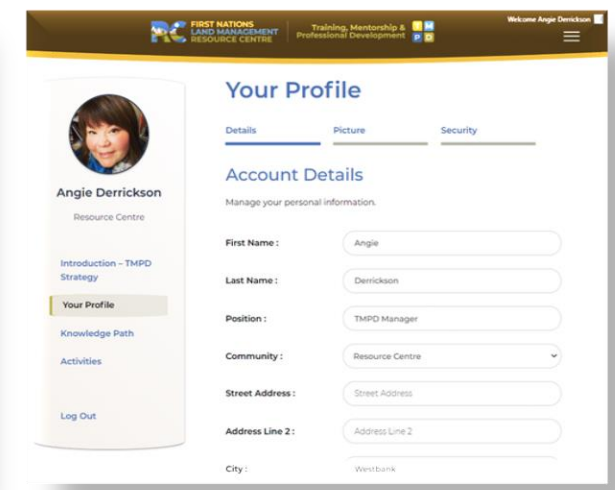
TMPD Knowledge Paths Tool



Your Knowledge Path

- Land Governance Professional Reflections
- Identification of Training and Professional Development Needs
- Establishment of Land Governance Knowledge Goals
- My goals are related to the following Knowledge Paths
- What types of Knowledge activities could assist me in achieving the goals I have set?

- Workshops
- Online Courses
- Knowledge Paths Tool
- Land Governance Manual
- Knowledge Repository
- Direct Community Support



THANK YOU



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Virtual Mix & Mingle