

Land Use Planning & Lands Governance Planning under the Framework Agreement

November 30th, 2023

Welcome



As of November 29, 2023

Operational

111

Developmental - Active

49

Self-Governance

4





Today's Webinar

Land Use Planning (LUP) & Lands
Governance Planning under the
Framework Agreement



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Mute Devices



Recorded Session



Closed Caption



Presentation &
Materials



Interactive
Discussion

PART 1

What is Land Use Planning & Lands Governance Planning?



What is Land Use Planning?

What is land use planning? ^

Land-use planning refers to a wide range of activities that **direct the future use of land (development planning) and control the current use thereof (development management)**. The aim is to ensure the optimal use of land within a political, social, cultural, environmental and economic context.



Planners work across fields, such as:



Learn more at cip-icu.ca

History of Land Use Planning and Colonization

Jesse Hemphill @
PIBC 2021

PIBC 2021 Annual Conference Opening Keynote - Jesse Hemphill

Pre-Contact

"Since time immemorial, Indigenous Peoples in Canada have been diligent and ingenious cultivators of biological diversity through advanced economic practices that were founded on natural law. Indigenous economies followed Indigenous worldviews, which understand that human systems are a part of, and must remain in balance with, ecosystems. The outcome and effect of these worldviews and economic practices was abundant, thriving biological diversity."

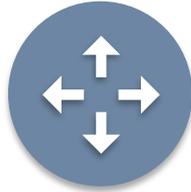
[Eli Enns & Danika Littlechild
in the Indigenous Circle of Experts
Report & Recommendations](#)



Why Do We Plan?



PRIORITIES



ALTERNATIVES



**ANALYSIS,
VALUES**



**RISK &
LIABILITIES**



YES/NO

To Help Improve Decision-Making and Navigate the “Tough Decisions”

Lands Governance Planning

Lands Governance Planning is a diverse, multi-disciplinary field that encompasses multiple areas of practice and specialization relative to the values, goals and capacity of each First Nation.

- Land-use & development
- Residential & Housing policy
- Commercial
- Regional
- Transportation
- Social outcomes & policy
- Heritage preservation
- Environmental protection
- Parks & recreation
- Resource management
- Economic development

Linking the Principles of the Framework Agreement to Planning



Framework Agreement (FA) Principles

- Community Approval / Engagement
- Accountability
- Transparency



Land Code



Law-Making



Enforcement



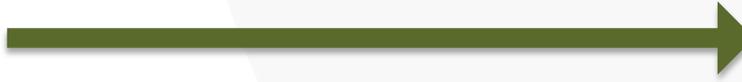
Planning



FIRST NATION GOVERNING BODIES



LAND-USE DECISIONS



PART 2

Land Code & Community Planning



Indigenous Community Planning & Self-Government: *Moving Away from the Indian Act*

Interconnections of Land,
Identity & Governance

Fractured, under-capacity,
under-funded communities

Exercising Self-government
through Land Code

Pre-contact: Indigenous Self-Government

1867 - Imposition of the *Indian Act*

**1996 – Framework Agreement on
First Nation Land Management**

Indigenous peoples governed themselves using complex systems of governance since time immemorial

Attempted destruction of Indigenous systems of governance in favor of external, colonial control

Recognition of Self-government Authorities
Nation (re)Building through Planning
(re)Elevation of Indigenous Planning Practices



Land Code & Community Engagement

- Community-led Facilitation
- The Role of Listening in Planning
- Respect Amongst all Participants
- Communicating Results to Community Members



Planning Processes Under the Framework Agreement

Laws that Regulate Land Development

*(not an exhaustive list)

- Zoning Laws
- Development Laws
- Environmental Protection Law
- Environmental Assessment Law
- Community Quality Laws
- Design Laws / Guidelines

Policies and Plans that Guide Land Development

- Community Plans
- Land Use Plans
- Environmental Management Plans
- Forest Management Plans
- Cultural Heritage Policy
- Consultation Protocol
- Comprehensive Community Plans
- Land Registry Policy

Procedures and Tools to Guide Projects

- Land Development Procedures
- Development Application Form
- Checklists & Guides
- Environmental Laws (checklist)
- Zoning Laws (checklist)
- Invoicing / Contracts / Fee Schedules
- Leases

LUP & GIS – Mapping is an essential planning tool

- Geographic Information System (GIS) is used for identifying, checking, and displaying data related to geographic features on Earth's surface
- GIS & Mapping is a useful support tool for meaningful Community engagement and developing a vision for the Community lands
- Accurate surveys and mapping are vital for an effective and legally enforceable Land Use Plan



PART 3

RC LUP Funding



RC LUP Development Initiative 2023-2024

- The RC provides funding directly to signatory First Nations through the **RC's Land Use Plan Development Initiative**.
- Discussions with Canada have resulted in increased **funding for LUP development** and **funding for LUP Implementation**.



Effective April 1, 2023:

- First Nations who apply for and receive funding under the RC's LUP Development Initiative can receive up to \$125K* for eligible LUP development expenses.
- Following the development of their LUP, the above First Nations can also participate in the RC's LUP Implementation Initiative and receive up to \$175K* for eligible LUP implementation expenses.

*Funding is provided in accordance with milestone-based funding agreements developed between the participating First Nation and the RC. The release of these funds by the RC to the First Nation is contingent upon the RC receiving these funds from Canada.

RC LUP Funding: LUP Implementation

Land Use Planning is not a linear process. Your Plan is a living document that is intended to continue to adapt as your First Nation realizes outcomes and to help direct further action.

Building off your completed LUP, implementation can be undertaken in a variety of manners and generally falls under three broad categories:

- 1) Issue & Area Specific Plans
- 2) Laws, Regulations & Guidelines
- 3) Planning Processes



WORD CLOUD

What LUP implementation efforts is your Nation currently considering, or what LUP implementation activities would benefit your Nation?



Role of Consultants in Community-Based Planning

- The consultant can help design and facilitate meaningful conversations with your community members
- Consultants should seek to build capacity within lands staff
- Consultants can provide support where needed:
 - To provide expertise or experience that the community currently does not possess
 - To do the work that you have no time for
 - Should take direction from the Lands Manager / Staff
- Planning consultants should share accountability with the First Nation for planning and implementation outcomes

Best practice:
For planning work, recommend looking for a planner with an **RPP** designation.

Best practice:
Consider developing a detailed Request for Proposals (RFP) to outline the tasks you need the consultant to undertake to support your FN's LUP development.

How Can the RC Support Your Work?

- ➔ Provide support to your First Nation in the initial launch stage of a LUP work plan & community engagement work plan.
- ➔ Templates for RFPs, Work Plans and examples of LUP reports and maps
- ➔ Community Support
 - Attend Community Meetings, Land Committee Meetings, etc.
 - Assist in Meetings with your Land Use Planners / Consultants
 - Support implementation of LUP within Lands Dept.



PART 4

Questions & Discussion



Discussion

- Would you like to share what LUP efforts your community is currently working on?
- Discuss options for on-line and remote engagement. Are there any examples that people would like to share?
- What can the RC do to better support LUP and Community Planning efforts?



Land Use Planning – National Workshop



When

Spring 2024 – *(dates & location to be advised)*

Who

The RC will reimburse 2 representatives from each First Nation to attend this 2-day workshop.

What

2-day event will include hands-on learning opportunities and will focus on specific topics and issues as identified by First Nations lands staff.

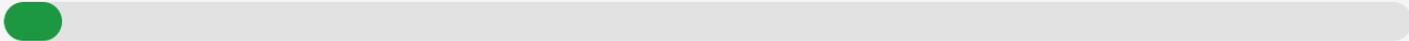
Are you interested in attending the National Workshop?

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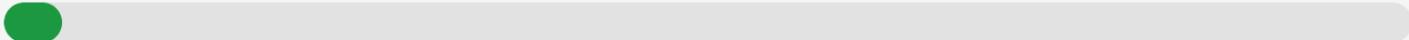
1. Yes



2. No



2. Unsure



THANK YOU

For more information, please contact us!

