

# Consultation & Engagement

## Different meanings across Canada



FIRST NATIONS  
LAND MANAGEMENT  
RESOURCE CENTRE



T M Training, Mentorship &  
P D Professional Development

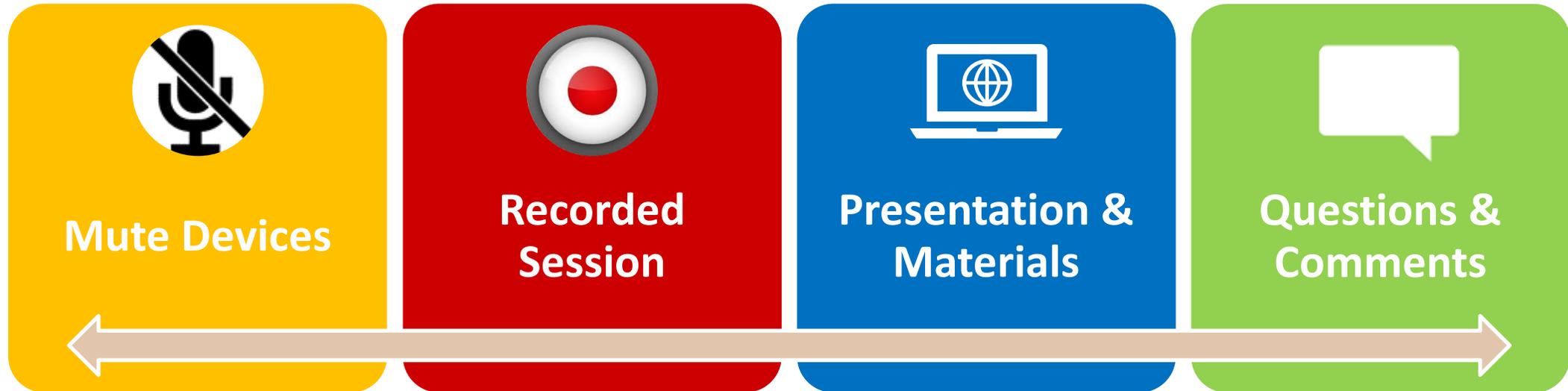
TMPD Virtual Workshop

JAN 21, 2021 - 9:00 AM PST / 12:00 PM EST

# TMPD Virtual Workshop Welcome



# TMPD Virtual Workshop Guidelines & Tools



# Agenda & Objectives



**Adam Wright**  
Planner, Land Code  
Governance



**Stephen McGlenn**  
Specialist, Planning &  
Curriculum Delivery

## PART 1 Different Meanings across Canada

## PART 2 Our Territories beyond Reserve Lands

## Community Perspectives Panel



**Matsqui First Nation**  
Brenda Morgan



**Magnetawan First Nation**  
Samantha Noganosh



**Nipissing First Nation**  
Cathy McLeod



## **PART ONE:**

# **Different Meanings across Canada**

# Introduction to Framework Agreement

First Nations have an inherent right to manage their reserve lands and resources and the Framework Agreement is the first real recognition of this inherent right.

VIDEO



Chairman, Robert Louie [4:06]

[Lands Advisory Board](#)



Chair, Austin Bear [3:33]

[First Nation Land Management Resource Centre](#)

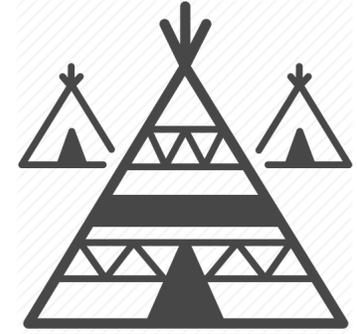


# Introduction to Framework Agreement



The Crown

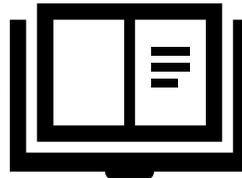
Assumption of Sovereignty  
s. 91 constitutional authority  
("Indians and Lands reserved  
for the Indians")



First Nations

Inherent right of Self-  
Government pre-exists  
Canada

*Special Relationship*



**Framework Agreement on First  
Nation Land Management**



## *FNLM Resource Centre Perspective*

**Consultation** = when industry or government (i.e., off-reserve) is consulting on a specific land planning or land development activity that may affect your First Nation (e.g. Duty to Consult).

**Engagement** = when a Community engages their members (i.e., on-reserve) on land planning or land development activities that may affect their Community, this includes Land Code and LUP/ EMP activities.

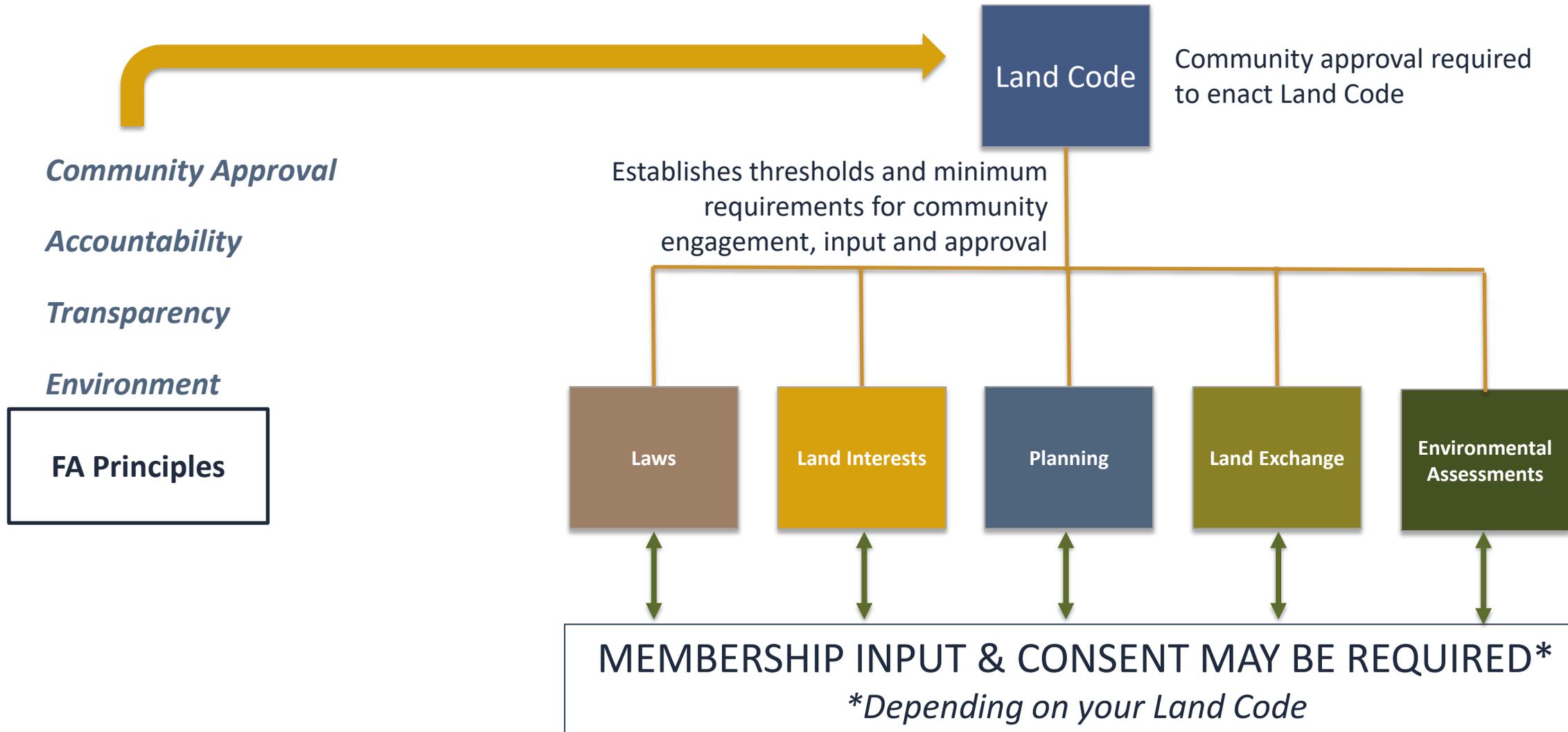


## Poll question #1:

Is the Lands Department responsible for dealing with consultation requests in your community?



# ENGAGEMENT UNDER LAND CODE



# ENGAGEMENT UNDER LAND CODE

Being Operational under a Land Code can help to improve internal engagement processes and position a First Nation to better respond to external consultation requests.



Assert rights and self-government



Community-driven processes



Build Administrative Capacity



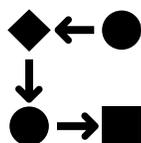
Environmental Stewardship



Familiarity with gov't processes



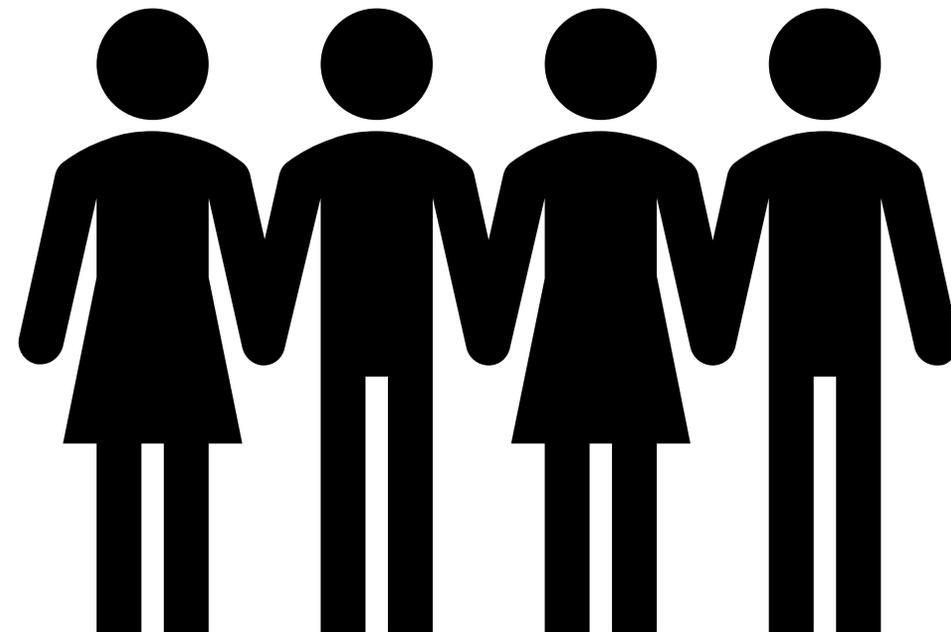
Industry timelines



Land development



Information gathering, analysis



Community confidence, buy-in and participation. Also helps with compliance of Laws and reduces pressure on Enforcement

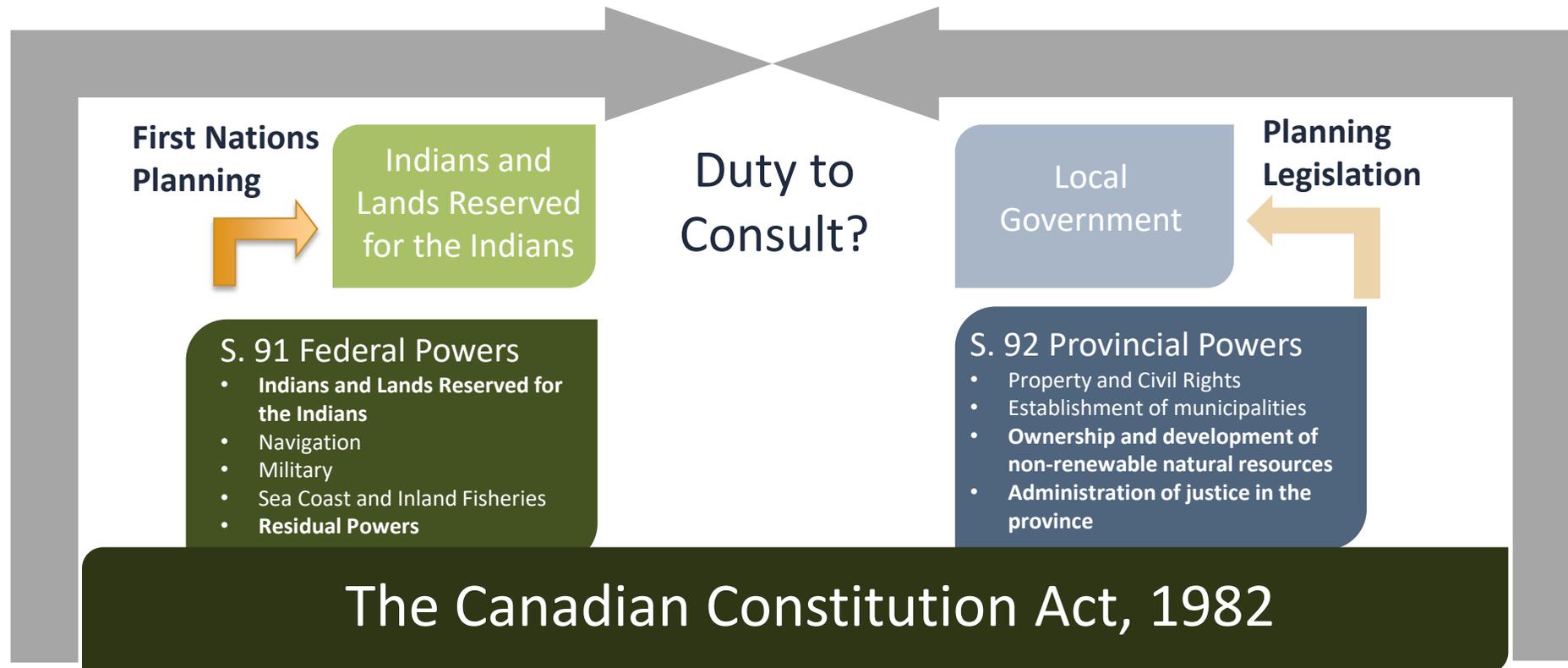


# ENGAGEMENT UNDER LAND CODE

- Operating under a Land Code is an opportunity to (re)define what Consultation & Engagement looks like in your community.
- Developing Land Code processes can help to empower members, practice consensus-building, and build trust and confidence in the capacity of the First Nation as a governing body.
- Community-driven processes help a First Nation be confident that its actions are in the best interest of the membership.



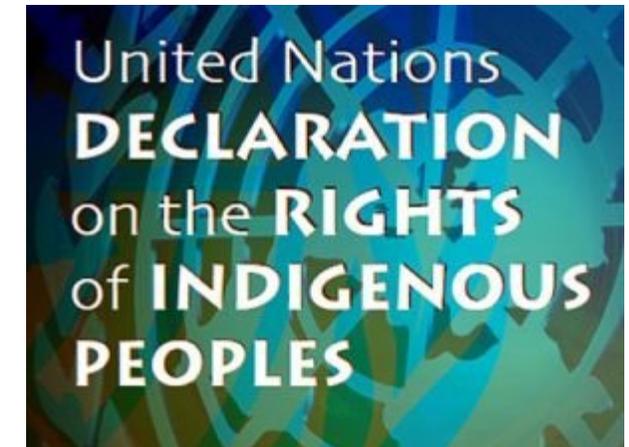
# The Municipal Gap



## What is UNDRIP?

- An international instrument adopted by the United Nations in 2007 to enshrine the rights that “constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.” (Article 43)

**UNDRIP Article 19:** “States shall consult and cooperate in **good faith** with the indigenous peoples concerned through their own representative institutions in order to obtain their **free, prior and informed consent** before adopting and implementing legislative or administrative measures that may affect them.”



# UN Declaration on the Rights of Indigenous Peoples



## FREE

Free refers to consent given voluntarily and without coercion, intimidation or manipulation. Consultation is free when rights-holders determine the process, timeline and decision-making structure.

## INFORMED

Information should be complete, accessible, clear, consistent and accurate, delivered objectively and in a culturally appropriate format, covering both the positive and negative potential consequences of a proposed activity

## PRIOR

Prior means that consent is sought sufficiently in advance of any authorization or commencement of activities. It implies that time is provided to understand, access and analyze information before activities take place.

## CONSENT

Consent means the collective decisions made by the rights-holders, reached through a process determined by the affected community, and can be given or withheld over specific periods of time. It is not a one-off process.

Source: [“Free, Prior and Informed Consent – An Indigenous peoples’ right and a good practice for local communities. A Manual for Project Practitioners.”](#) Food and Agricultural Organization of the United Nations.



## **Bill C-15: An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples** (tabled Dec, 2020)

"Provides that the Government of Canada must take all measures necessary to ensure that the laws of Canada are consistent with the UNDRIP, and must prepare and implement an action plan to achieve the objectives of the Declaration."

- **Action Plans** - Requires the designated Minister to prepare and implement an action plan to achieve the objectives of UNDRIP, and must include measures to:
  - Address injustices, combat prejudices and eliminate all forms of violence and discrimination against Indigenous Peoples including elders, youth, children, women, men, persons with disabilities, and gender-diverse and two-spirit persons.
  - Promote mutual respect and understanding as well as good relations.
  - Provide for monitoring, oversight, resource or remedy or other accountability measures with respect to the implementation of UNDRIP.



## **Bill C-15: An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples**

“Governments pour promises on Indigenous people like a winter rain...if the experience of British Columbia's UNDRIP legislation is an accurate predictor, we should all dress accordingly...Canada already has legal obligations to Indigenous people – it is the federal and provincial governments refusal to fulfill those obligations that fosters skepticism.”

- “A Cold Rain Falls: Canada's Proposed UNDRIP Legislation”  
by Bruce McIvor, First Peoples Law (December 16, 2020)



FAFNL M # 6

THE  
**6<sup>th</sup>**  
AMENDMENT

## 2018 Amendments to the First Nations Lands Management Act

EFFECTS TO OPERATIONAL FIRST NATION COMMUNITIES

### Framework Agreement & UNDRIP

- In 2018, the Framework Agreement was amended to reference UNDRIP with introductory clauses stating commitment of both Canada and First Nations to the principles of UNDRIP.
- These are brief introductory provisions added because the FA was finalized before UNDRIP.

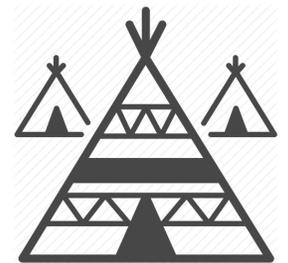
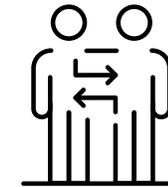
*“We are pleased that another important step forward has been made for First Nation advancement of our inherent rights in the governance of our lands as well as being first for the expression of our joint commitment to UNDRIP. This is another historic and ground-breaking achievement in our 22 year partnership with Canada.”*

**Robert Louie,**  
Chairman, Lands Advisory Board



## Aboriginal & Treaty Rights - Crown's legal obligation to protect under s.35 of the Constitution

- First Nations, Inuit and Métis peoples in Canada have unique rights that are guaranteed under section 35 of the *Constitution Act, 1982* as it is recognized that Aboriginal Peoples pre-exist the assumption of Sovereignty by the Crown.
- The goal is to listen to the views and concerns of affected Indigenous groups and, where necessary and possible, modify the action or decision to avoid unlawful infringement of those rights.



**Note:** *For the purpose of this presentation we are describing consultation & accommodation as it's been outlined by the Courts and in Federal processes. We fully understand that First Nations may take a different view on what consultation means and may position themselves differently in relation to Canadian Law.*



## Source of the Duty to Consult “The Honour of the Crown”

“The Crown must act honourably because Aboriginal peoples were never conquered...the Honour of the Crown is always at stake because **the Crown is essentially in conflict as it plays the roles of both the party making a decision which may negatively impact on Aboriginal peoples’ interests and rights, and of the party charged with protecting and respecting those rights under the Constitution.**”

- *Aboriginal Law Handbook, 4<sup>th</sup> Edition, p. 54*

“The **honour of the Crown is always at stake in its dealings with Aboriginal peoples**...It is not a mere incantation, but rather a core precept that finds its application in concrete practices...”

-*Haida Nation v. British Columbia (Minister of Forests) (2004), paragraphs 16-17*

*The Duty to Consult rests with the Crown. Procedural aspects of consultation can be delegated to third parties, but the duty itself cannot be delegated.*



# DUTY TO CONSULT

- The Duty to Consult is a set of general principles and steps laid out by the Courts to determine whether interference with Aboriginal or treaty rights protected under section 35 can be justified.
- The Courts have said the purpose of consultation is also to reconcile the relationship between the Crown and Aboriginal Peoples.
- Important cases include:
  - *R. v. Sparrow* [1990]
  - *Delgamuukw v. British Columbia* [1997]
  - *Haida Nation v. British Columbia (Ministry of Forests)* [2004]
  - *Taku River Tlingit First Nation v. British Columbia (Project Assessment Director)* [2004]
  - *Mikisew Cree First Nation v. Canada (Minister of Canadian Heritage)* [2005]
  - *Tsilhqot'in Nation v. British Columbia* [2014]
- The duty to consult doctrine is of fundamental importance to Indigenous communities and Indigenous governments, as well as to federal, provincial and territorial governments, private industry stakeholders and Canadian society.

'Federal power must be reconciled with federal duty and the best way to achieve that reconciliation is to demand the justification of any government regulation that infringes upon or denies aboriginal rights.'

**- *R. v. Sparrow*, 1990**

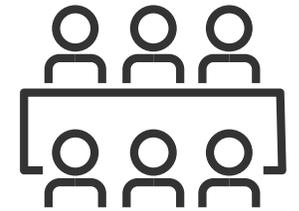


# WHAT TRIGGERS THE DUTY TO CONSULT?

The duty to consult is triggered when the Crown has actual or constructive knowledge of a potential Indigenous claim or Indigenous or treaty right that may be adversely affected by Crown conduct.

Crown conduct that might trigger the duty to consult may include:

- Issuance of permits, licenses and regulatory project approvals (e.g., Industry-proposed resource/land development project).
- Conducting Federal and or Provincial EA / Impact Assessment for a proposed project.
  - e.g., Oil and Gas Pipelines, Transit Corridors, Electrical Corridors, Coal mines, etc.
- Natural resource management (e.g., Fisheries, Forestry, Mining, Oil & Gas).
- Granting or transferring of resource-related licenses (e.g., tree farm licenses).
- Sale or transfer of any Crown Land (including Treaty Land Entitlement, Additions to Reserve, etc.).



# DUTY TO CONSULT

- Historically, the federal and provincial/territorial governments did not routinely consider the impacts of certain actions or decisions on Indigenous communities. As a result, **the duty to consult can be viewed as a response to imbalances of power between governments and First Nations, Inuit and Métis peoples in Canada.**
- The question should not be "is consultation legally required"? We should focus on advancing reconciliation so that a meaningful relationship is established with Indigenous Communities that goes beyond mere legal requirements of consultation.



## Poll question #2:

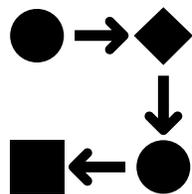
Does the volume or number of consultation requests impact your organization and take away from your ability to implement your own land governance and community development projects?



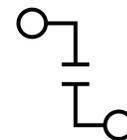
# Challenges with the Duty to Consult



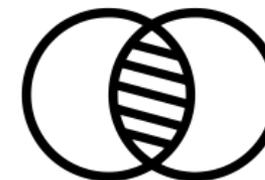
Government failure



Delegation to third parties, lack of oversight



Unclear process, roles & responsibilities, jurisdictions



Overlapping, unclear claims



Municipal Gap



Industry Timelines



Community Capacity



Traditional Knowledge





Community  
Consultation  
Protocols

Strategic  
Engagement  
Agreements

Collaborative  
Resource  
Stewardship  
Agreements

Collaborative  
Land Use  
Planning

Memorandum  
of  
Understanding

Council-to-  
Council  
meetings

Negotiation,  
e.g. Impact  
Benefit  
Agreements

Traditional  
Use Study &  
Mapping

Indigenous  
Protected and  
Conserved  
Areas

Land Claims

Direct Action

Litigation

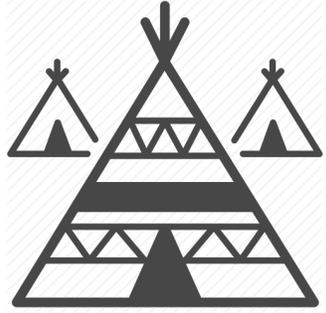


## Poll question #3:

Does your community have guidelines, protocols or requirements in place for governments and industry to follow when they are consulting you?



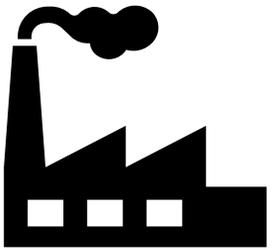
# Perspectives – First Nations / Government / Industry



- Seeking greater control over their lands and full implementation of UNDRIP, more cooperation and collaboration with all levels of government, civil society and industry
- Working to balance the benefits of economic development with the responsibility of environmental protection; difficult position for leadership. Lack of trust with government processes.
- Uncertain role of Traditional Knowledge in consultation



- Must balance their role as decision-maker with role of protector of Aboriginal rights
- Uncertainty/unwillingness to fully implement UNDRIP and FPIC
- Inconsistent approach across Canada, common result of jurisdictional “football” with Aboriginal peoples
- Major gap in Municipal/First Nation consultation requirements
- Much work remaining to repair broken relationship and (re)build trust



- Often delegated procedural role in consultation – legal duty rests with the Crown. Industry not equipped.
- Main interest is to generate revenue and promote economic development. Seeking ‘Certainty’.
- Timelines needed for meaningful consultation don’t typically match industry timelines.
- Negotiated agreements, e.g. Impact Benefit Agreements are secretive and poorly understood



## Poll question #4:

How does your community fund the administrative requirements necessary to respond to consultation requests? E.g. Own Source Revenue, charging consultation fees, Impact Benefit Agreement funding, negotiated government funding, proponent funding, grant funding, etc.?



## Consultations Tips:

- Use the concept of **Free, Prior & Informed Consent** to assess the way in which your First Nation has been asked to participate in consultation activities.
- Communicate what your First Nation's consultation needs and expectations are to industry / government (e.g. Consultation protocol, review fees, information needs, financial support for technical review, First Nation's decision-making processes).
- Ask the proponents and/or government representatives to clearly outline what jurisdictions are involved in a project, what decisions need to be made, who will be making them and when.
- Respond to letters and invitations for consultation events, even if you are not going to attend this is a good way to indicate initial interest in the project.
- Ask for clear reporting from the proponent regarding how the feedback and input provided by the First Nation/Community will be factored into decision making (can also request EA follow up reporting).
- Ask for the proponent to provide a list of action items resulting from any meetings or consultation events to ensure follow-through on commitments.



## Engagement Tips:

- Think of how the concept of **Free, Prior & Informed Consent** can inform how you conduct your engagement activities
- Make every effort to include those who will be affected by a decision. Be accessible; arrange for transportation, childcare and meals if you can.
- Know your audience and what their engagement preferences are (when, where and how they prefer to be engaged)
- Have an experienced facilitator who is familiar with the subject matter and community protocols lead the engagement
- Be clear about how feedback and input gathered will be factored into decision making
- Follow-up after you've consulted with your membership with a "what we heard" report
- Acknowledge and honour the time and contributions of those who participate
- Follow-through on your commitments!



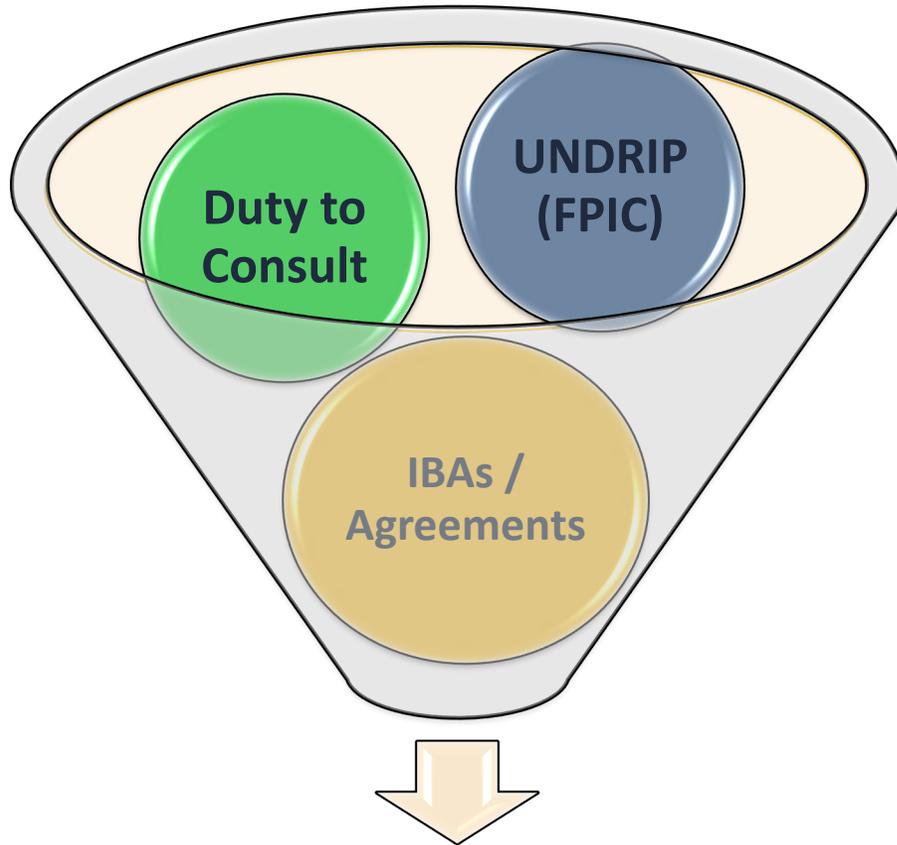
## Poll question #5:

If you have a high volume of consultation requests, how do you prioritize which requests to respond to?

Do industry / gov't's respond to your needs differently because you're a Land Code First Nation?



# UNDRIP/FPIC, AGREEMENTS & THE DUTY TO CONSULT



Meaningful Consultation?

Through the application of the Duty to Consult and consultation principles rooted in 'Free Prior and Informed Consent' it is hoped that meaningful consultation will be achieved.

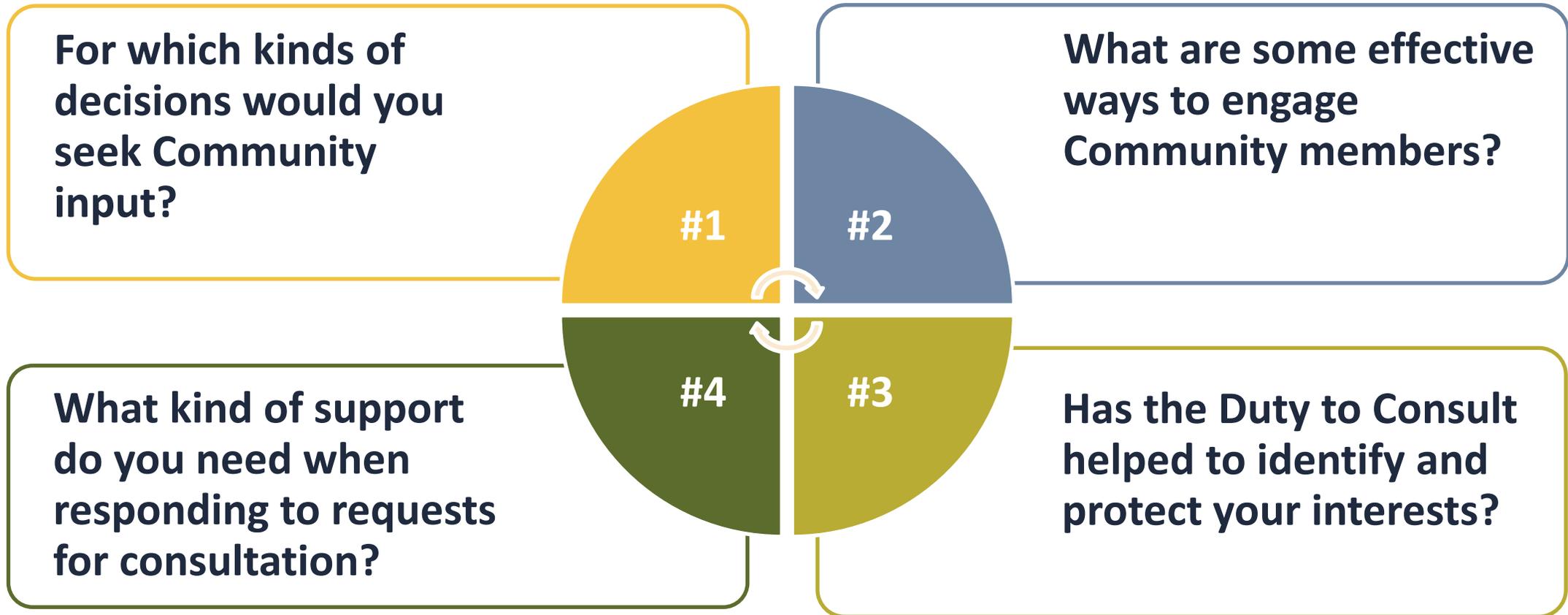
Impact Benefit Agreements & Negotiated Agreements are also often cited as a tool to help proponents and potentially impacted First Nations find common ground for industry to obtain their 'Social License' to operate from the Community.

**What does meaningful consultation look like for your Community?**





## What does meaningful consultation / engagement mean to your community?





## **PART TWO:**

# **Our Territories beyond Reserve Lands**



# Community Perspectives Panel



**Matsqui First Nation**  
Brenda Morgan



**Magnetawan First Nation**  
Samantha Noganosh



**Nipissing First Nation**  
Cathy McLeod

Overview of your experiences

Approaches in developing own standards

Systems for response, funding, preparedness

Promoting Land Code authority

Consultation challenges and lessons learned



# Matsqui First Nation

Learning how to play the game of “consultation”



# ISC & Trans Mountain Pipeline

- In 2007 Kinder Morgan required a renewal of their easement
- They procrastinated until 2012
- Assuming this would be a slam dunk having ISC sign off
- Matsqui became “operational” in 2009
- ISC advised them they had to come meet with us
- They tried imposing discussions on us re : Twinning
- Three years later & one less Indian Agent we were compensated for five years of Trespass
- Once this was complete we allowed the other discussion to begin



# Matsqui Citizens / Family

- MFN Lands Committee has an important job. They help sift through proposals for Governing Body. They hold open houses for membership. They help consult prior to GB getting final approval at Membership meetings. They meet and discuss the following and more
- Land Leases, New development, Wood lot vs Wood land License, and FN owned & operated business, Recreational sites, pipelines
- Environmental Plan with Laws that apply to third parties but also our members ie Community Quality, Tree Protection, Soil Deposit & Removal , Development Law being some of our six laws
- Land Use Plan and the LUP Related workplans
- Home Ownership Certificate vs Certificates of Possession has really helped our Nation prosper together.
- Stewards of the River and Emergency Response Plan are up on deck.
- These ten MFN Members really help close the gap required for the MFN Governing Body to zero in on serious negotiations for years at times, without losing any upcoming opportunities



# Other Governments

- Entered into an agreement with Canada re First Nations Goods & Services Tax (FNGST) in 2013. We instantly seen revenue based on a percentage of goods & services consumed on reserve for status & non status
- MFN built a 5 million dollar community center 2014-2015. Our new tax of 5% for anything delivered to the reserve now applied. We quickly learned that we could apply for MUNICIPAL STATUS. Thank goodness for “rebates”.
- Reclaimed 149 acres of Crown Lands in Partnership with two other First Nations. District of Mission was about to own these lands until the referral crossed Matsqui desk. After years of negotiation we had the Land transfer signed December 2019
- Fraser Health Authority was selling 9.9 acres of land in the core of our Traditional Territory. With The Province of BC, Fraser Health and Matsqui at the table we negotiated for years.... Our Strength of Claim for the old MSA Hospital site was strong for this 24million dollar primo land. The Keys were handed over November 2020







# Magnetawan First Nation Highway 69/400 Expansion

Consultation and Engagement





# Background

- ▶ Highway 69 dissects Magnetawan First Nation lands and stretches across our Traditional Territory
- ▶ 400 Series Highway, a piece of the Trans Canada
- ▶ (MTO) Ministry Of Transportation Ontario wishes to widen the highway from 2 to 4 lanes
- ▶ Magnetawan First Nation has been in negotiations for almost 10 years

## Consultations Before Land Code

- ▶ Were not meaningful
- ▶ A Duty to Consult and Accommodate
- ▶ Expropriation Act
- ▶ Community Committees
- ▶ Constant Changes in Leadership

We knew that widening the highway would cause destruction, and potential harm to our lands and resources and that ultimately, we were not the decision makers for our lands or this project.



*The First Nation Lands Management Act = Sectoral Self Governance*

# Our Priorities and Values

- ▶ Wetlands and Waterways
- ▶ Critical Habitats for all Creatures
- ▶ Access to our Lands
- ▶ Traditional Ecological Knowledge Transfer
- ▶ Mitigating Highway Construction
- ▶ Beneficial Participation in Projects
- ▶ Sovereignty



# Assertion

## New Relationship Fund

- ▶ Apply Annually
- ▶ Involve and Inform the Community
- ▶ Creation of Guardianship Policy

## Aboriginal Fund for Species At Risk

- ▶ Biologist
- ▶ Research Studies
- ▶ Monitoring and Mitigation

# Authority

## First Nation Lands Management Act

- ▶ Became Signatory
- ▶ Removed from 44 Sections of the Indian Act
- ▶ Authority Having Jurisdiction



# Consultation and Engagement as an Operation Land Code First Nation



Decision Making  
Authority



Mutually  
Beneficial



Lands  
Committee



Land Laws



Environmental  
Protections



Mitigations



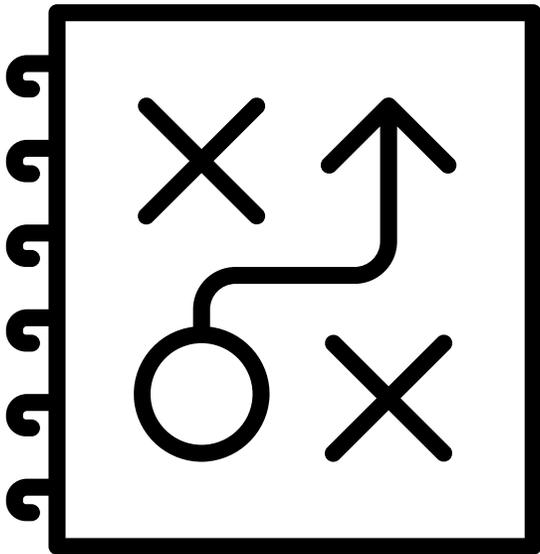
Resources

# Challenges

- ▶ No Other Decision Makers at the Table
- ▶ Changes in Federal and Provincial Governments
- ▶ Learning Curve
- ▶ Changes in First Nation Governance
- ▶ Negotiation
- ▶ Legislative Changes

# Bill 197

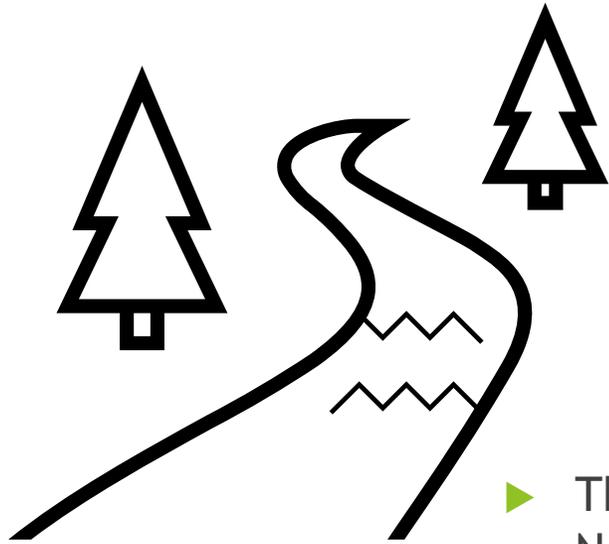
The Covid-19 Economic Recovery Act



- ▶ Less Environmental Assessment Requirements
- ▶ No Public Comment Period
- ▶ **Certain Projects are Exempt from Part 2 Environmental Assessments**

## GUESS WHICH ONE!?

- ▶ **Highway 69 Project** is exempted from Bump Up Order request
- ▶ Have not engaged or consulted on the creation of this proposed Bill
- ▶ Public Comment Period was very short
- ▶ Received Royal Assent
- ▶ Now involved in a Legal Challenge against Ontario's Bill 197



## A Bump in the Road

- ▶ This change in legislation could potentially impact Negotiations
- ▶ Further Environmental Assessments are Required to Consider MFN Data and Mitigation Research and Techniques

This is a new obstacle but engagements and negotiations will continue

Gchi Miigwech



# Community Consultation

Best Practices for Nipissing Nation for a successful vote

January 21, 2021



*A-Kii, Bemaadzijk, E-Niigaanwang*  
*The Land, the People, the Future*

Presented by Cathy McLeod, Land Manager, Nipissing Nation  
Prepared from process developed by Genevieve Couhie,  
Communications Officer of Nipissing Nation  
Photo by Allan D. Commanda

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- Communicating Details of the Trust Income Funds and Consultation Meetings
- Preparing for the Meetings
- Collecting, Compiling & Communicating Feedback from Members
- Evaluation & Next Steps
- Sample Communications Planning Process



# Background

- The Land Law Committee of Nipissing Nation reviewed the Land Code and MRP Laws with Legal Counsel and recognized the need to revamp due to it being outdated and cumbersome;
- Chief and Council, with the support of Administration, want to hear ideas and feedback from the membership on proposed revamping of the Land Code and Matrimonial Property Law.
- A draft of the law and salient fact sheet needs to get to every household that explains the process and the proposed changes to the Land Code and MRP.



# RESEARCH & REFERENCE INFORMATION

- Nipissing Nation's current Land Code is dated April 11, 2003 and came into effect on June 3, 2003 and is 17 years old and has never been amended;
- Nipissing Nation's current Matrimonial Real Property Law is dated June 19, 2007 and is 14 years old and has never been amended;
- The major items requiring updating is the consultation process, enactment/amendment process for laws and for matrimonial law there is time frames, processes, and rights;
- The more recent developed Land Codes by other First Nation's that are posted on Land Advisory Board Resource Center website were reviewed by the NFN Land Law Committee to compare to Nipissing's and chose one to tweak to suit NFN.



# Public Participation

Due to the excessive cost to conduct a vote it is imperative that we reach all the membership who are eligible to vote and encourage them to do so.



# GOALS & OBJECTIVES

- To communicate key information about the revamping of the current Land Code and MRP to as many members as possible using a variety of formats/platforms, and to solicit valuable input from members to inform and guide decision making.
- NFN's members are spread across Canada, as well as in the USA and overseas, making physical attendance at a consultation meeting difficult, if not impossible, for some members.
- To keep in mind that the 2013 the Trust Income meetings that were webcast to the Membership had over 1,000 viewers, which points to the importance of making the meetings as accessible as possible through the use of technology.



# TARGET AUDIENCES

## Audience

- On Reserve members

## Strategies

- Direct Mail
- Community Newsletter
- Website
- Social Media (Facebook & Twitter)
- Electronic Message Signs
- Posters in NFN facilities
- Conversations/interactions with Council and/or Staff members

- Off Reserve members

- Direct Mail
- Community Newsletter
- Website
- Social Media (Facebook & Twitter)
- Email (by request only due to not having distribution list and in compliance with anti-SPAM legislation)



# TARGET AUDIENCES

- Audience

## Strategies

- NFN Staff

- Email (including attachments such as fact sheets, info documents)
- Direct Mail
- Community Newsletter
- Employee Newsletter
- Website
- Social Media (Facebook & Twitter)
- Electronic Message Signs
- Posters in NFN facilities
- Conversations/interactions with Council and/or Managers



# TARGET AUDIENCES

## **Audience**

- On Reserve 3<sup>rd</sup> Parties  
(Non NFN Residents & Lessees)

## **Strategies**

- Direct Mail
- Community Newsletter
- Website
- Social Media (Facebook & Twitter)
- Electronic Message Signs
- Posters in NFN facilities
- Conversations/interactions with Council and/or Staff members



# TARGET AUDIENCES

Other considerations:

- Live webcasts of meetings (with live chat option to answer ?s)
- Link on website to recorded webcast of one (or more) of the meetings for those who are unable to attend any of the meetings in person or via live webcast.
- Members without access to technology (especially Elders)
- Focus Group sessions



# PRINCIPLES TO GUIDE DISCUSSION

- ✓ Comprehensive Process
  - ✓ Public Participation
    - ✓ Nation Benefits
  - ✓ Good Judgement
    - ✓ Feasibility
  - ✓ Accountability



# MESSAGES

## Key Messages

1. NFN's vision and mission are paramount in guiding us through this process. Chief, Council and Administration are guided by the Gichi-Naaknigewin (Constitution) and NFN's Strategic Plan. These documents emphasize fairness, accountability, balance and consideration of future generations in all decision making.
2. The four (4) main areas requiring updating is:
  - Land law enactment processes and amendments
  - addition of matrimonial law section
  - addition of Estate law section
  - addition of Enforcement section



# SPOKESPEOPLE

Who	Role
Chief and Council	Lead
Chief Executive Officer Land Manager/Director/Legal Counsel	Lead
Committee	Support
Administration (Lee, Joanne, Juliette, Gen)	Support



# IMPLEMENTATION

COMMUNICATING DETAILS OF THE REVISIONS AND  
CONSULTATION MEETINGS:



Audience	Key Messages	CX Methods	Responsibility	Deadline
WHO do we want to inform?	WHAT do we want to tell them?	HOW are we going to tell them?	WHO is responsible for doing it?	WHEN does this need to happen?
On Reserve Members	Revisions are required to the Land Code and MRP	<ul style="list-style-type: none"> <li>• Direct Mail</li> <li>• Community Newsletter</li> <li>• Website</li> <li>• Social Media (FB, Twitter)</li> <li>• Electronic Message Signs</li> <li>• Posters in NFN facilities</li> <li>• Conversations/interactions with Council and/or Staff</li> </ul>	<ul style="list-style-type: none"> <li>• Cathy/Land Staff</li> <li>• Gen</li> <li>• Gen with IT</li> <li>• Gen</li> <li>• Gen</li> <li>• Gen</li> <li>• ALL</li> </ul>	<ul style="list-style-type: none"> <li>• 2021</li> </ul>
Off Reserve Members	Revisions are required to the Land Code and MRP	<ul style="list-style-type: none"> <li>• Direct Mail</li> <li>• Community Newsletter</li> <li>• Website</li> <li>• Social Media (FB, Twitter)</li> <li>• Email (by request)</li> </ul>	<ul style="list-style-type: none"> <li>• Cathy/Land Staff</li> <li>• Gen</li> <li>• Gen with IT</li> <li>• Gen</li> <li>• Land Staff</li> </ul>	<ul style="list-style-type: none"> <li>• 2021</li> <li>• 2021</li> <li>• 2021</li> <li>• 2021</li> <li>• 2021</li> </ul>
NFN Staff	Revisions are required to the Land Code and MRP	<ul style="list-style-type: none"> <li>• Email (incl docs)</li> <li>• Direct Mail</li> <li>• Community Newsletter</li> <li>• Employee Newsletter</li> <li>• Website</li> <li>• Social Media (FB, Twitter)</li> <li>• Electronic Message signs</li> <li>• Posters in NFN facilities</li> <li>• Conversations/interactions with Council/Managers</li> </ul>	<ul style="list-style-type: none"> <li>• Cathy/Land Staff</li> <li>• Cathy/Land Staff</li> <li>• Gen</li> <li>• Gen</li> <li>• Gen with IT</li> <li>• Gen</li> <li>• Gen</li> <li>• Gen</li> <li>• ALL</li> </ul>	<ul style="list-style-type: none"> <li>• 2021</li> </ul>



Once key details about the revisions to the Land Code and the dates of the community consultation meetings have been communicated, the next step is to prepare for the meetings



# PREPARING FOR THE MEETINGS

All planning efforts are summarized below, with outstanding items highlighted:

Action	Timing	Status	Responsibility
<b>Planning</b>			
Room Bookings	TBD– Garden Village	Not started	Juliette
	TBD– Nbisiing	Not started	Juliette
	TBD – off reserve	Not started	Juliette
A/V Requirements (laptop, projector, screen, microphone)	TBD – Garden Village	Not started	TBD
	TBD – Nbisiing	Not started	TBD
	TBD – off reserve	Not started	TBD
IT Requirements (webcast, live chat)	TBD – Garden Village	Not started	TBD w/ Steve
	TBD – Nbisiing	Not started	TBD w/ Steve
	TBD – off reserve	Not started	TBD
Catering	TBD– Garden Village	Not started	TBD
	TBD– Nbisiing	Not started	TBD
	TBD– off reserve	Not started	TBD
<b>Collateral Required</b>			
Salient fact sheets	TBD	Not started	Cathy/Land Staff
Discussion Paper (copies for mtg)	TBD	Not started	Lee/Juliette/ Joanne
Presentation(s)	TBD	Not Started	Cathy/Legal Gen (support)
Speaking Notes	2021	Not Started	Cathy/Director/Legal TBD
Surveys *	2021	Not Started	TBD



# COLLECTING, COMPILING & COMMUNICATING FEEDBACK FROM MEMBERS

The following methods have been identified to collect feedback from the membership:

Tactic	Target	Timing	Responsibility
<b><i>On Reserve Members (including staff)</i></b>			
Focus Groups	NFN staff, Committee Members Community members	TBD	Cathy
Public Meetings	ALL on reserve members	TBD	ALL
Webcast/Webchat	Persons w/ limited mobility or no transportation	TBD	Gen w/ Steve
Conversations	Some members and staff	Ongoing	ALL
Surveys	All meeting attendees	TBD	Cathy/Land Staff
Social Media	As many as possible	TBD	TBD
Website	As many as possible	TBD	TBDw/ IT
Email	As an additional option	Ongoing	Gen
<b><i>Off Reserve Members</i></b>			
Public Meetings	Off reserve members in area (TBD) & in GTA (TBD)	TBD	ALL
Webcast/Webchat	ALL off reserve members	TBD	TBD w/ Steve
Surveys	All mtg/webcast attendees	TBD	TBD
Social Media	As many as possible	TBD	Gen
Website	As many as possible	TBD	Gen w/IT
Email	As an additional option	TBD	TBD

All feedback collected from the membership (verbal, electronic, written) will be compiled into one document, which will also include a summary showing key themes/ideas/concerns.



# Costing

This document will be presented to Council and Administration for review and will allow them to move forward with costing various options and developing a plan to present to the membership on or before TBD



# EVALUATION & NEXT STEPS

These consultations will bring forward different perspectives from the community, as well as from those who volunteer here and those who don't reside here. It may be helpful to include an identifier on survey forms to distinguish feedback received from band members from that received from other stakeholders.

**We will need to develop a plan to communicate the results of the consultations to the membership.**

This can be accomplished through direct mail, our community newsletter, website and social media.

Additionally, we may want to track the results of our efforts using a process similar to the one used during the implementation phase. The process could be revised to the past tense to highlight what we accomplished (i.e. WHO did we inform? WHAT did we tell them? etc.) and to provide measures of success.





## How can RC assist moving forward?



An overview of the duty to consult

Explore different triggers of consultation and engagement strategies

A review of land governance and environmental authorities

Options that can assist signatory communities under the Framework Agreement

Explore different community approaches outside of government & industry standards

Provide examples of community developed protocols, management systems and administrative tools

## Virtual Networking

- Knowledge Sharing
- Breakout Room
- Open Discussion
- Frequently Asked Questions

# 2021 Virtual Workshops

## Save the Dates



Jan 21

Feb 11

Mar 11

Apr 8

May 6

Jun 10

Jul 8

Aug 12

Sep 9

Oct 7

Nov 4

Dec 9



2-3 hour virtual workshops



presentation & group discussion

**Registration opening soon!**



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# THANK YOU

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