

## SESSION 1

### BREAKOUT ROOM 1

#### Law Development & Enforcement



- Kevin Broughton and Gail Starr, Enforcement Specialists
- **What if the band doesn't have a dispute process for members?**
- Check your Land Code (LC). Most LCs have a dispute resolution process set out. We are now recommending an enforcement law that lays out the panels, policies, etc.
- **Can a provincial ticketing system be used for enforcement of FN laws?**
- Provincial ticket cannot usually be used to enforcement of FN laws. If there is an agreement with the province, they may be willing to help enforce. You need you create your own ticketing system. Could approach a neighbouring court or Municipal court to hear cases. Gail has examples of a local court that has an agreement with A FN – the tickets look very similar to provincial ones but
- **Any tips for dealing with drug dealers on the reserves?**
- Depending on what they are, that should involve engagement with enforcement staff (mainly police, they are trained in dealing with drug offences) they need evidence and will build a case over time. There are some laws such as trespass or curfew. Issue orders for areas where known drug dealers hang out. Would need police to be able to issue warrants.
- **How many land code nations have their own bylaw enforcement officer, we are considering it ...perhaps a role combined with some other duties?**
- The combo of duties is a really good idea because you could go a few weeks without any enforcement duties where that person could be dedicated to housing, public works, enviro inspections, building inspections, etc. A BC community are well established with enforcement team (peace officers). Some other FNs use security companies to issue tickets. McLeod Lake just appointed their first enforcement officer, working on a manual for day-to-day duties.
- **We are looking at training and hiring Community Safety Officers to enforce our Land Laws. All old Indian Act bylaws are being re-written and repealed under our Land Code. Should we make one by-law at a time?**
- Depends on the situation you are looking at and how you plan to develop laws. First law Kevin suggests is enforcement law, then ticketing, etc. Gail suggests – usually 1 at a time so you keep the flow and creation of the law un confusing, exception with an emergency law.
- **For the dispute resolution panel, is this panel in addition to other land dispute mechanisms - eg. in addition to negotiation, mediation, etc. or is this the only process recommended for land disputes?**
- A FN is looking at developing dispute resolution process. Looking at other FNs, there are peace circles, tiered approach (discussion, mediation, peace circle, adjudication), etc. Looking to see what options are out there. Looking at a panel that could be multi use for other matters, MRP,

## Breakout Room Notes

justice. Can use processes already being used in your community/ area such as cultural practices like a circle where everyone speaks (build on traditional knowledge, seek out traditional people).

## SESSION 1

### BREAKOUT ROOM 2

#### Communications & Public Relations

Breakout Room 2

Communication &  
Public Relations

- **Do most first nations hire someone to design the website?** RC offers design services at no cost, including training.
- **Was it difficult to start the podcast? I've been curious about this for some time for our Nation? –** Steven spoke about a lot of the background work
- **We have our own website, is it ok just to have a separate "page" for land code info?** Suzanne, provided overview of how set up happens
- **What are your thoughts on branding- wondering about specific color scheme, logo's materials etc.** Suzanne talked about being consistent with current branding, and ways to approach and how this is unique to each Nation
- **How long does it take to get a LC website up and running?** Suzanne, very dependent on schedules, but could be from 2 weeks but general takes a month but can take longer. But if Nation is going to vote soon, it will be a priority for sure.

## SESSION 1

### BREAKOUT ROOM 3

#### LGM & Knowledge Path Tool

Breakout Room 3

LGM & Knowledge  
Path Tool

- New addition Knowledge paths tool – can be access through our website to create your own path account. Valuable tool to strengthen your knowledge.
- Three focus areas: GOVERNANCE, COMPLIANCE AND MANAGEMENT
- Categories: Workshops, Online resources, Mentorship, community of practice and support. Due to Covid everything has shifted to online. The key components are there to allow the strategy to meet the requirements of the Framework Agreement.
- **Main Audiences:** lands governance Director, Chief & Council, lands committee and community.
- Login and create profile - create your path (can be saved as a pdf or emailed)
- Your activities – list prepopulated based on the RC’s information
- FNs can request personalized sessions - TMPD will create a package for the session. To request, please contact your RC main point of contact.
- **Are the Courses learn at your own pace? or with a mentor with set course timeline? Yes, they are a learn at your own pace**

## SESSION 2

### BREAKOUT ROOM 1

#### Environment

Breakout Room 1

Environment

- **Can we use the Lands Committee for the JMC?** JMCs apply specifically to the ESA process, which is different from the EMP. It is a great idea to use the Lands and Environment Committees to assist with EMP development since it does have a large community consultation component.
- **Will a copy of the slides be available?** Yes, the slides will be posted on the RC website.
- **EMP funding for 2020?** 10 FNs will be provided with funding.
- **Is the ESA done by ISC?** The ESA is done by a consultant, picked by the FN.
- **Do EMP's come after the Land Code Development?** Each community is different. The EMP Funding right now is for operational FNs.
- **What is the length of time for the ESA process?** The timeline will depend on what is occurring on the land and the time of the year. For example, 3 – 9 months.
- **Does ESA phase III have to be completed prior to LC development phase?** In other words, if there are lots of environmental issues to deal with, can the LC development still move forward? Portions of land can be excluded from the Land Code.
- **When do ESA's get stale dated?** Usually, will stale date after 5 years.
- **Do ESAs apply to all FN land or only Reserve?** Only Reserve land.
- **Does the RC provide funding for FNs to participate in large EAs in the federal EA process, that affect their traditional territories, eg. from large oil and gas projects?** No, there is funding under the impact assessment act.

## SESSION 2

### BREAKOUT ROOM 2

#### GIS & Traditional Knowledge

Breakout Room 2

GIS & Traditional  
Knowledge

- **For the GIS website are they free?** Yes, free to download anytime, this includes all tools, resources and one on one support, mentioned in presentation.
- **Is it normal for a company to have a TUS with elders? And they keep ownership of website? Maybe not website, but information?** Ok, ownership of the knowledge - rather the editing capability - they want to do the editing, rather than let us do that on our own
- **Is GIS and TK utilized more in the Operational phase once a Land Code is implemented or can it be utilized in the Developmental phase as well?** We offer our support to developmental as well as operational
- **More information would be great on the legalities of 'intellectual property' as federal reps at our treaty negotiation table stated that Indigenous cultural knowledge - language, place names, songs, dances, etc. - cannot have the 'IP' stamp to protect them from others using, replicating, and so forth.** The advice provided was 'just don't put it out there'. more of a treaty setting, place names for example, more of a conversation offline with Zara...
- There are agreements that can be done such as a Non-Disclosure Agreements
- A FN has a process to help protect knowledge in the nation with maps showing traditional place names for example...TK studies in a database with marine studies as well...Traditions Consulting company for the whole territory not just IRs

## SESSION 2

### BREAKOUT ROOM 3

#### Surveys & Legacy Issues

Breakout Room 3

Surveys &  
Legacy Issues

- **How are band members able to afford a survey or is this paid for through the band?** Reach out to Lands Dept. RC can assist with alternate forms of funding that may be available.
- **Land locked parcels - any tips for our members?** Land locked parcels – surveyors can assist. Access is more of a legal issue. Access is required on new survey plans.
- **Is the Legacy funding only avail for Developmental phase or can Operational Bands can apply?** Legacy funding – operational First Nations are able to apply for legacy funding.
- **Would your area have funding to digitalize all our surveys? So that we can install into a GPS system?** Digitize surveys – available now (free). Canada Lands Overlay on Google Earth.
- **Legacy issue: Traditional Holdings that are not surveyed - if the band recognizes these, are they on the hook to survey?** Under your land code, you can register these types of instruments. It is more difficult to register them under the *Indian Act*. My advice is do not use handheld GPS to resolve lot line disputes. Tania would not recommend a handheld GPS also. Some members may also require a neutral party to resolve the issue.
- **I was thinking more of traditional trapline areas, or areas further out from the main reserve.** You can create a policy to address this issue.

## SESSION 3

### BREAKOUT ROOM 1

#### Land Use Planning

Breakout Room 1

Land Use Planning

- Recommends that all Land Code First Nations have a Land Use Plan (LUP)
- Advice is to involve membership early and often
- **How do you engage neighbors to ensure plan was cohesive?**  
They worked hard to build a good relationship with the district to create true reconciliation. This was a key. More remote First Nation's further down the channel have more traditional practices. LUP helped some First Nations stand strong as any government. The Duty to Consult was very important tool for the First Nation. Good relationship building, true reconciliation is key to their Nation.
- **What types of incentives work for community engagement?**  
Food is a great incentive, some First Nation's in COVID times have prepackaged food. Could be gift cards, draws for prizes (ie: iPad), Big screen TV's. If your budget can afford prizes, they are good draws. Can run an incentive draw that the more times people attend meetings, their name will be added into the grand prize draw. Incentives help to engage community.
- **Can the RC write the LUP for a First Nation?**  
No, we are unable to write the LUP for a First Nation because it must be a community plan borne of the community. The RC can definitely provide a framework by supporting the process and to get over hurdles. Often First Nations use consultants to assist, but it's important for the First Nation to build capacity by hiring in the community and keeping the capacity in house. RC helps in training and exploring options.
- **Are there any major issues when developing a LUP that should be avoided?**  
There are always challenges but one big one is to try to avoid the municipal approach. Some consultants may provide Municipal plans as examples. However, they are not suitable for First Nations. Ensure consultant is developing a document that is First Nation centered and the community voice speaks to it. Plans shouldn't be generic as it will not be used.



## SESSION 3

### BREAKOUT ROOM 2

#### Solid Waste Management



- Solid Waste Management funding comes from the same pot – no overlap of projects, however different components can be funded at the same time.
- **Organics?** The RC can assist with feasibility studies in the community. Composters, green cart, organics diversion programs.
- **Do many communities have composting programs?** Beginning to happen – uptake happening. Some communities have bio-solids facilities. There are a lot of innovations happening right now. Composting programs happening in conjunction with community garden to provide food security.
- **What is the Blue Box program?** - Recyclable's program, cardboard, etc. The RC can assist with obtaining collection bins (funding).
- **Do participants have blue box programs?** - Full producer responsibility – The RC can assist with helping the community set this up.
- **Full Producer Responsibility? What is it?** - Cost put back on the producer...right now communities are not funded for this.
- Opportunity for repair/refurbishment programs (e.g. bicycle trade in so they don't end up in the landfill)
- **Challenging relationships with Municipal neighbors?** RC can provide workshops on service agreement development as well as support for informing working groups & initial meetings.
- **Who is eligible for funding?** - Developmental & Operational First Nations can access the funding. Proposals are now more expression of interest based, to build projects that are meaningful/needed to the community. Work at the community's pace.

## SESSION 3

### BREAKOUT ROOM 3

#### Land Code Development & Ratification Process

Breakout Room 3

Land Code  
Development &  
Ratification Process

- **Is there negotiation around the funding and capacity during the developmental phase and community engagement?** Annex A of the Individual Agreement will determine the funding after the Land Code is approved. Written communication and engagement and the RC can work with staff on support.
- **Could you speak to ID extensions?** The timeframe can be extended if requested.
- **Does LABRC have a document that outlines activities and appropriate timeframes around those activities? What activities in LC development comes in what order?** Workplans are available. The Developmental Phase Funding Agreement (DPFA) will outline the activities/timeframe. The timeframe can be extended if requested.