



OUR SACRED LAND

Indigenous Peoples'
Community Land Use
Planning Handbook in BC



PORTABLE MEMORY DEVICE:

This portable memory device includes PDF versions of the Land Use Planning Manual and the Toolkit. Feel free to share these PDF files with others in your organization and with other First Nations.

**OUR
SACRED
LAND**

Indigenous Peoples'
Community Land Use
Planning Handbook in BC



Acknowledgements

We want to acknowledge the unceded and ceded traditional territories of 198 BC First Nations, representing 30 language groups and close to 60 dialects, and to the ancestors and Elders whose wisdom, protocols, and presence acknowledge and teach us the sacredness of the land, and the obligation we all have in caring for it.

The completion of this Handbook would not have been possible without the enthusiasm and contributions of so many individuals engaged in community-based land use planning (LUP), and related land governance and its many functions. The legal, cultural, and operational complexity of First Nations LUP is more apparent than ever. We hope this Handbook can help navigate the many facets of that complexity and most importantly, strengthen First Nations' ability to do more LUP on their own terms and in celebration of their culture and rhythms of seasons and time.

A heartfelt thank you to the Indigenous Advisory Committee (IAC): Pam Theodore (Canim Lake Band), Josephine Kelly (Se:math First Nation), Tammy Dorward (Tla-o-qui-aht First Nation), and Colleen Jacob (Xaxli'p Band). Your wisdom and guidance helped inform the approach, structure and content of the Handbook, and we are grateful for your effort, collaboration and friendship (see Bios at end of Handbook).

A sincere thank you to the 146 individuals, representing 108 First Nations, who participated in the First Nations LUP Workshop training between 2015 and 2018 where the need for a community-based LUP Handbook was identified. First Nations are mobilizing efforts to assert their Rights and Title, governance, culture, language and traditional knowledge through community-based LUP.

Many thanks also to the 43 First Nations LUP Workshop training participants who completed an initial survey that set a foundation for this Handbook early in the process. Reflections on important strengths, issues and needs in their communities were highly valuable and informed the development and content of the Handbook, and overall collaborative learning experience.

Specifically, we want to thank and acknowledge the following First Nations whose stories, illustrations and community photographs have helped this Handbook come alive: Adams Lake Indian Band, Pacheedaht First Nation, Taku River Tlingit First Nation, Lower Similkameen Indian Band, Pikangikum First Nation, Klahoose First Nation, Tla'amin Nation, Tla-o-qui-aht First Nation, Canim Lake Band and Sema:th (Sumas) First Nation.

We are grateful for the Indigenous contributors: Andrew Bak, Adam Munnings Angel Ransom, Bruce McIvor, Chris Derrickson, Christine Scotnicki, Jessie Hemphill, Joe Copper Jack, Jaime Sanchez, Sandra Harris and Steven DeRoy. Your insights have grounded this book in wisdom, culture and practice. Thank you also to David Stinson, John Ingram, Jason Locke, Ken Cossey, Kate Gunn, Rob Barrs, and Ron Cruikshank for your knowledge, experience and feedback.

Thank you to Hubert Barton of the Nisga'a Nation, coordinator of the ISP Teaching House program, for contributing community and landscape photographs from your hometown of Gingolx and of the Nass Valley in BC. Hubert also contributed the photograph pictured on the cover of this Handbook, which is an image of Gingolx BC and the mouth of the Nass River. Also a big thank you to Todd Peacey of Homalco First Nation in Campbell River, BC who contributed community, landscape and cultural/art photos featured throughout the Handbook.

Thank you to the Naut'sa mawt Tribal Council and Gary Reith and staff for your support and guidance in developing the LUP training and Handbook, and to Joan Calderhead for your dedication in supporting First Nations' community to community learning, capacity building, land governance and LUP.

Thank you to the team from Beringia Community Planning Inc, who authored the Handbook: Jeff Cook, Sarah Gillett, Barb Everdene, Paula Hay, Vanessa James, Leslie Pang, Vicky Hung, Eva Sung, Erin Grace, and Sherri Corrie who worked tirelessly to complete this Handbook in partnership. Your commitment and hard work has brought this Handbook to life.

Finally, we acknowledge and thank the Real Estate Foundation of BC and Indigenous Services Canada for your financial contribution and making this project possible.



Table of Contents

INTRODUCTION	11
CONTEXT FOR FIRST NATIONS LUP AND GOVERNANCE	23
STEP 1: CALL TO GATHER, UNDERSTAND AND DECIDE PURPOSE	47
STEP 2: GET READY	71
STEP 3: ENGAGE COMMUNITY	105
STEP 4: GATHER KNOWLEDGE AND INFORMATION	135
STEP 5: DECIDE FUTURE	165
STEP 6: CREATE TOOLS	197
STEP 7: DOCUMENT PLAN	217
STEP 8: ENDORSE AND CELEBRATE	231
STEP 9: CARRY OUT PLAN	239
STEP 10: TRACK PROGRESS	255
STEP 11: UPDATE AND REVISE	289
BIOS	296
APPENDICES	299



Table of Contents: *Stories*

Step 1: Call to Gather, Understand and Decide Purpose

Story 1: Taku River Tlingit First Nation – The Purpose and Value of Our LUP.	64
--	----

Step 2: Get Ready

Story 2: Tla'amin Nation – Reviewing Planning History	77
Story 3: Klahoose – Setting up a Youth Planning Support Team .83	
Story 4: Canim Lake Band – Mobilizing Funding for LUP	102

Step 3: Engage Community

Story 5: Tsawwassen First Nation (TFN) – Working with CP Holders	119
Story 6: Lower Similkameen Indian Band (LSIB) – Designing a Community Engagement Process.	133

Step 4: Gather Knowledge and Information

Story 7: Adams Lake – Data Storage	153
Story 8: Tla'amin Nation – Working with Elders to Understand Traditional Holdings	161

Step 5: Decide Future

Story 9: Story of Practice From Tsawwassen LUP Process	185
--	-----

Step 10: Track Progress

Story 10: Community Story.	272
Story 11: An Evaluation Story.	284

Step 11: Update and Revise

Story 12: Sema:th First Nation and the Revision of their LUP ...	292
--	-----

Table of Contents: *Tables and Figures*

Introduction

Figure I-1. 6 Handbook Principles	14
Figure I-2. 11-Step LUP Process	19

Context for First Nations LUP and Governance

Figure C-1. Relationship between CCP, LUP and Supporting Plans.	25
Figure C-2. First Nations Way of Life	30
Figure C-3. Indigenous Nation and Community Governance . . .	34
Figure C-4. Land Governance Scenarios.	39
Table C-1. Governance Scenarios	41

Step 1: Call to Gather, Understand and Decide Purpose

Figure 1-1. Relationship between CCP, LUP and Supporting Plans.	56
Figure 1-2. 14 Reasons to do a LUP	61
Figure 1-3. Scales of LUP	63
Figure 1-4. Purpose and Outcomes of LUP.	66
Table 1-1. LUP Considerations	68

Step 2: Get Ready

Figure 2-1. TRTFN Planning Timeline.	75
Figure 2-2.3 Approaches to LUP	78
Figure 2-3. Comparison of Approaches	79
Table 2-1. Summary of Planning Support Team.	82

Figure 2-4. TRTFN Salmon Cycle 90

Figure 2-5. Role of Leadership..... 93

Figure 2-6. Roles of a Consultant 95

Table 2-2. Sample Work Plan 97

Step 3: Engage Community

Figure 3-1. Spectrum of Community Engagement 109

Table 3-1. Goals Related to Community Engagement Spectrum . 111

Figure 3-2. Personal and Community Outcomes of Engagement 113

Figure 3-3. Steps to Create an Engagement and Communications Strategy 116

Figure 3-4. Sample Engagement Strategy..... 123

Figure 3-5. Community Engagement Tools 124

Figure 3-6. Sample Engagement Strategy with Tools 126

Figure 3-7. Sample Community Engagement Timeline 129

Step 4: Gather Knowledge and Information

Table 4-1. Challenges and Opportunities of Knowledge Gathering 140

Table 4-2. Types of Knowledge and Information 144

Figure 4-1. Community Mapping Steps 148

Figure 4-2. Capacity and Constraints Analysis 151

Figure 4-3. Steps for Analyzing Results 157

Figure 4-4. Sources of Knowledge and Information..... 160

Step 5: Decide Future

Figure 5-1. GRFN Situational Assessment Summary 168

Figure 5-2. Situational Assessment Process..... 169

Figure 5-3. LUP Vision Framework 171

Figure 5-4. Elements of a Vision Framework 172

Figure 5-5. Steps in Creating a Vision Framework 173

Table 5-1. LUP Issues -Directions: Lower Similkameen Land Use Plan 179

Figure 5-6. Example LUP Actions and Core Directions adapted from LSIB Land Use Plan 180

Table 5-2. Directions Strategies Actions..... 181

Table 5-3. Land Development Scenarios 184

Table 5-4. Options Analysis 185

Table 5-5. Example LUP Actions 188

Table 5-6. Analyzing Options 190

Table 5-7. Prioritizing Actions..... 191

Table 5-8. Sample 10-Year Timeline..... 193

Table 5-9. Sample Phases of Implementation 194

Table 5-10. Example Actions Sorted by Type..... 195

Step 6: Create Tools

Figure 6-1. Example Vision Framework200
 Figure 6-2. Semath First Nation Land Use Plan205
 Table 6-1. Technical Analysis208
 Table 6-2. Sample Land Use Zones and Policies212
 Figure 6-3. Sample Referral Process215

Step 7: Document Plan

Figure 7-1. Example Communication Tools223
 Figure 7-2. Planning Process Diagram- Pikangikum First Nation.225
 Figure 7-3. Tiyati X A Jighe Land Use Map.....228

Step 9: Carry Out Plan

Figure 9-1. Implementation and Change241
 Figure 9-2. Implementation Tools245
 Table 9-1. Implementation Challenges and Strategies246
 Figure 9-3. Steps to Implement Your LUP251

Step 10: Track Progress

Figure 10-1. Benefits of M&E.....258
 Figure 10-2. Vision Framework260

Table 10-1. Sample Evaluative Questions by Vision Framework .261
 Table 10-2. Sample Compliance Monitoring Tool262
 Figure 10-3. Sample Impact Monitoring and Evaluation Process.263
 Figure 10-4. Sample Impact Monitoring and Evaluation Process with Indicators and Data Collection Method.....264
 Table 10-3. Sample Indicators by Direction265
 Table 10-4. Impact Monitoring Tool268
 Table 10-5. Example M&E Work Plan.....273
 Table 10-6. Sample Yearly Indicator Reporting Tool274
 Table 10-7. Scheduling M&E Communications.....275
 Table 10-8. Communications Strategy Schedule.....276
 Figure 10-5. M&E Challenges & Strategies278
 Figure 10-6. Steps to Complete a M&E Strategy280

Appendices

Figure A-1. Engagement Principles301
 Figure A-2. Research Activities303
 Table A-1. Governance Scenarios313
 Table A-2. LUP Challenges and Strategies314
 Table A-3. Mapping Methods.....324

“

A LUP guides future development.”

LUP Workshop Participant
(2017)



“

A LUP plans for community needs now and in the future.”

LUP Workshop Participant (2017)



Introduction

How This Handbook Came to Be

The idea for this Handbook was seeded during a series of LUP workshops sponsored by Naut'sa mawt Tribal Council and facilitated by Beringia Community Planning Inc. between 2015 and 2018. Over four rounds of training, 146 participants from 108 First Nations across BC gathered to learn and talk about how to do LUP through a hands-on, learning-by-doing approach. The learning involved engaging in experiential exercises and tools aimed at stimulating collaboration and sharing community to community.

During workshop evaluations completed by participants, the need for a culturally appropriate and relevant, visual and accessible BC First Nations LUP Handbook was identified. This Handbook is a response to this need and is written for First Nations community and local planners. It aims to share the knowledge, strength and creativity of First Nations involved in LUP with a larger audience. First Nations participants want to see more

community-based LUPs delivered by the community for the community.

Funded by Indigenous Services Canada (ISC) and the Real Estate Foundation of BC, Naut'sa mawt Tribal Council hired Beringia Community Planning Inc. to launch a collaborative learning process to engage First Nations practitioners who took the LUP training in the process of creating this Handbook.

In collaboration with an Indigenous Advisory Committee (IAC), the Handbook is designed to serve the needs of BC First Nations communities, Chief and Councils and Lands Department staff who are engaging in or considering a LUP process. Our hope is that this Handbook will support BC First Nations' overall land governance efforts by providing communities with culturally relevant information, resources and tools to support a community-driven LUP process.



What is This Handbook?

This LUP Handbook describes a community-driven process and approach to LUP, which differs from more technical LUP Handbooks. Our emphasis is on community engagement which prioritizes working with community knowledge and strengths, and investing in community capacity building. We acknowledge the diversity of First Nations in BC and the complexity of land governance. As such, the Handbook emphasizes the importance of having a LUP process driven by the unique culture and governance system of each First Nations community. It promotes an approach to LUP that is grounded in culture, the relationship to land, and traditional knowledge, Indigenous values, laws and protocols.

This Handbook is:

- ☑ Specific to the context of First Nations LUP in British Columbia (BC)
- ☑ Co-created with First Nations LUP practitioners
- ☑ General enough to speak to the great diversity of First Nations in BC
- ☑ Specific to the process of LUP as it fits in the much larger theme of land governance
- ☑ Driven by the principles of community-based planning and respect for Indigenous cultural protocols and customs
- ☑ Shaped by First Nations' culture, principles and perspectives in its approach to LUP
- ☑ Written for the audience of Indigenous land use practitioners

This Handbook is **not**:

- ☒ A comprehensive guide to land governance or the entire field of LUP
- ☒ A technical guide to LUP
- ☒ A government-driven publication
- ☒ An academic text book
- ☒ A one-size-fits-all approach, rather a suggested set of steps to be adapted to meet local community needs



Figure I-1. 6 Handbook Principles

Handbook Principles

The 6 principles (see Figure I-1) that have driven the creation of this Handbook include:



Acknowledge diversity: We appreciate the diverse cultures, needs and goals of First Nations in BC by acknowledging different starting places and gathering points for LUP. We acknowledge the many different approaches, scopes, scales and types of LUPs created to meet unique community needs and circumstances.



Uphold Indigenous approaches to LUP: We honour the Indigenous values, laws, protocols and principles that inform First Nations LUP. We promote a holistic approach to planning, and acknowledge and consider the cultural, spiritual, social, emotional, physical, mental and intellectual relationships to the land throughout the LUP process. We recognize that Aboriginal Rights and Title to land and self-determination are paramount.



Honour history and context: We acknowledge the colonial legacy and reality that impacts LUP and recognize the inherent right to plan for and manage lands, and current barriers and opportunities for doing so.



Develop user-friendly content: We create practical and action-oriented content and provide ready-to-use resources and tools with an emphasis on presenting information visually with culturally relevant diagrams.



Promote community-led planning: We promote a community-led approach by demonstrating effective community engagement practices and methods, and elevating and sharing community-based knowledge.



Create the Handbook collaboratively: We co-create the engagement process in the spirit of mutual recognition and learning. We share knowledge from a network of Indigenous LUP practitioners.

Organization of the Handbook

This Handbook is divided into 4 parts:

1. **Introduction and Context:** How this Handbook was created and setting the stage for First Nations LUP
2. **The LUP Process:** A how-to guide to complete a LUP process presented in 11 steps
3. **Stories:** Stories of practice from First Nations engaged in LUP
4. **Tools and Resources:** Templates, tools and resources to be adapted to each LUP process are referenced throughout the Handbook (with summaries at the end of each step) and compiled in the companion document titled *Toolkit Resources*.

You can read this Handbook from beginning to end, or you can jump to the section most useful to your current LUP needs or where you are in the process. Each step of the LUP process is colour coded for easy navigation. Tools and resources are referenced throughout the text.

We hope that you will take from this Handbook the pieces that are most helpful to your First Nation's specific LUP journey, and adapt and modify the pieces as needed to your unique context.



Using the Handbook

Here are some ways we hope you may use this Handbook:

- Consider the proposed steps as a guide in designing and delivering your own LUP process
- Learn how other First Nations are approaching LUP and consider ways of shaping the scale and scope of LUP to your own needs and available resources
- Learn how other First Nations are addressing LUP challenges and opportunities
- Choose and adapt practical methods and tools to use in your LUP process
- Share visuals and diagrams to help you teach, do or talk about LUP in your community
- Use as a resource to assist in mentoring the next generation of planners in your community



Overview of LUP Cycle

Planning is a continuous process with no beginning or end. Like the seasons, harvesting cycles and cycles of the moon, good planning happens in cycles; each cycle setting us up for the next round of planning.

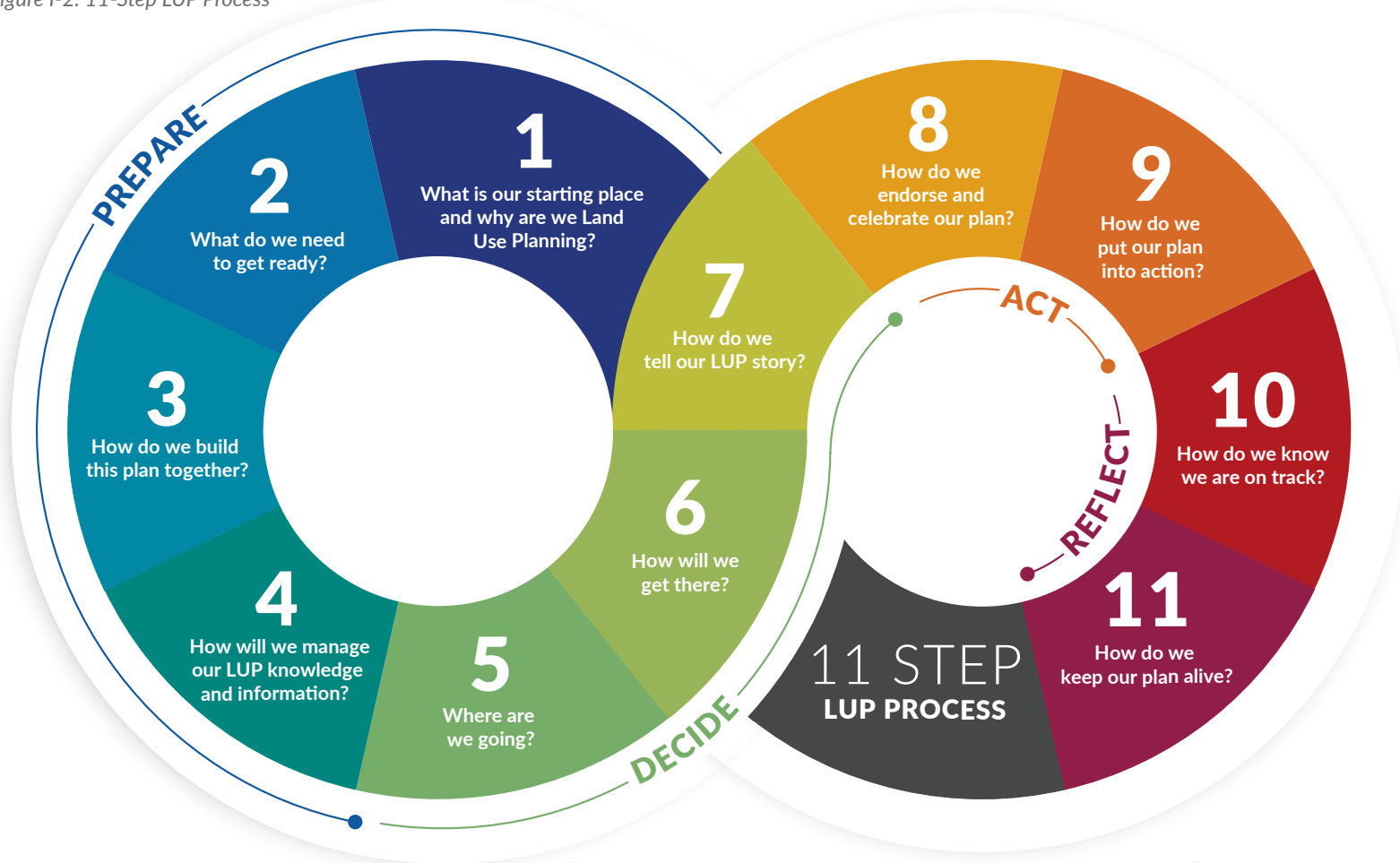
In this Handbook, we present a LUP process cycle in 4 phases that encircle 11 steps (see Figure I-2 on the next page). This cycle is not a strict formula or straight line for how a LUP should happen. Rather, it is a proposed sequence of steps to consider when organizing a LUP process and making decisions. We hope that you find it a helpful tool for organizing information, bringing community into the process and teaching the planning process with community members to complete a LUP and make decisions.

In reality, your LUP process may not fit neatly into these steps, nor may the steps happen in the presented order. You may not start at the beginning; rather, you may skip a step or two, and then go back to a step you missed. This proposed structure is deliberately a cycle, that has no beginning or end, to recognize that LUP is a continuous activity and is holistic in nature.

Every First Nations community is unique and at a different place going into a LUP process. As shown in Figure I-2, we present 4 phases: 1) *prepare*, 2) *decide*, 3) *act* and 4) *reflect*, along with guiding questions associated with each of the 11 steps.



Figure I-2. 11-Step LUP Process



PREPARE

- 1. CALL TO GATHER, UNDERSTAND & DECIDE PURPOSE
- 2. GET READY
- 3. ENGAGE COMMUNITY
- 4. GATHER KNOWLEGE & INFORMATION



DECIDE

- 5. DECIDE FUTURE
- 6. CREATE TOOLS
- 7. DOCUMENT PLAN



ACT

- 8. ENDORSE & CELEBRATE
- 9. CARRY OUT PLAN



REFLECT

- 10. TRACK PROGRESS
- 11. UPDATE & REVISE



PREPARE (STEPS 1-4)

Phase 1 involves getting ready for your LUP process. It begins with gathering and asking: “What is our starting place and why are we Land Use Planning?”. Step 1 involves grounding your process in your community’s relationship to its land, culture, spirituality, people and knowledge. As a community, you explore the value of LUP and identify why it is needed and what purpose the planning process and LUP will serve.

Step 2 involves asking “What do we need to get ready?”, pulling together the resources needed to plan (e.g. knowledge, people, money) and organizing those resources into a process and Work Plan. It also involves securing a budget to carry out the process to complete the LUP, and assessing the required capacity and skills. Mobilizing a local Planning Team and Champion are important success factors for the remaining planning phases.

In Step 3, you ask the community “How do we build this plan together?”. This includes creating a community engagement and communications strategy to ensure that your LUP process is community-driven, inclusive and participatory. This is the time to define the vision for your process and identify what outcomes you want to see as a result of this process.

Finally, in Step 4, you need to ask “How will we manage our LUP knowledge and information?”. Beginning your process with a solid base of information and knowledge is important for making good decisions and building a strong base of mapping.



DECIDE (STEPS 5-7)

Phase 2 involves exploring the past, present and future to help inform a vision of land use for future generations. This phase starts with gathering information to help understand your past and present situation. In Step 5, you gather current facts about your community and discuss the accomplishments, strengths and challenges. Understanding the current situation and history helps to create a vision of what you want to preserve and/or change about the land based on community values, teachings and principles. Based on this wisdom and knowledge, together, the community decides on a vision of “Where are we going?”. This typically includes developing a framework that outlines a vision statement, a set of principles, directions, strategies and priority actions regarding how to collectively govern land use. This framework is an expression of community values that guide decision-making.

Step 6 answers the question: “How will we get there?”. We look at specific land governance tools such as policies, designations and laws that describe how your LUP may be put into action.

Once these steps are complete, it’s time to bring the results of the LUP process together. In Step 7 you communicate what was decided on, answering the question: “How do we tell our LUP story?” through words, images, stories and maps in culturally appropriate ways.



ACT (STEPS 8-9)

You now have the opportunity to mark the completion of your LUP process in Phase 3. Asking the question: “How do we endorse and celebrate the LUP?”, Step 8 creates an opportunity to respect local protocols and ceremony, and acknowledge and celebrate community participation.

Now that you know where you want to go and your LUP has been documented we move on to Step 9 which answers the question: “How do we put our LUP into action?”. This involves getting ready and organized for implementation by bringing together the people, relationships, resources (e.g. money and time), knowledge, processes and communications tools to carry out the land use vision, including anticipating implementation challenges and creating strategies and tools to ensure a successful LUP.



REFLECT (STEPS 10-11)

Phase 4 involves observing the results and impacts of your LUP in order to see what is working and what is not working. Step 10 is concerned with “How do we know we are on track?”. This step helps you adapt and align your LUP to better govern your land use in the ways that you said you would. This ensures that the LUP stays alive and is working for the community. This phase includes monitoring, evaluating and communicating the results of your LUP with the community. It is in this phase that, as a community, you decide what and how you will monitor and evaluate by picking the indicators to track. It involves sorting out the information, tools and resources needed to collect information and track those indicators. You also need to decide how often to evaluate the LUP, and how and when you will share, communicate and celebrate results.

Finally, in Step 11, it comes time to decide how and when to revise the LUP by asking: “How do we keep our plan alive?”. Appreciating that LUP is a continuous cycle, the process of adapting to change becomes important to keep your LUP alive, active and effective.

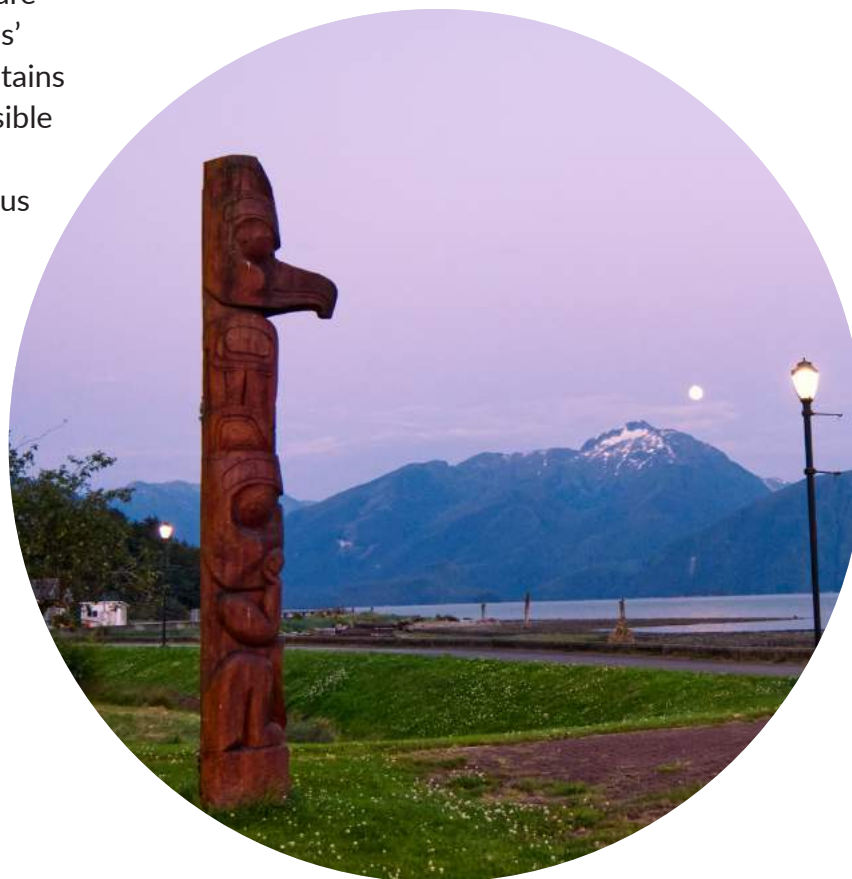
METHODOLOGY

Our purpose in producing this Handbook was to co-create a guide to LUP with First Nations contributors to ensure that it is grounded in First Nations' knowledge and perspectives, contains meaningful content, and is accessible and culturally responsive. We worked closely with our Indigenous Advisory Committee to develop our approach to researching and producing this Handbook. If you would like to know more, see Appendix 1 on page 300.

“

*A LUP protects
cultural/sacred areas.”*

LUP Workshop Participant (2017)



Context for First Nations LUP and Governance

“

I learned that a LUP is a big project and can take years and to not rush through everything if I want a detailed quality product.”

LUP Workshop Participant (2016)

What is Land Use Planning?

A LUP is a story about the past, present and future state of a territory or land base –it is a way for First Nations to document the story about their community’s identity and relationship to the land. LUP is a process of coming together as a community to discuss and decide how to use or not use the land in the future. This process identifies which lands to use and protect based on needs, values and priorities. It is a way to manage competing and conflicting uses, as well as set a foundation that guides future decisions about the land. LUP is also a tool to assert land governance and control over resources, socio-economic conditions, self-governance and cultural self-determination, especially relevant in the current era of reconciliation.

Why Complete a LUP?

In BC, First Nations are engaging in LUP for numerous reasons. A First Nation might be considering a LUP for several years before the process gets going. Particular land use pressures and development constraints can trigger the need for a LUP, and in other cases, a LUP process might be triggered by the need to capture a potential economic opportunity.

First Nations who face significant development and resource extraction pressures need a LUP and a set of tools to assist in decision-making, consultation, referrals and negotiations. A LUP can also be one way to exercise continuing Aboriginal Rights and Title, and strengthen claim to these rights. Entering the First Nations Land Management Act can be viewed as a step to increase authority over land management through the development of a land code, for example.

The development of other types of plans such as Economic Development or a Comprehensive Community Plan (CCP) might also trigger a LUP, which could be developed in conjunction with or as an expansion of these other planning processes as shown in Figure C-1 (“Relationship between CCP, LUP and Supporting Plans”). In other cases, a First Nation might want to prepare for changes in governance and land management structures or coordinate with planning processes taking place in neighbouring communities or regions.

Clarifying the purpose of your LUP as a community helps to develop a shared understanding of why a LUP is needed and what it will achieve. See Step 1 for a more detailed summary of the key reasons that your First Nation might undertake a LUP, as well as potential outcomes that can be achieved.



Figure C-1. Relationship between CCP, LUP and Supporting Plans

“

*A LUP protects lands
and resources.”*

LUP Workshop Participant (2017)



“

*A LUP protects
ecological areas.”*

LUP Workshop Participant (2017)



Land Governance and Contact

For millennia First Nations have planned for the use and care of their lands on the basis of their distinct Indigenous legal and social orders. First Nations stories, social and moral codes, cultures, and economies have been closely tied to a deep relationship with the land. As illustrated through oral, archaeological and ethnographic history, First Nations peoples observed the rhythms of the land and organized their trade, transportation, living arrangements and hunting, gathering and fishing practices accordingly. They actively shaped the environment as it shaped them.

Canada's colonial history of dispossession and settlement of First Nations lands has impacted the ability of First Nations to collectively use and care for the land. These processes occurred through the imposition of western legal and social orders, the *Indian Act*, the forced relocation of communities, the creation of reserves, and instruments such as Certificates of Possession (CPs). By forcing children into residential schools

and banning traditional practices such as the Potlatch, First Nations were also denied the means of upholding their cultural and spiritual connection to their lands.

The reserve system was created through the aggressive expansion and segregation of First Nations people. Many of the reserves that First Nations people in Canada live on today were carved out of much broader territories that people had lived on and travelled. The *Indian Act* of 1876 codified the methods through which Indian status and reserves were governed by the federal government. Today, Canada's legal system (the Crown) and the *Indian Act* continue to be used to govern Indigenous land use.

First Nations are increasingly faced with ongoing challenges to their land governance through industrial and economic





activities and contamination. However, through dedication, determination and innovation, First Nations are upholding their traditional stewardship of the land in contemporary ways. In BC, we are experiencing an exciting wave of increased self-governance for First Nations and strengthened intergovernmental relationships between First Nations communities and different levels of government. This is taking shape through self-government agreements such as treaties, sectoral negotiations, partnership agreements, and the use of the First Nations Land Management Regime. This wave is leading to greater ownership and control of lands and resources by First Nations, including the ability to protect land and to become more financially independent. First Nations are at different places on this wave but moving toward the common goal of exercising their right to govern, manage and steward their land –a process that can be supported by an effective LUP.

“

A LUP positions the Nation for economic development opportunities.”

LUP Workshop Participant (2017)

“

There's a saying: 'Plan or be planned' (credit to John Ward, Taku River Tlingit First Nation) we've had a lot of planning that has been done to us for generations. There have been so many awful research, planning and consultation experiences, people wonder why bother, when there has been no meaningful change. We need to go deeper into change and well-being so that people start to trust that there can be change.”

Sandra Harris, Gitksan Government Commission



“

Everything we do involves the land and the use of the land and the respect for the land. We need to share with the community, the importance of LUP. It's the chance to put our homeland back together again. Like tidying up our house, a chance for us to do that again after that responsibility has been taken away for 75 years.”

Joe Copper Jack, Yukon LUP Council

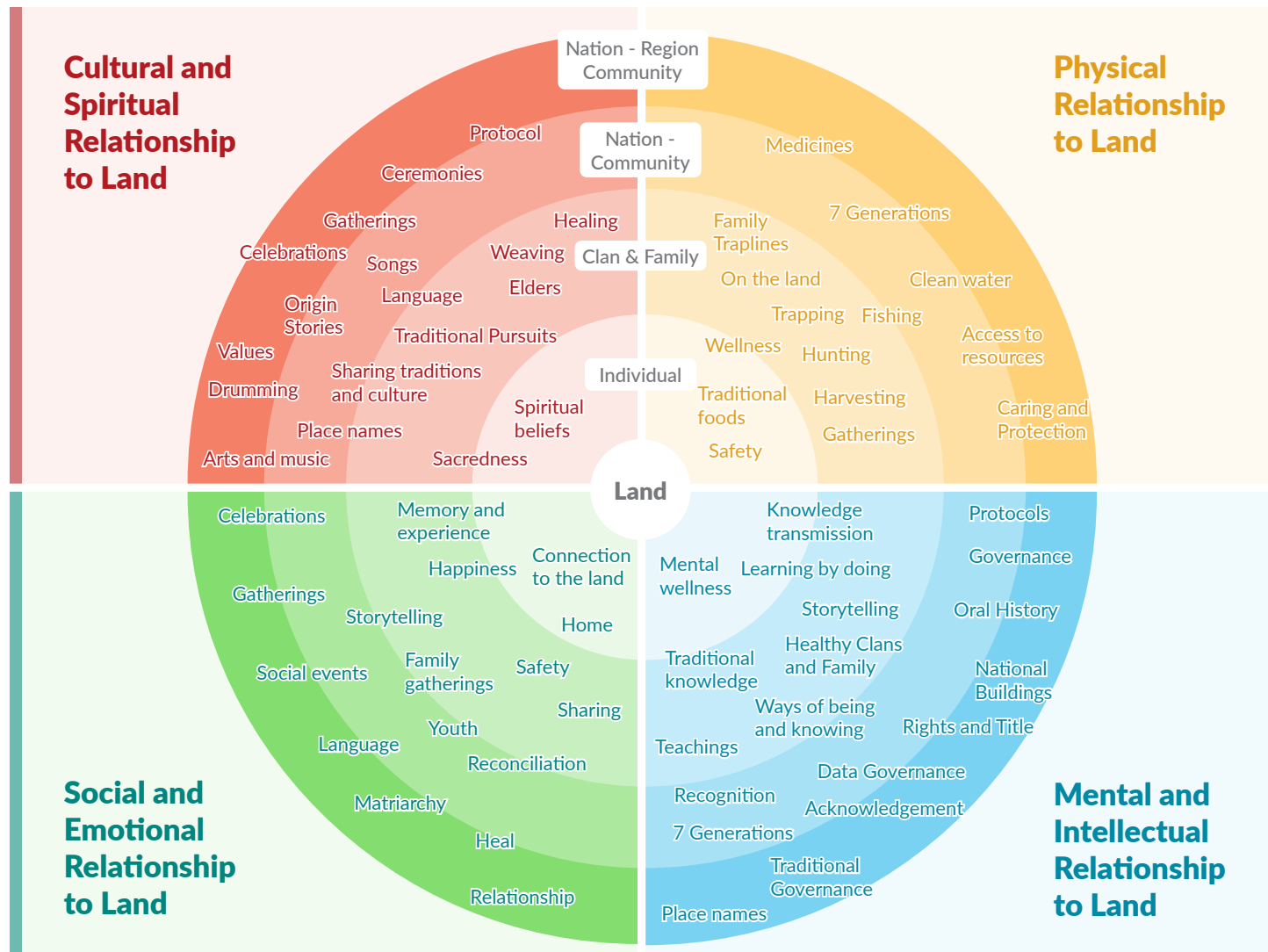


Figure C-2. First Nations Way of Life

First Nations Way of Life

The 'First Nations Way of Life' honours the ways in which First Nations have lived on and respected the land since time immemorial. Land is foundational to the First Nations' way of life including knowledge, experiences, relationships and wellness. It is from the land that First Nations have developed their culture, identity, language and traditions and these are passed on through individuals, families, communities and Nations. This relationship to land is sacred in nature and difficult to define in a few words.

The four quadrants in Figure C-2 illustrate the ways in which land sustains Indigenous communities physically, mentally, emotionally and spiritually, and the importance of nurturing all of these aspects together to create a holistic and balanced way of life on the land.

- **Physical:** This quadrant reflects the ways in which the land provides for physical needs including food, safety, access to resources and harvesting practices
- **Mental and Intellectual:** This quadrant reflects the mental aspect of the First Nations way of knowing and being – how people learn from the land and use knowledge, teachings and understanding to create, plan for and govern the land
- **Social and Emotional:** This quadrant represents living in harmony with the environment and community, both receiving and giving through interaction and gathering
- **Cultural and Spiritual:** This quadrant recognizes the ways in which the land feeds and nourishes the spirit and is reflected in cultural ceremony, practices, traditions, language and gatherings

The circles represent the Individual, Clan and Family, First Nation-Community, and Nation-Region Community. Figure C-2 illustrates a

sense of responsibility that extends not just to other individuals, but also to family, community and beyond. This mutual accountability, reciprocity and responsibility stems from, and is reflected in, First Nations' relationships to land. Respect for the land entails a high standard of care, gratitude and honour that is fundamental to the First Nations way of life.

- **Individual:** While each person is responsible for their unique relationship to the land, this relationship informs, and is informed by, family, community, and the Nation. The family, community and Nation are critical to an individual's way of life and relationship to the land.
- **Clan and Family:** Family represents an individual's kinship and support network. For First Nations people, family is seen more broadly than in western contexts and includes both immediate and extended relations. Along with bloodlines, families can include those who one cares for as well as extended support/social networks, defined by values and customs that shape kinship and are unique Nation to Nation. There are a variety of diverse family systems among BC First Nations which impact their way of life and relationships to the land.
- **Nation-Community:** Community represents places and the collective group of people. There are many different communities – based on roots, where a person lives or comes from, through language occupation, interests, values, knowledge and experience, etc. These all play a role in one's identity and relationship to the land and sense of belonging.
- **Nation-Region Community:** Nations include a broader network of communities based on language or shared territories, for example, and refer to a broader identity beyond personal, family, and community levels.

First Nations' relationship to the land is fluid and can be adapted and customized based on individual or collective perspectives and the unique cultural and diverse contexts in BC.

What Do We Mean by Land Governance?

Today, First Nations land governance encompasses traditional and contemporary land stewardship practices, traditional laws, customs, protocols and values as well as by-laws, land codes, and various management regimes. A community's needs and resources can impact how land is governed.

Figure C-3 summarizes the **Legal and Jurisdictional** and **Operational** contexts of land governance, with **Indigenous Nation and community governance** practices underpinning all of these elements. While LUP is only one operational function of land governance, the legal/jurisdictional and operational context of land governance that a First Nation operates in will impact the process and results of LUP.

Indigenous Nation and Community Governance

First Nations have developed complex systems of governance, based on their way of life since time immemorial and prior to colonization. Indigenous governance is extremely diverse and includes Indigenous rights and title stewardship practices, legal orders, customs, traditions, protocols and values. Indigenous political systems were often created and maintained by an oral order based on a supreme law, political philosophies and cultural systems. While elements of traditional governance changed with colonization, many Indigenous systems of government continue to this day and shape land use.



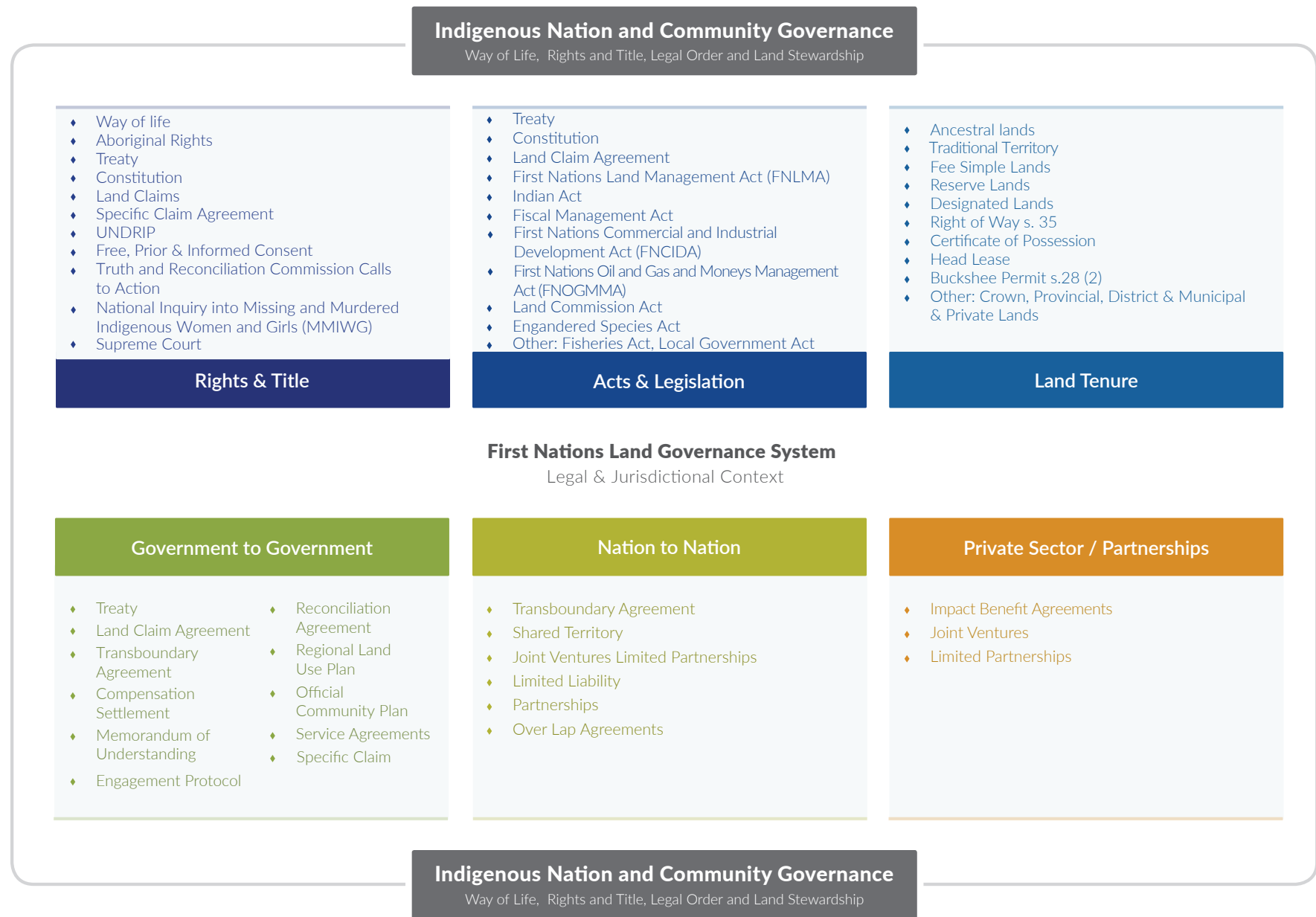


Figure C-3. Indigenous Nation and Community Governance

Indigenous Nation and Community Governance
Way of Life, Rights and Title, Legal Order and Land Stewardship

- ◆ Land Code
- ◆ Land Use Plan
- ◆ Traditional Environmental Knowledge Study
- ◆ Traditional Use & Occupancy Study
- ◆ Ecological Assessment
- ◆ Environmental Study
- ◆ Archeological Plan
- ◆ Other: Comprehensive, Community, Master, Economic Development, Infrastructure, Capital, Fisheries, Resource Management, Energy, Waste Management, Emergency Preparedness, Neighbourhood and Site Plans

Research, Plans and Policy

- ◆ Land Code
- ◆ Land Use Plan
- ◆ Bylaws
- ◆ Land Designations
- ◆ Additions to Reserve
- ◆ Referral Process
- ◆ Permitting & Licensing
- ◆ Site Guidelines
- ◆ Building Code
- ◆ Applications & Forms
- ◆ GIS Mapping System

Land Management Tools

- ◆ Nation Government
- ◆ Regional (Tribal) Council
- ◆ Chief & Council
- ◆ Community Assembly
- ◆ Elders Council
- ◆ Band Manager
- ◆ Lands Committee
- ◆ Harvesting Council
- ◆ Lands Director/Manager
- ◆ Planning Team
- ◆ Lands Coordinator
- ◆ Referrals Clerk
- ◆ Lands Technician
- ◆ Lands Stewards

Leadership, Management & Staff

First Nations Land Governance System
Operational Context

Infrastructure Services

- ◆ Water Safety
- ◆ Housing
- ◆ Transportation
- ◆ Public Works
- ◆ Community & Health Facilities
- ◆ Waste Management
- ◆ Energy & Heating
- ◆ Communications
- ◆ Fire Services
- ◆ Emergency

Programs

- ◆ Traditional Foods
- ◆ Cultural Pursuits
- ◆ Fisheries
- ◆ Housing
- ◆ Lands Monitoring
- ◆ Harvesting
- ◆ Hunting
- ◆ Land Recreation
- ◆ Land Based Healing
- ◆ Seniors & Youth

Admin. & Financial Management

- ◆ Financial Systems
- ◆ Funding Agreements
- ◆ Own Source Revenue
- ◆ Cashflow Management
- ◆ Project Management
- ◆ Proposal Development
- ◆ Budgeting Cycle
- ◆ Financial Reporting
- ◆ Financial Law
- ◆ Administrative Law
- ◆ Property Tax Law
- ◆ Financial Manager
- ◆ Charity - Society

Indigenous Nation and Community Governance
Way of Life, Rights and Title, Legal Order and Land Stewardship

Legal and Jurisdictional

The legal and jurisdictional context of your First Nation will impact the scope, approval process (final authority) and law-making implications of your LUP and it will establish different opportunities for LUP. Aspects of legal and jurisdiction include Rights and Title, acts and legislation, land tenure, government to government, Nation to Nation, private sector/partnerships:

1. Rights and Title: First Nations have specific rights set out in the constitution which relate to land governance. These rights drive supreme court decisions, land claims, duty to consult and treaties.

2. Acts and Legislation: A variety of acts and legislation will affect different degrees of law-making authority. These involve federal acts (e.g. *Endangered Species Act*), and sometimes federal laws (e.g. *Fisheries Act*), which recognize First

Nations power to govern, regulate and manage land-related activities, usually on reserve. Under the *Indian Act* and through delegated authorities under the *Indian Act*, for example, a First Nation can only enact certain bylaws with approval from the Ministry of ISC. Other governance systems such as the *First Nations Land Management Act (FNLMA)* and treaty agreements provide First Nations increased authority to make laws in relation to lands and resources.

3. Land Tenure: Land tenure structures determine the different forms of occupation and ownership and possibilities a community or individual has with respect to land use and development. First Nations might be involved with planning for lands with a mix of land tenure including fee simple lands, reserve lands, traditional territory lands and/or crown lands, or certificates of possession and customary lands.

4. Government to Government: Land governance involves working and negotiating with other governments. Some of the tools used for this purpose include memorandums of understanding, engagement protocols, reconciliation agreements or service agreements. First Nations might also collaborate with other governments on a regional LUP or Official Community Plan.

5. Nation to Nation: Land governance may also involve working and negotiating with other First Nations regarding shared territory or partnering on joint ventures.

6. Private Sector/Partnerships: Land governance may also involve working and negotiating with the private sector through impact benefit agreements, joint ventures or limited partnerships.

Operational

The operational aspects of land governance impact the day-to-day management of lands and resources and include human resources, planning processes and policies, land management tools, service and program delivery, infrastructure and services, and administrative and financial management:

1. Research, Plans and Policy: LUP is one of several important operational tools that can help govern the stewardship and use of reserve or territory lands, including land code, Infrastructure Plans (PDP/IP), Economic Development Plans and Comprehensive Community Plans (CCP). These should all relate together.

2. Land Management Tools: Land governance requires management tools such as referrals processes, bylaws, zoning policies, site guidelines or permitting and licensing. It also involves the support of technological tools such as a GIS mapping system.



3. Leadership, Management and Staff: This includes human capacity—the knowledge, skills and abilities of people to effectively manage land governance.

4. Infrastructure and Services: Planning for infrastructure and services is an important aspect of land governance and has huge implications for land use and impacts. Infrastructure planning for housing, transportation, waste management and fire services all impact LUP.

5. Programs: First Nations run numerous programs that depend on specific land use such as traditional foods, fisheries, health or recreation programs, etc.

6. Administrative and Financial Management: Effective governance requires financial management systems and laws, including managing economic development interests, capital and loans, as well as budgeting, funding, and reporting activities.

Governance Scenarios and LUP

As shown in Figure C-4, there are different governance and jurisdictional arrangements that impact First Nations LUPs. With each governance scenario, there are different levels of authority that shape what aspect of land governance can be decided and enforced by the community. Despite various limitations of jurisdiction, First Nations are undertaking LUP as an exercise in strengthening self-governance, engaging community members and providing direction to staff on decision-making regardless of the jurisdiction.

Figure C-4 outlines a spectrum of jurisdiction for First Nations land governance scenarios related to Acts and Legislation and the implications for First Nations LUP. See Appendix 2 (page 305) for a more complete discussion on these jurisdictional contexts.

“

Indigenous people have the inherent right to develop their own LUPs in their territories. The key message is that planning is part of good governance, regardless of how the Nation is governed. Good planning is good planning and will endure all the legal and political changes, if it's been developed by and with membership and partners.”

Jaime Sanchez, MCIP RPP

The five jurisdictional scenarios are as follows:

1. **Indigenous Governance:** First Nations laws, authorities and institutions have existed since time immemorial and govern the land and the people living on or moving across the land. These systems define the ability to make, interpret and enforce laws within a territory, the rules of the political system and the roles and responsibilities of members. Indigenous governance is often guided by teachings, stories and philosophies passed down through generations. LUP can be an opportunity for a First Nation to articulate, document and assert Indigenous laws and principles. Despite a lack of clarity as to whether the courts will enforce these laws, First Nations leaders pursue LUP that draws on Indigenous governance models to bring attention to Indigenous legal traditions and the need for reformed governance and control over ancestral lands
2. **Indian Act:** The *Indian Act* was passed in 1876 to centralize control over First Nations, facilitate assimilation and govern all aspect of their lives on reserve. Under the *Indian Act*, reserves are portions of a First Nation's territory reserved for the Indian Band, with legal title held by the Crown for the use and benefit of the Band. Reserves are subject to the land management policies of the Crown and ISC rather than First Nations governments or citizenship. Thus, the enforceability of LUPs developed under the *Indian*

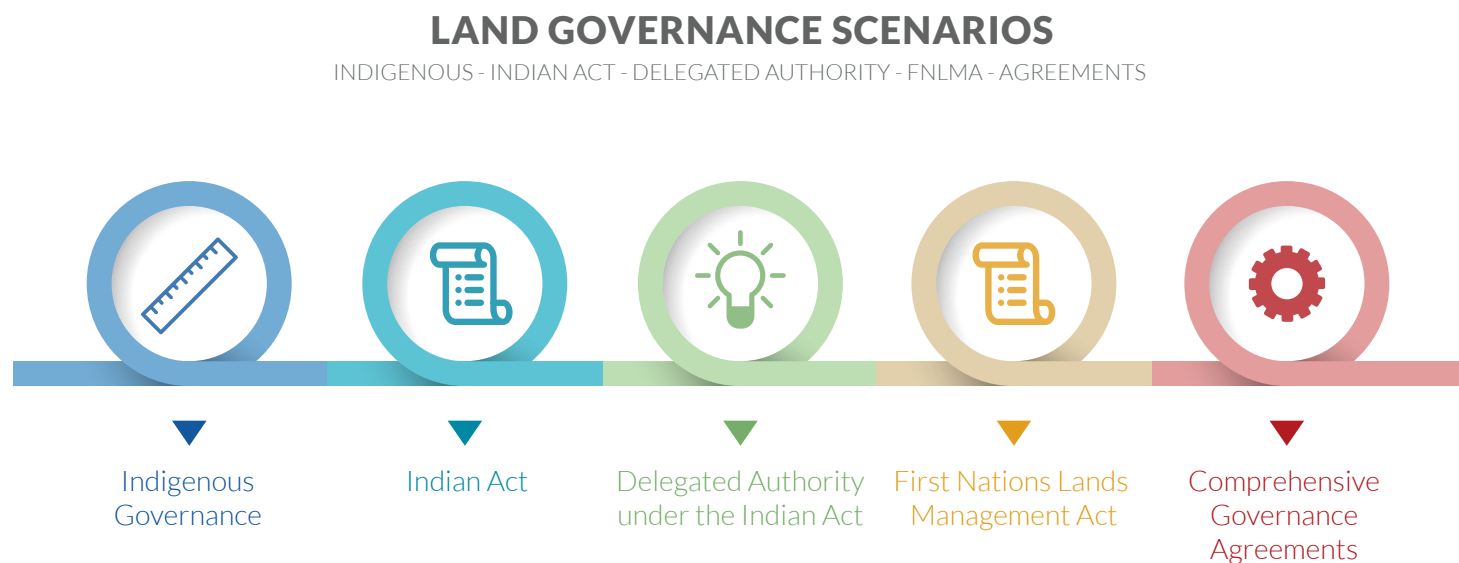


Figure C-4. Land Governance Scenarios

Act is limited. However, First Nations can enact by-laws under certain sections of the *Indian Act* such as s.81(1)(g) which permits First Nations to create zoning by-laws and prohibit land use activities, buildings or businesses that are not in compliance with the zoning by-law.

3. **Delegated Authority Under Indian Act:** The Delegated Lands Management Program delegates greater LUP and management authority to First Nations. The Delegated Lands Management Program is referred to as “53/60” (for s.53 and s.60 of the *Indian Act*) and provides First

Nations with limited power to manage specific land transactions. The reserve Land and Environmental Management Program (RLEMP) aims to build First Nations land management capacity in preparation for delegated authority. LUP under the Delegated Lands Management Program may include an emphasis on increased funding and administrative responsibilities such as the management of leases or permits and planning for zoning and designations of delegated lands.

4. **First Nations Lands Management Act (FNLMA):**
The *FNLMA* is a way for First Nations to move beyond the *Indian Act's* land governance regime to one of greater local control over reserve lands and resources. First Nations that sign on to the *FNLMA* can plan for and manage their reserve lands through the creation of a land code, drafting a community ratification process and entering into an Individual Transfer Agreement with Canada. The federal government is removed from day-to-day LUP and management decisions. A land code gives First Nations the ability to enact land and land-related laws over reserve lands. A LUP is an important step in entering into this new governance agreement. It becomes an important policy document that guides land use and management decisions and laws.
5. **Comprehensive Governance Arrangements:**
Comprehensive Governance Arrangements include Independent Agreements, Treaties, Land Claim Agreements, Modern Treaties and Strategic Engagement Agreements. Under such arrangements, the *Indian Act* no longer applies.

First Nations can secure a package of rights and benefits, including self-governance, ownership of lands, fisheries and wildlife harvesting rights, participation in land and resource planning and management, and resource revenue sharing, set in a constitutionally protected settlement agreement. In this context, LUP typically includes a larger region which represents a portion of traditional territory and First Nations gain planning jurisdiction over settlement lands as opposed to just reserve lands. Here, LUPs are an opportunity to establish a vision for land management, to orient a First Nation's future based on its unique governance arrangements, and to determine laws for treaty settlement for ancestral lands and resources. Under certain comprehensive governance arrangements, a LUP can become a legally binding policy document to manage settlement lands.

In summary, the diversity of First Nations' governance and jurisdictional arrangements in BC means that First Nations create and enforce different kinds of LUPs and tools, different scales with different purposes and scopes to meet diverse needs, scenarios, objectives and outcomes. Table C-1 provides a summary of the five governance scenarios.

THEME	SCENARIO				
	Indigenous Governance	Indian Act	Delegated Authority Under Indian Act	First Nations Land Management Act (FNLMA)	Comprehensive Governance Arrangements
Land Legislation	Constitutional Orders	<i>Indian Act</i>	<i>Indian Act</i>	First Nation land code	Treaty or Agreement
Final Authority	First Nation	The Minister of ISC administers land and resources	First Nation and the ISC Minister administer land and resources, the minister has final authority	First Nation administers land and resources	First Nation administers land and resources
Land to Plan	Traditional territory	Reserve lands	Reserve lands	Reserve lands	Reserve lands and traditional territory
Law Making Ability	First Nation can enact laws, often created and maintained by a constitutional order	First Nation can enact specific bylaws under the <i>Indian Act</i> with approval from the Minister	First Nation can enact bylaws through the delegated authorities under S.53 and 60 of the <i>Indian Act</i> with approval from the ISC Minister	Under land code, First Nations can make Land Use Laws on zoning, land use, subdivisions, environment, development, parks, revenue moneys, matrimonial property, and settlement of disputes	First Nation can make a Constitution and laws on land and resources as negotiated in an agreement, in respect to treaty, settlement lands and ancestral lands
Owners of Land	First Nation	Crown	Crown	Crown	First Nation
Dependance on Indian Act	0% of <i>Indian Act</i> applies	100% of <i>Indian Act</i> applies	100% of <i>Indian Act</i> Applies	75% of <i>Indian Act</i> applies	0% of <i>Indian Act</i> applies to treaty
The LUP Opportunity	Asserting rights and title Documenting Indigenous laws and customs Managing land-based on Indigenous laws Providing direction for decision-making	Enacting specific zoning bylaws Engaging members to create a unified vision Providing direction for decision-making Strengthening self-governance capacity	Enacting more zoning bylaws Engaging members to create a unified vision Providing direction for decision-making Building capacity and assuming responsibility for reserve land Strengthening self-governance capacity	A LUP is a step in entering into a new governance arrangement A LUP is a policy document to guide land governance under a land code	Legal policy document to guide land governance management and decision-making for settlement lands Engaging members to create a unified vision

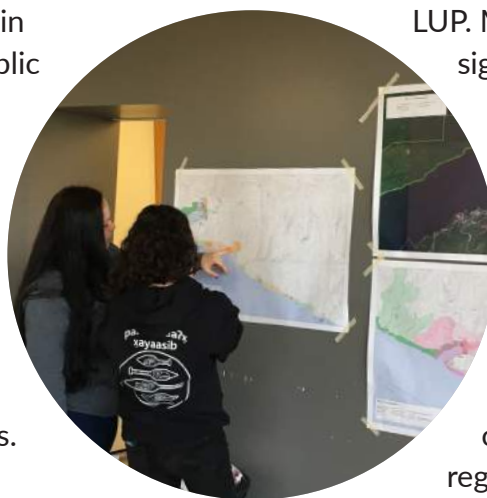
Table C-1. Governance Scenarios

Indigenous LUP vs Municipal and Regional Planning

The general field of LUP is typically associated with municipal or regional LUP undertaken by municipalities, regional districts or the provincial government. Although First Nations municipal LUP and regional LUP typically address land use priorities and objectives, the scope, legal jurisdiction and planning process and product differ substantially. Here are a few key differences worth noting between these contexts of planning.

Planning Products, Planning and Approval Process:

Municipal LUP is typically guided by a Municipal Official Community Plan (OCP). Regional LUP takes the form of a Land Use and/or Resource Management Plan (LRMP). While OCP and LRMP planning processes may vary in terms of the scale and quality of public engagement/consultation, they follow quite specific procedures in terms of their drafting, revising and approving. First Nations, on the other hand, have more flexibility in the planning and approval processes that is followed under a federal system of jurisdiction, and the LUP themselves.



Law Making Ability: Although First Nations are responsible for similar service provisions as a municipality, many First Nations' law making ability is restricted under the *Indian Act* and limited under the *First Nations Land Management Act*. Municipal planning is guided by the *Local Government Act* which grants the municipality delegated authority from the Province. Cabinet-approved LRMPs become policy direction for agencies involved in Crown land and resources, and are guided by statutes.

Resources: First Nations are likely to have less funding resources and capacity than a municipality or regional government for LUP. Municipalities receive the most significant portion of funding from property taxes, whereas very few First Nations have a tax base or charge user fees for services. Funding for First Nations LUP is often piecemeal, proposal-driven, formula-driven, conditional and generally inadequate compared to a municipality or regional district.

Challenges of Undertaking a LUP

Undertaking a LUP process is a large and complicated task. It can be difficult to gather the necessary financial and human resources needed to undertake LUP. LUP requires a complex process with many moving pieces, thus needs a process and clear set of steps to follow. There are a variety of reasons that LUP processes get stalled, including funding and staff turnover (see Appendix 3). Depending on a community's history of LUP and community engagement, it may be hard to get the community involved. Once the LUP is complete, there may be challenges in mobilizing the human and financial resources to implement the LUP. Or there may be a lack of enforcement capacity or law-making powers to implement the LUPs policies. When undertaking LUP, some common challenges include:

- **Unclear land ownership:** There are a number of reasons why land ownership might be unclear in the LUP context. Perhaps traditional land holdings remain unsurveyed and undocumented, causing uncertainty and conflict. In some cases, Certificate of Possession (CPs) took away land without compensation that already belonged to families within a traditional land holdings system. Treaty negotiations sometimes result in disputes over shared territories.
- **Getting members involved:** Depending on your community's history with engagement, you may be facing cynicism, engagement fatigue or burn out. Making the process fun and engaging might require additional resources or approaches.
- **Community divisions and trauma:** Those leading the LUP process might face resistance and criticism. The process may highlight division between individuals, families and colleagues. The LUP process can unearth traumas related to land ownership, forced removal and loss of connection to land.
- **Loss of cultural knowledge:** Imposed legislation, residential school, alienation from land and language and Elders' passing have all contributed to the loss of cultural and traditional knowledge. Revitalizing traditional land governance and practices can take considerable time, energy and resources.
- **Staff turnover:** Turnover of staff or changes in leadership can stall LUP, especially if the LUP process is seen to belong to a specific individual as opposed to belonging to the community. As staff age and retire, they take their knowledge and experiences with them. There are not always new staff who are ready to take over the LUP process.

- **Building capacity and resources:** As First Nations move towards self-governance, they need more capacity to meet their goals and responsibilities. Many communities are small in size and have limited capacity. Staff need to keep up with day-to-day responsibilities while LUP is happening and the First Nation may not have the resources to hire staff or a consultant to champion the LUP process. Own-source revenue and available funding for LUP is often not enough to create a LUP. First Nations may have to stop planning for periods of time while they try to get piecemeal funding through proposal writing.
- **Working with neighbouring communities:** First Nations are too often familiar with the context of being planned for by external bodies whether that be a federal or provincial body or external consultants. First Nations are often ignored or excluded from local and regional planning, but are increasingly asserting their right to be planned with rather than planned for.
- **Overlapping boundaries:** Many planning boundaries have been imposed on First Nations. These boundaries may not be representative of occupancy, land use or traditional governance of

that area. First Nations need to make decisions as to whether to plan for their reserve lands or their traditional territory and in doing so might be dealing with boundaries that are contested or shared.

- **Information management:** LUP relies on good information. Collecting or accessing that information is time intensive and requires solid systems for collecting, storing and analyzing information. Monitoring and evaluating the LUP requires additional access to good information and a capacity to collect, store and analyze that information to make decisions about whether or not the LUP is achieving the results.

Despite these challenges, First Nations are engaging in the LUP process as part of their continued efforts toward strengthened self-governance. LUP can also

be a powerful exercise in documenting and asserting Rights and Title. While access to financial and human resources is still needed, a very encouraging trend is that Indigenous planners, with community-based planning experience and planning education, are on the rise in BC—many of them contributed their expertise to this Handbook.



Summary

First Nations are embracing LUP as an opportunity to advance self-governance, Rights and Title, empowerment and responsibility. LUP processes and products vary, reflecting different jurisdictional scenarios and the diversity of Indigenous communities.

Your LUP vision, objectives and products are influenced by the triggering event and benefits of LUP your First Nation identifies. For example, a LUP process that is driven primarily by the need to create economic development opportunities will look different than a LUP that is driven by the need to reconnect community members with cultural values and the land. That said, you may value both of these reasons for conducting a LUP and design a process that accomplishes both of these needs. There is no right or wrong reason for completing a LUP, but it is important to define them.

Successful LUPs are typically developed to suit the needs, priorities and

constraints of your First Nation. While planning according to your capacity and strengths is important, successful LUPs also have a broader, long-term community-based vision. Coming together to create a vision can reconnect members to the land, revitalize cultural protocols, and create enthusiasm that will support implementation of the LUP. In addition, LUP champions are important players in advancing the planning process and ensuring successful implementation, and tracking specific goals, objectives and strategies in your LUP can help to ensure results.

Your LUP will be a unique process and product shaped by your cultural identity and legal jurisdiction. These will implicate the scope of your LUP, your law-making ability and process for final approval. A LUP is a policy document that guides land use and enforcement, and can be used to guide other planning processes such as infrastructure and economic development planning.

“

In the Yukon we are talking about the act of ongoing reconciliation, regional plans have been scoped to the traditional territory of First Nations, and through planning we are working to create a vision of the future for those regions. Regional planning is the mechanism for us to honour the spirit and intent of the treaties, for us to work out how reconciliation will take place.”

Ron Cruikshank, Yukon LUP Council

“

We have to look back to go forward, look back at the old ways because they worked, they were good ways. It's possible.”

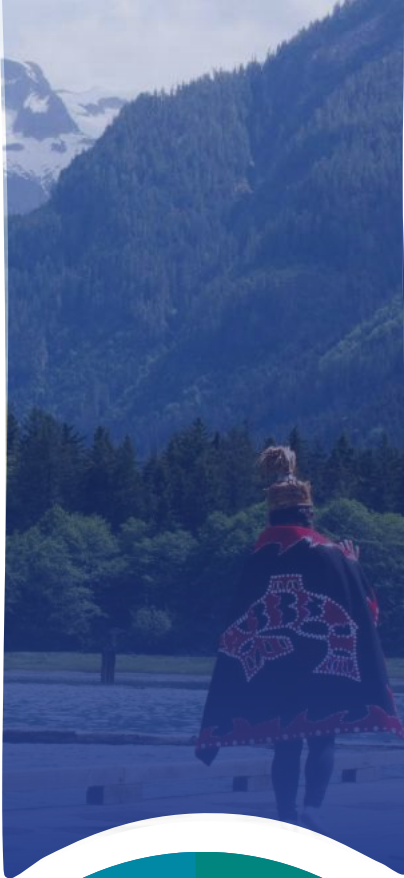
Sandra Harris, Gitksan Government Commission



“

A LUP addresses housing and infrastructure needs.”

LUP Workshop Participant (2017)



STEP 1

Call to Gather, Understand and Decide Purpose

What is our starting place and why are we Land Use Planning?

Planning is a continuous process with no beginning or end; however, often it is broken down into distinct cycles of planning that require a formal process with a clear start and end. As you embark on your current cycle of LUP, give some thought as to how to start in a good way. In Figure I-1 (page 19 of Introduction), we name this “Call to Gather” and it represents starting from a place that reflects your community’s unique culture, history of planning and current needs.

This step recognizes that each First Nation starts from a different set of experiences and with different resources, and that each LUP journey will be different. First Nations begin LUP processes for many reasons. In this step, we invite you to consider the unique purpose and value of LUP for your First Nation. This step involves developing a common understanding of what LUP is, developing some principles to guide the LUP process, deciding the purpose the LUP will play for your First Nation, and understanding the values and risks of embarking on a LUP process.

In this section, we explore:

- A. Grounding the LUP process in your distinct community
- B. Defining LUP together
- C. Understanding LUP basics
- D. Relationship of a LUP to other plans
- E. Principles of Indigenous LUP
- F. Purpose of your LUP
- G. Benefits and risks



prepare

“

We're starting with a history of inactive plans – how do we make LUP come alive?”

LUP Workshop Participant (2016)



“

A LUP is a story about past, present, future state of our territory.”

LUP Workshop Participant (2017)

“

We share the land with our ancestors and need to protect for our future.”

LUP Workshop Participant (2017)



“

LUP is valuable as a tool towards achieving community vision and goals while protecting lands and resources.”

LUP Workshop Participant (2017)

A. Grounding the LUP Process in Your Distinct Community

Just like no two First Nations' LUPs look the same, no two processes will begin the same way. These processes will reflect the unique characteristics of your First Nation, your community's strengths and needs, the purpose the LUP serves for your community and your community's principles and values.

In this first step we invite you to gather and consider as a community how you might engage community members' hearts as well as their minds. A powerful way to start your LUP process is to provide opportunities for people to reveal and personalize their relationship to the land by inviting knowledge and stories of the land and how they experience the land. You might ask:

- When and why did we gather on the land?
- How have we planned for and taken care of our lands and resources in the past?
- How are we planning for and taking care of our lands and resources today?
- What traditional protocols and laws govern our relationship to the land?
- How did our ancestors or families use and celebrate the land historically?
- What is the story of this place?
- How do you use the lands and waters in your territory?
- What places are special to you and why?
- What brings you joy when you are out on the land?
- What would your ancestors say about how you are caring for the lands?

“

A LUP is based on your own community's needs and values.”

LUP Workshop Participant (2017)

“

We were displaced in the 1700s and 1960s. When we start with stories on the land, it brings out a passion in people more than discussing Land Use Planning.”

Tammy Dorward, Project Committee Member, Tla-o-qui-aht First Nation

Inviting people to think about the historical roots of your lands can bring out the knowledge and passion in people, creating an emotional and spiritual connection to LUP and the process they are about to embark upon.

This step helps ensure that:

- Your LUP process and plan reflects your distinct people, knowledge, relationship to the land, culture, traditions, laws, protocols and spirituality
- Your LUP process and plan meets your community's needs
- You have a better understanding of what can be included in your LUP process and plan
- Community members feel personally connected and committed to the LUP process
- Your LUP builds off the community's strengths, celebrates history and cultural identity



Feeling
Planning
Future Belonging
Constructing
welcome Work
Review
Contribution

One quick exercise that can help get ideas on the meaning of LUP for community members is to place the words LAND, USE and PLANNING up on the wall and ask community members to consider each word individually, and share their ideas on what each of these words means to them (see Defining LUP Exercise in Toolkit Resources at the end of this step for details on sample exercise).

B. Defining LUP Together

Before discussing the justification and value of LUP for your community, create opportunities to gather, discuss and define as a community, “What does LUP mean for us?”, or “What does taking care of the land mean to our people”. This will help ensure that you are starting with a common understanding of what a LUP is and what it can do for your community – much like your ancestors and Elders have done for hundreds and hundreds of years. This may help you begin to make early decisions on what the process and plan includes, and what is outside of its scope. It also helps to develop a common vision for what the purpose and value of the LUP is and what outcomes are important (see Step 3).



You may ask:

- What does LUP mean to you?
- Is it important? Why?
- Why do a LUP now?
- How will it help us?
- What are our concerns about LUP?
- How have we planned for the land in the past?
- What is the risk or commitment in completing a LUP?
- Are we ready?

C. Understanding LUP Basics

You may begin by asking community members to describe what LUP means to them. Throughout the process you may also be introducing and teaching the concept of LUP to community members. You will need to give some thought as to how you want to describe LUP in a way that is accessible and meaningful for community members.

WHAT IS LAND USE PLANNING?

Land Use Planning is:

- A story about the past, present and future states of your lands
- A way to assert and protect Rights and Title
- A way to document your community's identity and relationship to the land, and how you will look after the land for present and future generations
- A process of coming together as a community to discuss and decide how to use or not use the land in the future
- A process of identifying which lands to protect and develop based on needs, values and priorities
- A way to manage competing and conflicting uses, and set a foundation that guides future decisions about the land

Definition

Definitions for **Land Use Planning**:

A **holistic process** that considers the interconnectedness of all aspects of an Aboriginal community, including its traditional, economic, cultural, spiritual and **governance** context.

Building Environmental Aboriginal Human Resources (BEAHR)

Planning within, for and by the *particular Indigenous* community for the place they call theirs...it is critical that Indigenous peoples define the word "plan" for themselves.

Hirini Matunga, Reclaiming Indigenous Planning

Land use refers to the relationship between people and the land – more specifically, how the physical world is adapted, modified, or *put to use* for human purposes. This includes even the "non-use" of lands reserved as wilderness or protected from human impacts.

Institute for Local Government, California

Land-use planning means the scientific, aesthetic, and orderly disposition of land, resources, facilities and services with a view to securing the physical, economic and social efficiency, health and well-being of urban and rural communities.

Canadian Institute of Planners

WHAT IS A LAND USE PLAN?

A LUP is a document that describes and outlines your **vision**, **directions**, **strategies** and priority **actions** for how your land will be used in the future. This is called a planning framework. The planning framework should be based on an understanding and analysis of past and present information, values, knowledge and experience. This baseline information can be captured in two common tools – a Community Profile (page 146 in Step 4) and Situational Assessment (page 167 in Step 5).

A LUP typically includes a set of maps that communicate where certain uses are permitted or not permitted. For each area of your land, or LUP zone or unit, you may develop a set of teachings, policies or guidelines that describe what uses and activities are permitted and not permitted. These tools help to respect the land in a good way.

Ideally, this process of learning and talking about the land and various options for how to use it will result in a LUP that is approved by the community and endorsed by leadership. Once approved, the LUP can become the tool to guide management, direct change, support negotiations, secure economic development opportunities, reduce conflict, revitalize culture, and so on.

First Nations' LUPs and the processes used to create them are diverse across the province – there is no one “right” approach. Your LUP should reflect the unique characteristics and needs of your own community.

“

It really comes down to the fact that all communities are unique. Not just in a cultural sense, there are often legal or structural differences in the ways that they govern themselves.”

Andrew Bak, Territory Management Officer, Tsawwassen First Nation

“

Each community is different. The guiding principle is to make sure that LUP is as unique and suitable to the community as much as possible.”

Jessie Hemphill, Partner and Senior Planner for Alderhill Planning Inc., Gwa'sala-'Nakwaxda'xw Nations

D. Relationship of LUP to Other Plans

Your LUP will likely not be your First Nations' first plan, nor the last. How does your LUP interact with all of your other planning work, whether it be health planning, Comprehensive Community Planning, economic development planning and so on?

Everything that happens in your community affects the land. Ideally, your LUP works in harmony with other plans that have been created in your community (see Figure 1-1 on page 56). As a process leader, you have the opportunity to help show the connections between different plans to help community members understand how their involvement in other planning processes relates to the current process.

Many communities in BC have completed a **Comprehensive Community Plan (CCP)**. A CCP is a process that allows you to consider all parts of your community (lands, culture, economy, governance, health, social, education, infrastructure) and how all these parts relate to and interact with each other.

CCP is sometimes described as a “master plan” or “mother plan” that organizes other lower level plans (e.g. LUP, economic development plan, and health plan) and links them all together.



An effective CCP is broadly supported and understood by members, has the commitment of leadership and can be implemented over time. When implemented, a CCP helps to strengthen governance, improve health, build social relations, integrate culture, increase capacity, and promote self-reliance with respect for the environment and the long-term consideration of all.”

Gathering Momentum: Sharing 96 Best Practices of First Nations Comprehensive Community Planning, 2009 (Beringia Community Planning Inc.)

Many **sector plans** (e.g. health plans, economic development plans, education plans, etc.) also impact land use. For example, economic development activities such as a forestry operation or a gas station have impacts on the land. Large infrastructure projects such as a new school or health building require design and location. A LUP can help give direction as to where these projects are placed taking into consideration the overall vision and directions of the LUP, including area and site conditions.

In addition to sector plans, you may also have some **operational plans** such as an emergency management plan, an environmental management plan or an energy plan. An operational plan defines actions to support the objectives of broader, more strategic plans. These plans rely heavily on the same sources of information that help shape your LUP, such as current infrastructure and current land issues, and will ideally help to operationalize some of the principles, values and priorities identified in your LUP.

CCP AND LUP WORKING TOGETHER

In practice, there is no one formula for how a LUP and a CCP work together. Some First Nations begin with a CCP, others a LUP; others will do one and not the other. The following quotes are meant to demonstrate the diversity of scenarios of how your LUP and CCP could relate to one another.

A CCP providing broad direction and a LUP providing more details on land development

“CCP is more big sky – it provides broad direction, helps identify the vision and the values for the community. The LUP provides more details on how you want to develop your land. In my opinion, a LUP should designate– residential, commercial, industrial, parks and open space uses so a community can conserve land for future growth and align compatible land uses together.”

Jason Locke, Community Planning and Sustainability Manager,
City of Kamloops

Using your CCP as a policy document and your LUP as a legally binding document

“While CCP and physical development plans are policy documents without legal teeth, LUPs can have more legally binding application when created under a land code.”

Ken Cossey, KWC Planning Services

Incorporating your LUP as part of CCP

“We wanted to incorporate our LUP into our CCP, which is a more holistic plan that incorporates social planning, and also includes sections for governance, land and economic development. The CCP makes sense to community members, it makes it easier for members to understand where WFN is headed, it breaks down the silos between projects, and ultimately simplifies long-term planning – instead of two planning documents you have one.”

Chris Derrickson, Councillor, Westbank First Nation

Doing LUP and CCP at the same time

“My community had originally planned to do a LUP and a CCP at the same time. Though they ended up working on the CCP only, there was an emphasis on land use, so a lot of the work I was involved in was focused on lands and resources.”

Jessie Hemphill, Partner and Senior Planner for Alderhill Planning Inc., Gwa'sala-'Nakwaxda'xw Nations,

Figure 1-1. Relationship between CCP, LUP and Supporting Plans





As part of the launch of Pacheedaht First Nation's LUP, a group of Youth gathered to share ideas on how they use the land and how they would like to use it in the future. One of the questions the Youth were asked was "How did your ancestors take care of the land in the past?" and "What rules do we need to take care of the land?". They wrote their ideas on paddles and stuck them onto a canoe that they had filled with their ideas for the future. This exercise allowed the Planning Support Team to gather ideas from Youth on LUP principles and teach Youth about how principles can move their vision for the land forward (the canoe filled with their ideas).

E. Principles of Indigenous LUP

A principal is a statement about beliefs and values that describes how to live and behave in a good way.

Your LUP may start with a set of **principles** that describes the values and beliefs of your community that will guide the LUP process or plan.

Talking about LUP **principles** as a community is another way to introduce the concept of LUP to community members. Your community's LUP will be developed based on the **principles** that best reflect the values of your community.

“

The cultural piece that's most important is our connection to one another. We have an intricate, complex relationship with the land. Our spirit and the land is who we are. We belong to a larger house territory, a larger watershed.”

Sandra Harris, Gitksan Government Commission

Example Principles

The following are some common **principles** of First Nations' LUPs that make an Indigenous approach to LUP different than western approaches. In the side bar you will find short descriptions of some western **principles** or approaches to planning that relate to some of the First Nations **principles**.

Relationship to the land: The spiritual relationship of Indigenous people to the land is central to their identity. Land is the basis of Indigenous spirituality, languages, cultures and knowledge. This relationship to the land is sacred, passed down through each generation and enshrined in living Indigenous legal orders.

“

In our language there is no word for 'wilderness' – it is the same as our word for home.”

Tammy Doward, Project Committee Member,
Tla-o-qui-aht First Nation

Responsibility to care for the land: A sacred, collective responsibility passed down through generations to care for the land is evident in Indigenous languages, protocols and stories. Taking care of the land is the foundational concept in land management in many Nations. The Secwepemc peoples express this value as *Yucwminte xwexweyt t'e stem ne7elye ne tmicw, Yucwminte r qelmucw, r mesmescen, r spipyuy'e, r sewellkwe, ell re ststillens-kuc*, which translates to 'Take care of everything on this earth. Take care of the people, the animals, the birds, and our food.' (as quoted on Spiritmap—a website celebrating the Secwepemc First Nation).



Inherent rights passed down from our ancestors that we carry in our hearts, that nobody can define for us.”

Tammy Doward, Project Committee Member,
Tla-o-qui-aht First Nation

Honouring Indigenous Knowledge: Indigenous LUP relies on Indigenous ways of knowing and being that has evolved collectively since **time immemorial** as generations have applied their responsibility to care for the land. Honouring this knowledge in making decisions about the land is a distinct feature of Indigenous LUP.



Traditional knowledge, Indigenous knowledge, I'd rather use the word First Nations knowledge – future and present, long ago, recent past, present. Trying to put together our lessons learned and prepare for the future. Traditional knowledge is always changing. It is community owned or family clan owned.”

Joe Copper Jack, Yukon LUP Council

RELATED WESTERN CONCEPTS

Responsibility to take care of the land: A related western concept for taking care of the land is **stewardship**, which refers to the responsible use and protection of the natural environment. Given the sacred relationship to the land described above, some Indigenous communities find that the term **stewardship** does not fully capture the depth of the responsibility held by Indigenous people towards the land.

Honouring Indigenous Knowledge: The western resource management field is increasingly recognizing the importance of **Traditional Ecological Knowledge (TEK)** or **traditional knowledge (TK)** in understanding ecological systems as a whole.

RELATED WESTERN CONCEPTS

Interconnectedness or holistic thinking: This view is consistent with the field of ecology, on which approaches like **ecosystem based management (EBM)** are based. An ecosystem is an interconnected web of plant and animal communities in the air, land and water of a specific place. As a land management approach, it respects the needs of all living things within an ecosystem, including but not limited to human beings.

Planning for Seven Generations: A related western concept is that of **sustainable development** which calls for development that meets the needs of the present without compromising the ability of future generations to meet their own needs. What the western concept misses is the importance of meeting those needs by using the knowledge of our Elders.

Interconnectedness or Holistic Thinking:

The idea that all things are connected. This means that no person, animal or thing is taken for granted. Everything has a role and a place. This means that all parts of a system (social, cultural, economic, **ecological**) need to be considered when planning for the land.



In our traditional language, the word for people, land and language all have the same root, the three are tied together and connected.”

Colleen Jacob, Xaxli'p First Nation

Planning for Seven Generations:

The concept of Seven Generations is meant to reflect the period of time that an individual can grasp. We may know in our lifetime:

1. Great grandparents
2. Grandparents
3. Parents
4. Ourselves
5. Our children
6. Our grandchildren
7. Our great grandchildren

The concept of planning for seven generations suggests that we plan with a range of 150 to 200 years. The implications for LUP are that it takes direction from Elders several generations back and plans ahead for the needs of our great grandchildren.

F. Purpose of Your LUP

Why do First Nations embark on the journey of LUP? The answer to that question is very specific to each First Nation and there is an opportunity to define the purpose as a community.

There is a range of reasons why First Nations begin a LUP process which are influenced by their **jurisdictional context** and the needs the LUP are intended to address. Clarifying the purpose of your LUP and understanding the jurisdictional context as a community helps develop a shared understanding of why a LUP is needed and what it can achieve.

Some of the key reasons that a First Nation might complete a LUP are captured in Figure 1-2 (see Appendix 4 for a full description):



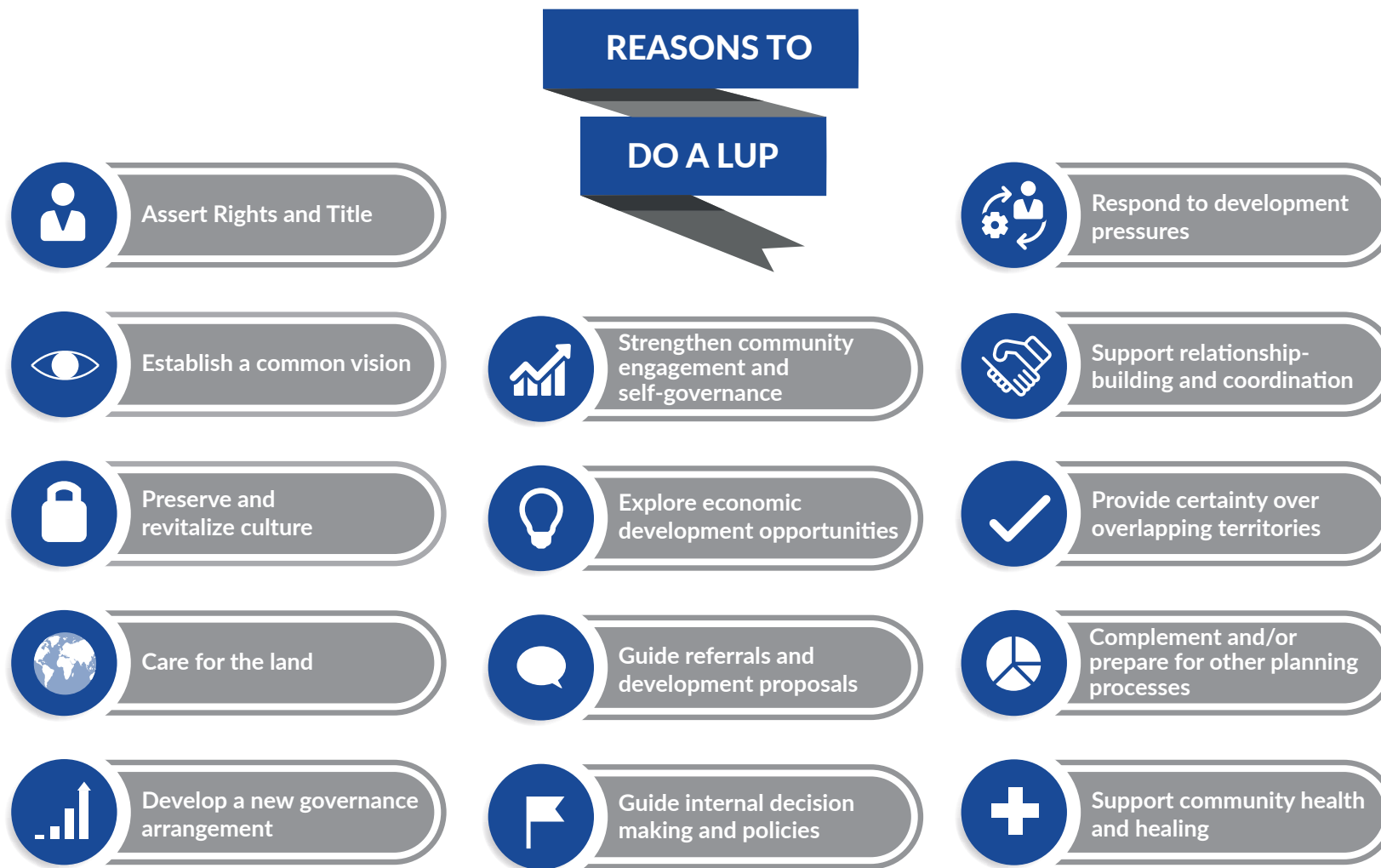


Figure 1-2. 14 Reasons to do a LUP

A REVIEW OF LUPS ACROSS BC

To meet their needs and objectives, First Nations have created different kinds of LUPs at different scales and with different purposes and scopes. We took a closer look at 14 diverse LUPs undertaken by First Nations across BC between 2002 and 2016 to help describe this diversity. These First Nations ranged in remoteness and size (between a few hundred to several thousand members). Among LUPs reviewed:

- 3 focused on part of the total reserve Lands
- 3 planned for both reserve Lands and Traditional Territory
- 4 focused solely on reserve lands
- 3 focused solely on traditional territory
- 1 focused on treaty lands

Each First Nations community has a unique context and strategic reasons for land use planning. LUP processes are sometimes triggered by a change in governance structure such as through a treaty process or the *FNLMA*, which may necessitate more proactive and strategic decisions on main reserve or treaty lands. Some First Nations may be facing significant development constraints and/or resource extraction pressures and want a plan to assist in consultations and



negotiations that reflects the values and desires of the community. In other cases, a First Nation might want to prepare for changes in land designation, governance and land management structures, or to move towards greater self-governance in the future.

A full summary of the 14 plans and LUP review can be found in the Toolkit Resources listed at the end of this step (see Full Summary of LUP Review). Each of the plans reviewed are also available online.

SCOPE AND SCALE OF LUP

What and which lands are included in your LUP will depend on the needs of your First Nation and the purpose of the LUP as stated earlier.

Some First Nations plan for reserve lands as well as their traditional territory using the LUP process as an opportunity to assert self-governance and establish a long-term vision. Planning at a larger scale can help a community assert Rights and Title, educate others on their rights, strengthen claims to their rights (from a Crown legal perspective), and inform ongoing negotiations among other things. Although LUP presents an opportunity to prepare for obtaining more governance powers in the future, most First Nations only have jurisdiction to create certain bylaws under the present *Indian Act* system.

A First Nation needs to decide the scale of LUP to begin with. Some First Nations choose to focus on planning for reserve land(s) only. It might even make sense for your First Nation to focus on only one area or site of your reserve land to respond strategically to economic or funding opportunities for development. Other First Nations start by doing a LUP for their traditional territory, and then follow with other scales of LUP.

Several considerations will influence the scale and scope of your LUP, including:

- The amount of land you have to work with, or under consideration
- Your governance jurisdiction and system of government
- Your interest in asserting self-governance
- The level or conditions of funding
- The level of capacity to complete a LUP on top of existing responsibilities
- Your community's needs, urgency and constraints concerning the land
- Current economic development activities or opportunities

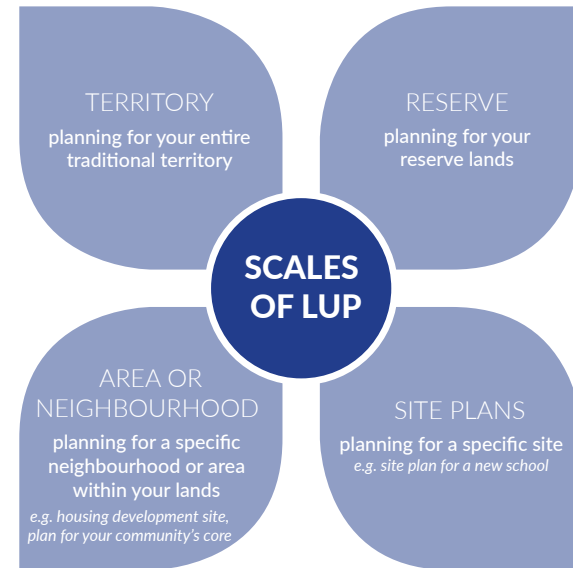


Figure 1-3. Scales of LUP

- Land management experience
- Land-related issues or crises on or off reserve
- Balancing the future vision with current values, needs and priorities

STORY 1: TAKU RIVER TLINGIT FIRST NATION – THE PURPOSE AND VALUE OF OUR LUP

In July 2011, we signed historic co-governance and co-management agreements with the Province of BC for our 7.5 million acre territory in Atlin-Taku and finalized the joint Taku river Tlingit First Nation (TRTFN-BC) *Wóoshtin Wudidaa (Flowing Together) Land Use Plan*. These agreements and the joint plan were made possible by a successful court case and over a decade of background work, including our own LUP. It has been a journey.

In many parts of BC the Province has created LUPs. These plans have not addressed First Nations interests well. We came to understand the risks of allowing proponent-driven projects to determine how our territory gets developed. It was a longstanding dream of our Nation's leaders and Elders to have our own LUP. We wanted to articulate our vision for the future of our territory, have guidance in responding to resource development referrals, and negotiate consistently with other governments. Our community gave its leaders the mandate to embark on LUP in 1999.

The *Wóoshtin Wudidaa Land Use Plan* has a strong focus on resource management. This plan now protects more than seven million acres from commercial logging and designates over two and half million acres as First Nation Conservancy Parks. There are 5,310 kilometers of salmon producing rivers that



flow through the territory, providing habitat for sockeye, king, pink, chum, coho and steelhead salmon. Through the establishment of Salmon Ecosystem Management Areas, LUP protects all major salmon bearing streams. In addition, the LUP designates over 200 of TRTFN cultural sites and landscapes for protection. *Wóoshtin Wudidaa* supports economic development from commercial recreation and tourism in specific areas.

Getting to these agreements involved years of background work in research and planning. We found a partner in the *Round River Conservation Society (RRCS)*, an American-based ecological research and education organization that works on conservation initiatives globally. In 1998, Round River began working with TRTFN to gather ecological and traditional knowledge through mapping, research, and interviewing Tlingit members. Capacity building was a core goal of the collaboration, and the TRT Lands and Resources

and Fisheries Departments worked closely with RRCS to conduct these activities.

Previously, TRTFN undertook our own LUP process, which was called 2003 *Hà t_átgi hà khustìyxh sìti* (Our Land is Our Future), acknowledging that the preservation of wildlife and fisheries is central to the preservation of what is Tlingit. The LUP was scoped to our lands and resources that lie within the borders of BC only. The process drew on western science and traditional knowledge sources as well as a full community engagement process. In 2003, the LUP was completed. It has two main components. The first is a Conservation Area Design document that summarizes the conservation science and traditional knowledge basis for designating the land. The second document is a Vision and Management Direction (“Vision”) document that reports on the values and priorities of the TRTFN community that emerged from the community engagement process. This document is an exercise of governance of our Nation over our traditional territory.

Our LUPs- *Wóoshtin Wudidaa Land Use Plan* (2011) and *Hà t_átgi hà khustìyxh sìti* (2003) gave us a solid basis for negotiations. While provincial data on our territory was lacking, we had already produced detailed maps and a proposed framework for land use zoning, which took into account a series of specific management directions for conservation, access management, culture and heritage, food security, recreation and tourism, and natural resources extraction.

John Ward, Taku River Tlingit First Nation

G. Benefits and Risks

What are the benefits or outcomes of doing a LUP for your First Nation? This can be a question to discuss as a community, but also a question that you will likely need to answer as a process leader. Taking on a project of this size also involves some risks. At this stage, we consider both the potential benefits and risks of doing a LUP.

BENEFITS AND OUTCOMES

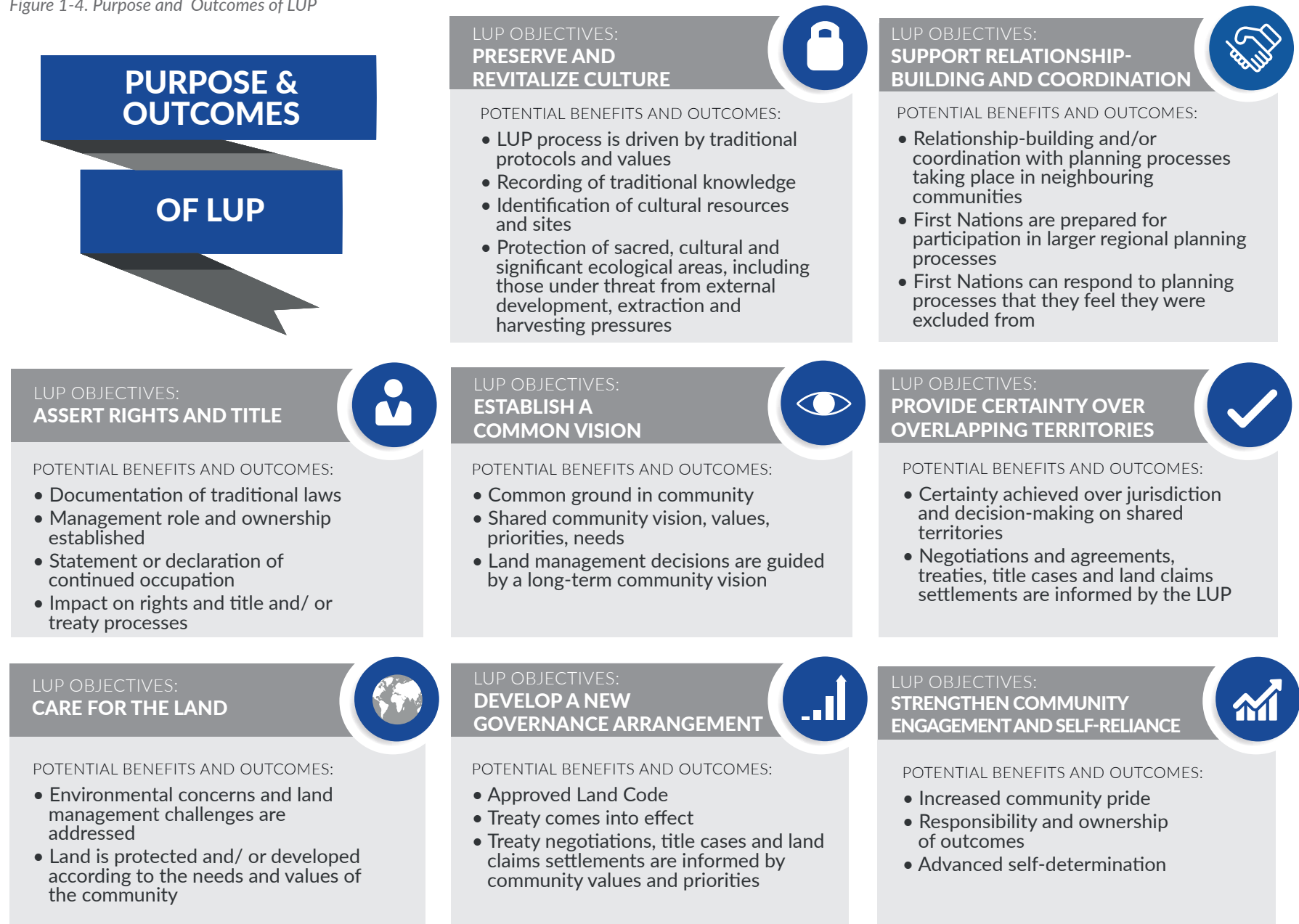
Depending on the needs of your community, the benefits and outcomes of LUP vary. Figure 1-3 is a general list of potential Purposes and Outcomes to consider when exploring what the value of a LUP might be for your community.

“

LUP allows development to move forward.”

LUP Workshop Participant (2016)


Figure 1-4. Purpose and Outcomes of LUP



LUP OBJECTIVES:
EXPLORE ECONOMIC DEVELOPMENT OPPORTUNITIES 

POTENTIAL BENEFITS AND OUTCOMES:

- Documentation of traditional laws
- Management role and ownership established
- Statement or declaration of continued occupation
- Impact on rights and title and/or treaty processes

LUP OBJECTIVES:
GUIDE REFERRALS AND DEVELOPMENT PROPOSALS 


POTENTIAL BENEFITS AND OUTCOMES:

- Decision-making tools are developed to respond strategically to initiatives of municipal, provincial and federal government
- Guide developed for responses to industry referrals and development proposals
- LUP provided to proponents to help them respond to the needs and values of the First Nation rather than the First Nation always responding to requests

LUP OBJECTIVES:
RESPOND TO DEVELOPMENT PRESSURES AND CHALLENGES 


POTENTIAL BENEFITS AND OUTCOMES:

- Tool developed to articulate a future vision that can guide development in the region and interactions with local government and resource developers
- First Nation is able to respond to land use challenges such as land being bisected by right-of way uses such as highways and transmission lines or a large portion of land being held by CP holders
- Outline of strategic responses to initiatives of municipal, provincial and federal governments and industry

LUP OBJECTIVES:
GUIDE INTERNAL DECISION MAKING AND POLICIES 

POTENTIAL BENEFITS AND OUTCOMES:

- Flexible tool developed to guide elected officials and/ or staff in making strategic decisions, evaluating competing resource priorities, or considering the effect of a particular activity on the land consistent with the community's values
- Foundation established for policy development, operational day-to-day planning by leadership and staff
- Guidelines developed for the development of particular land parcels and traditional territory

LUP OBJECTIVES:
COMPLEMENTED AND/OR PREPARE FOR OTHER PLANNING PROCESSES 

POTENTIAL BENEFITS AND OUTCOMES:

- Doubling of efforts reduced
- Other planning processes that are underway such as Comprehensive Community Plan (CCP) are supported and complemented
- First Nation is prepared for specific sector-level planning such as:
 - ▶ Housing
 - ▶ Transportation networks
 - ▶ Community infrastructure (recreational, health, educational)
 - ▶ Infrastructure and servicing: *sewage, clean drinking water, electricity, energy, etc.*
 - ▶ Economic zone and job opportunities
 - ▶ Food security: *farms, fisheries, hunting and game, protection of traditional food sources*
 - ▶ Health and social: *recreation, health resources, community programming*

LUP OBJECTIVES:
SUPPORT COMMUNITY HEALTH AND HEALING 

POTENTIAL BENEFITS AND OUTCOMES:

- Improved community health and healing
- Strengthened relationships to the land
- Increased responsibility to the land through LUP
- Recreational, traditional and cultural uses of the land are ensured

CONSIDERATIONS

While there are many potential benefits, there are also operational, governance and jurisdictional considerations before investing in and launching a LUP process. Understanding these risks before starting a LUP process can help your community assess whether or not it feels ready to take on a LUP process and allow you to develop strategies to address the risks.

OPERATIONAL CONSIDERATIONS	GOVERNANCE CONSIDERATIONS	JURISDICTIONAL CONSIDERATIONS
<p>Capacity: You may have a lack of technical or human resource capacity to undertake planning and/or to implement the LUP when it comes into effect</p> <p>Funding: LUP can be expensive or limited by funding cycles</p> <p>Timing: Your LUP process may be competing with other internal projects for time and resources (e.g. treaties)</p> <p>Information: There is not enough information to make good decisions</p>	<p>Enforcement: Your LUP may develop a set of policies around managing the land but may lack the resources to enforce compliance</p> <p>Community conflict: Community conflict or lack of trust may prevent you from getting community members involved in your process</p> <p>Lack of buy-in: If staff and community members do not understand or agree with the LUP it will be difficult to implement</p>	<p>Legal action: You may be planning for land that is involved in a Rights and Title claim or other legal process which creates uncertainty</p> <p>Lack of law-making powers: Depending on your jurisdictional scenario you may have limited powers to create and enforce laws</p> <p>Overlapping territory: Your LUP study area may involve overlapping borders with other First Nations</p>

Table 1-1. LUP Considerations

TOOLKIT RESOURCES:

- A. Defining LUP Exercise
- B. Full Summary of LUP Review

For more information check out:

First Nations Forestry Council (2009) *Ecosystem Stewardship Planning Handbook* http://fnforestrycouncil.ca/downloads/2009_esp_handbook_rev_oct01_final.pdf

Little Black Bear and Associates (2015) *Moving Toward a Stronger Future: An Aboriginal Resource Guide for Community Development* <http://littleblackbear.ca/wp-content/uploads/2011/12/MTSF-booklet-sample.pdf>

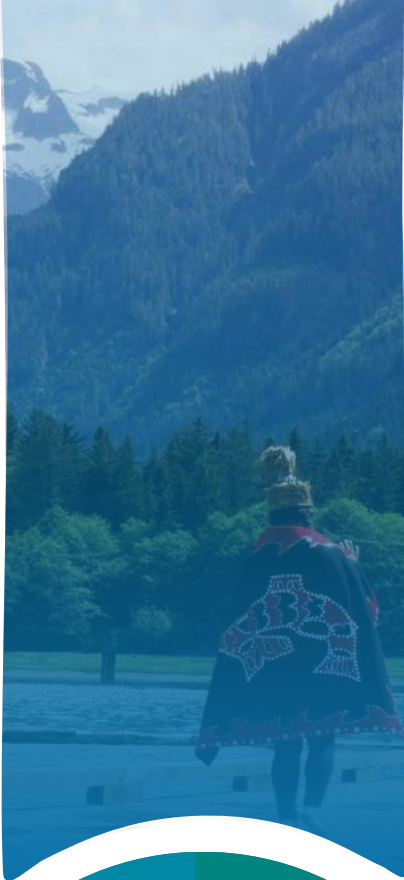


“

I learned that a LUP is a big project and can take years and to not rush through everything if I want a detailed quality product.”

LUP Workshop Participant (2016)





STEP 2

Get Ready

What do we need to get ready?

You understand what LUP is and have clarified the purpose of your LUP. Now you have the information you need to obtain a mandate to plan and organize the people and processes required to lead this work. In Step 2 you consider your past planning history, identify a Champion, define the approach and process, as well as set up your Planning Support Team. In setting up your Team, you need to assess the capacity, capability and skills needed to complete a LUP, and evaluate your needs for external support. The process should meet your community's unique needs and start by defining the phases and steps of the process. The Planning Support Team should build a Work Plan and budget to mobilize the people, money and information needed to start your LUP process.

In this section, we explore:

- A. Securing the mandate to plan
- B. Identifying a LUP Champion
- C. Reviewing planning history
- D. Defining the planning approach
- E. Setting up the Planning Support Team
- F. Assessing capacity, capability and skills
- G. Evaluating the need for external support
- H. Defining the planning phases and steps
- I. Establishing roles
- J. Building the Work Plan
- K. Determining the budget and resources



prepare

“

Hiring consultants can be a potential missed opportunity to involve/train community members – more useful process.”

LUP Workshop Participant (2016)



“

Have clear client/consultant lines – complete control for First Nation after.”

LUP Workshop Participant (2016)

“

Have a clear Terms of Reference from the get go – avoid cost overruns and poor quality work.”

LUP Workshop Participant (2016)

“

Educate, plan with community (have them involved from day 1) and invest in planning opportunities.”

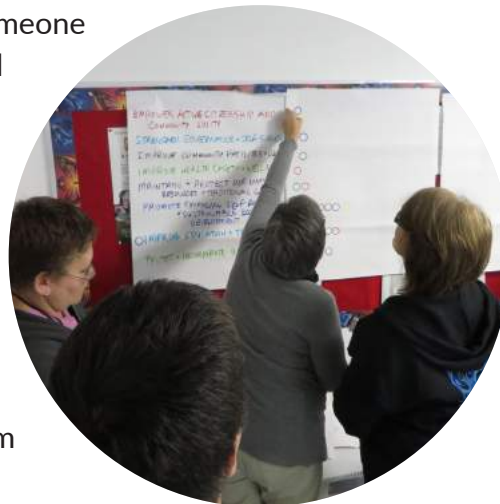
LUP Workshop Participant (2018)

A. Securing the Mandate to Plan

Once you have clarified the purpose and value of LUP for your First Nation, as well as the values and risks of doing a LUP, you will ultimately come to a decision as to whether you should begin a LUP process and why. If the result of this decision is yes, leadership needs to signal this to the community and staff by establishing the mandate to move forward with the LUP process. This can be done by passing a Band Council Resolution, for example, or with another formal or informal way (mechanism) recognized in your community.

B. Identifying a LUP Champion

The first thing leadership might do to put the LUP mandate into action is appoint a LUP Champion to carry out the LUP process. The LUP Champion is the individual responsible for moving the LUP process forward in your community. Ideally this is someone who is well connected in the community and is familiar with the LUP context. In some cases, the Champion is a staff member from the Department of Lands and Resources, or sometimes the Band Manager may be leading the process. In other cases, a new position is created for this role and a community member is hired. The LUP Champion typically oversees the work of a Planning Support Team (more about the Team soon) and reports to leadership.



TIMING

The timing of your LUP is important. What else is going on in the community that could compete with the LUP process? Are there any other engagement processes happening that might distract members from engaging in a LUP process (e.g.: National Energy Board hearings, treaty negotiations)? Are community members coming off of another engagement process and feeling burnt out? You want to consider the seasonal patterns of your community and pick a time to launch the LUP process when the greatest number of community members are likely to be around and available to participate.

C. Reviewing Planning History

The first thing that the LUP Champion might do is help review your community's planning history. Each community has its own planning story: from traditional planning—how ancestors planned for the stewardship of lands and resources since time immemorial—to the impact of contact and colonization and modern planning.

Indigenous communities have always planned for the stewardship of their lands and resources. They have actively shaped the environment as it has shaped them. First Nations peoples have always observed the rhythms of the land and organized their trade, transportation, living arrangements and hunting, gathering and fishing practices accordingly. Some of those traditional planning practices are alive and well today. For others, those traditions are in the process of becoming strong again. Reviewing the planning history of your community is about claiming and celebrating past knowledge and understanding to move forward.

As First Nations land use planners, you are building on the important work of your ancestors and community leaders in preserving your culture, knowledge and history. Acknowledging and discussing this planning history with your community is a powerful way to introduce LUP as the next phase of a continuing process that was started long ago.

In recent history, communities likely have a history of completed plans, whether they be project plans (e.g. economic development project plan – a gas station), sector plans (e.g. education plan, health plan, physical development plan) or a Comprehensive Community Plan (CCP) (See Figure 1-1, page 56).

Some of these plans may have been community-driven, others may have been completed by an external consultant. In reviewing what worked well and what did not work in past planning processes, you can prepare a LUP process for a better LUP and set of outcomes. You can also study what actions were identified in past plans, versus what actions have been completed. Finally, you can review what needs or priorities were identified and which of these still exist today.

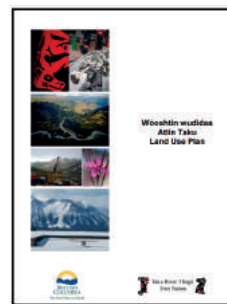
If there are current or recent planning processes, help community members understand how the current LUP process fits in. You may also want to create a timeline that lists and celebrates your past and current accomplishments in a visual way, as shown in the TRTFN example captured in Figure 2-1 on the next page.



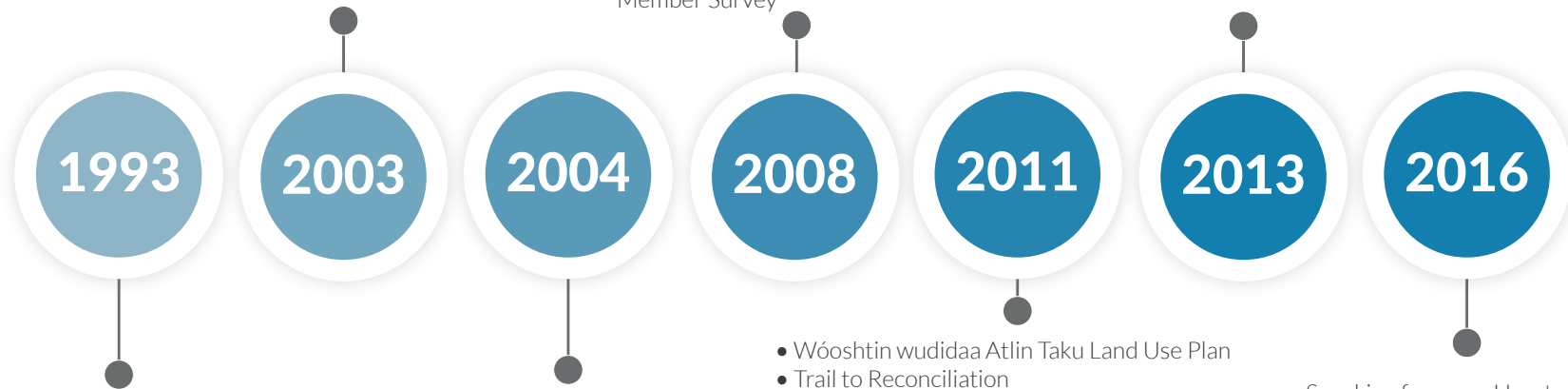
Ha Tlatgi Ha Khustiyxh siti, Our Land is Our Future TRTFN Vision & Management Direction for Land & Resources



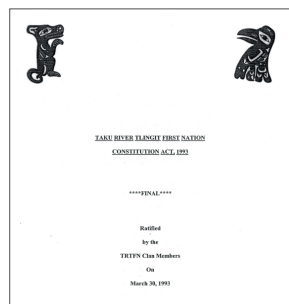
- Framework Agreement between the Taku River Tlingit and the Province of BC
- Woosh Wah Du Ati: Bringing it all Together Member Survey



Many Eyes One Vision: Five Year Development Plan 2014-2019



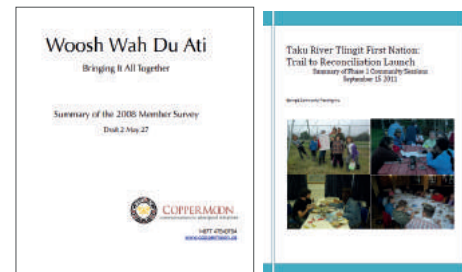
1993
Constitution Act



2003
Five Year Development Plan 2004-2009



- Wóoshtin wudidaa Atlin Taku Land Use Plan
- Trail to Reconciliation
 - Phase 1 report
 - Community survey report
 - Elder session report
 - Leadership session Report



2013
Speaking from our Hearts, Listening to our Minds, Weaving our Past, Present and Future Wisdom Together through CCP



Figure 2-1. TRTFN Planning Timeline

TOOL BOX: SUMMARY

Reviewing your existing planning history is a way to ensure that you:

- Honour past planning traditions and protocols, keeping culture alive
- Carry forward knowledge from past plans and planning
- Reclaim control and authority of the process of planning
- Celebrate your achievements and tackle work yet to finish
- Learn from planning that did not go well to plan for a better outcome next time
- Link your plans together
- Start your current process with a firm understanding of your past

Important questions to consider as you review your past planning:

- How familiar is the community with the concept of LUP?
- What are the community's expectations around engagement and how engagement will be used to build the LUP?
- What plans already exist?
- Who completed them?
- How were these plans developed?
- Are these plans being used or followed?
- What are the results of the LUP?
- How will this process be different?

STORY 2: TLA'AMIN NATION – REVIEWING PLANNING HISTORY

When the Tla'amin began LUP, a significant amount of planning work had already been undertaken with the community. The Land Use Coordinator at the time recalled that, “Unfortunately, a lot of our previous plans were gathering dust. It was unclear who would implement them, and how.” The Coordinator and Planning Support Team knew that building trust with the community was needed. The Team did not want people to think that their previous input into planning processes had been forgotten or that it would be again. They wanted to show that they valued that people had already used their own time and initiative to bring out all of their thoughts and hopes for the future. They also realized that the people wanted to know what their parents and grandparents would have wanted. The Coordinator explained that “If there was a plan that came out in 1996 when their grandparents were still living, the grandchildren want to see their ideas recognized, their planning efforts brought to fruition.” A critical part of building trust was to gather together a list of the past plans the community and leadership had created. The past plans were then reviewed, and input from members who contributed to them was pulled into the planning process to honour their input and share with members engaged in the current LUP planning process.



D. Defining Planning Approach

Your approach to LUP is informed by the community's principles and values, and the purpose of your LUP.

Before beginning a LUP process, there is a need to clarify the community's overall approach to the LUP process. There are generally three ways to approach your LUP process (or your process may combine a blend of these approaches and be adapted as shown in Figure 2-2).

3 APPROACHES TO LUP

A COMMUNITY-BASED APPROACH

Where community members' knowledge is prioritized, community members drive the process, and the content of the LUP reflects community members' knowledge, values, needs and decision-making.



This approach is guided by principles of:

- participatory planning
- community empowerment
- self-determination

A COLLABORATIVE APPROACH

Where the community is planning alongside an external consultant who contributes specific content, and/or process knowledge and support.



This approach is guided by principles of:

- collaboration
- cultural responsiveness
- respect
- mutual learning

AN EXPERT DRIVEN APPROACH

Where an external consultant and/or planning agency or one of your staff with expertise in LUP lead the technical exercise of assessing your LUP needs, opportunities and constraints, and making recommendations with limited engagement.



This approach is guided by principles of:

- efficiency
- expertise
- precision

Figure 2-2.3 Approaches to LUP

The following Figure 2-3 highlights some of the pros and cons of each of these three approaches to LUP:

APPROACH	PROS	CONS
Community-Based	<ul style="list-style-type: none"> • Community control • Strengthens self-governance efforts • Builds relationships and trust between leadership, staff and community members • Use of local knowledge • Increased capacity and skills • Draws from and deepens traditional knowledge • Strengthens culture and relationship to land • Increases community understanding of LUP • Builds community buy-in and implementation readiness 	<ul style="list-style-type: none"> • Takes time and extensive local resources • Requires internal capacity in community engagement, research, analysis and reporting • Costs more money
Collaborative	<ul style="list-style-type: none"> • Opportunity for mutual learning • Benefit from external knowledge while drawing from local knowledge • Opportunity for mentorship and internal capacity building • Share responsibility and workload 	<ul style="list-style-type: none"> • May involve process compromise • External consultants need time to learn about how things work in your community • Risk that the consultant is not a good fit • Cost of external consultant • Funding being spent outside of the community • External consultants need to be managed

Figure 2-3. Comparison of Approaches

APPROACH	PROS	CONS
Expert-Driven	<ul style="list-style-type: none"> • Technical analysis of lands and resources • Contribution of specialized knowledge • Potentially the fastest option • Minimize commitment and responsibility of community • Limited resources needed for community engagement 	<ul style="list-style-type: none"> • Dependency on outside “experts” • Cost and funding being spent outside the community • Limited community involvement • Decisions not necessarily understood or accepted by the community • Lack of community buy-in and ownership

The approach your community takes will depend in part on the resources you have, your time and timing, readiness and capacity and the purpose of your LUP. For example, if the purpose of your LUP is to establish a common vision, strengthen community engagement and self-governance and support community health and healing, a community-based approach may be the best fit. However, if you are under a tight timeline to complete a LUP in order to enter into a new governance arrangement or respond to an economic development opportunity, a more technical expert-driven LUP might better meet your immediate needs.

The approach taken to carry out your LUP process will impact:

- The LUP budget
- Who needs to be involved
- The need for external support
- The role of external support
- Time, timing and timelines
- How much engagement is required
- How much the LUP is driven by local or cultural values and needs
- What the final LUP looks like (documentation)

E. Setting Up the Planning Support Team

WHAT IS A PLANNING SUPPORT TEAM?

A Planning Support Team is the group of individuals responsible for moving the LUP process forward in your community. Ideally this is a group that includes community members (e.g. trapper, harvester, hunter) with knowledge and skills that will be helpful to LUP. The Planning Support Team may also include an elected official, a staff person or an external advisor. The work of the Planning Support Team is typically led by the LUP Champion.

VALUE OF A PLANNING SUPPORT TEAM

Having a strong Planning Support Team made up of local community members is a key way to ensure that the LUP process is community driven and culturally appropriate. By giving community members the opportunity to work on the LUP, you are building local ownership and capacity for the implementation of the LUP. If working with external consultants,

having them work with the local Planning Support Team ensures that the project remains rooted in local culture and protocols.

A LUP is a complicated project that will take lots of time and work. Ensuring you have the right people on your Planning Support Team with the right knowledge, attitude, capacity and skills will help ensure that the job gets done. Ideally your Planning Support Team is representative of your community's population so that you are getting the value of different perspectives (i.e. men, women, Youth, Elders, family representation including on and off-reserve citizens, etc.). It should also include important knowledge keepers in your community or staff with specific knowledge (e.g. biology, fisheries, forestry, geology, planning, etc.).



“

The Committee will guide and steer the process and the questions being asked through the process, also making sure that the questions are understood and put in plain language that everyone can understand. It starts with the family representatives understanding and checking in with their families to see whether they understand and bring that back to the planning table”

Steven DeRoy, Firelight Group

The following Table 2-1 summarizes the value of the Planning Support Team, who should be on the Planning Support Team and potential challenges.

WHY IS A PLANNING TEAM NEEDED?	WHO SHOULD BE ON THE PLANNING SUPPORT TEAM?	CHALLENGES
<ul style="list-style-type: none"> • To ensure local control of the planning process • To share the workload • To ensure broad representation • To build capacity for implementation and land governance • To have enough capacity and skills to get the job done • To build community ownership of the LUP • To promote transparency and good governance • To help guide the process in culturally appropriate ways • To ensure local knowledge and skills are valued and applied 	<ul style="list-style-type: none"> • Broad representation: men, women, Youth, Elders, family representation • Community experts: hunters, trappers, fishers, cultural guides, knowledge keepers • Diversity of planning skills: communications, event planning, administration • Staff and external support: lands director/coordinator, GIS specialist, land use planner, biologists, geologists 	<ul style="list-style-type: none"> • Commitment of members • Funding (for salaries or per diems) • Scheduling, timing • Finding the right mix of skills • Finding the right mix of members to represent diversity of community • Working with consultants • Staff turnover • Access to information • Reliability and trust

Table 2-1. Summary of Planning Support Team

STORY 3: KLAHOOSE – SETTING UP A YOUTH PLANNING SUPPORT TEAM

In 2014, Klahoose First Nation (KFN) began engaging the community in LUP issues through the first phase of a Comprehensive Community Planning (CCP) process. KFN is gearing up to create a LUP to complement its Phase 2 CCP. KFN sees an on-reserve LUP as the next phase of its CCP process, informed by the CCP's vision and goals and the philosophy that “every decision we make and action we take impacts our land”. KFN is also in Stage 4 of the treaty process.

Klahoose Youth Challenge:

For its Phase 2 CCP process, KFN made a bold move. The community wanted to see more community engagement, particularly among Youth. To achieve this, they put Youth planners in charge of the process. Cheyenne Hope, then in her early 20s, moved back to her home community to get involved. Cheyenne was hired as the CCP Coordinator to work with a team of two other Youth community members, Steven Brown and Johnny

Hanuse, to create the CCP. Beringia Community Planning was hired to mentor Cheyenne as she designed and delivered the planning process and wrote up the results of the process into a final plan.

Although Cheyenne did not have a lot of experience or formal education in planning, her enthusiasm for learning engagement methods and how to research and analyze information made for a successful collaboration. Cheyenne was able to draw on Beringia for support while using her own knowledge and connections with the community to engage members on and off-reserve in the planning process. Cheyenne said, “We found ourselves overwhelmed at times with new information and experiences. But we gained so much insight and experience from being pushed outside of our comfort zone. Through our community engagement the most important thing I learned was that we needed time to come together and reconnect”.



KFN Youth Planning Support Team

The Planning Support Team's major challenge was to get Youth interested in planning and thinking about long-term goals, especially Youth living off reserve. Cheyenne recalled that “There were a lot of wordy documents and presentations so we tried to condense and simplify the information and get more hands on.” They understood that the results of the LUP would play out more in their lifetime.

Cheyenne and the Youth Planning Support Team created a Facebook group, which became a main source of information for members and turned out to be a great way of connecting

STORY 3: KLAHOOSE – SETTING UP A YOUTH PLANNING SUPPORT TEAM (CONTINUED)

In one Youth-focused workshop, participants were invited to create collages that explored community strengths, issues and concerns, and potential solutions. Cheyenne found that once the Youth got involved, they were the ones who were most excited about the planning process. They understood that the results of the LUP would shape their futures.

Cheyenne and the Youth Planning Support Team created a Facebook group, which became a main source of information for members and turned out to be a great way of connecting with people living off reserve, particularly Youth. KFN has struggled to engage off-reserve membership and realized they had to make information accessible to all members. Facebook was the best option because those who did not have an account knew someone who did. Cheyenne and her team used Facebook to post links to CCP articles, photos, links to surveys, announcements and events.

In addition to community-wide engagement, the Youth CCP team also found innovative ways to reach out to Youth and meet their needs. These included road trips to visit off-reserve members and gathering Youth together to travel by boat to parts of their traditional territory they had never visited before.

There was a major boost in confidence for the Youth Planning Support Team and the Youth involved in the process. They were able to contribute new ideas, learn new skills, and connect with the land and their Elders. Some of their ideas were to create apps to support language learning, record videos and livestream community meetings, and introduce short electives and experience-based learning in high school to help them decide their career path. In the words of one Klahoose Youth, “It is important as Youth to stand up in front of our Elders and show them we need to honour our responsibility as KFN

members. Not only for ourselves, our children, and grandchildren...but to honour our ancestors. The people who first walked this land, who fought to keep our heritage, before and after colonization.”

The Klahoose community responded enthusiastically to the Youth Planning Support Team. Elders were excited to see their Youth taking charge of their community’s future. The community was pleased to see young people involved in governance and decision-making and growing their capacity to play an important role as advisors and participants in their upcoming LUP process and to work for the First Nation’s future.

Through the CCP process, Cheyenne learned that, “It is important to ask lots of questions - from leadership to community members: everyone has something to teach you, and everyone should be involved because this is our future that we are planning.”

SETTING UP THE PLANNING SUPPORT TEAM

The following questions can help you think through some important considerations in creating a Planning Support Team:

Recruitment

- How are participants invited to participate in the Planning Support Team?
- How is the opportunity to participate promoted?
- How do people show their interest to participate?
- What is the process to select team members?

Roles and responsibilities

- What is the role or purpose of the Planning Support Team? (see Toolkit Resources at the end of step for Sample Terms of Reference)
- What are the roles and responsibilities of members?
- What is the decision-making authority of the Planning Support Team?
- What is the level of commitment and expectations of members?
- Who is responsible for the Planning Support Team?
- How will members keep track and report on their work?

Participation

- Who will participate on the Planning Support Team and how many people?
- How will members of the Planning Support Team be selected?
- Who will lead and champion the Planning Support Team?

Makeup

- What are the required or desired skills, attitudes or personal qualities of members?
- What is the demographic makeup of your community, and how will membership in the team reflect this?

Decision-making

- How will decisions be made and communicated?
- What is the relationship with Chief and Council?

Compensation

- Will members volunteer or be paid for their time?
- How will the contributions of the Planning Support Team be acknowledged?



TIPS FOR CREATING A PLANNING SUPPORT TEAM

- ✓ Ensure a mix of people (experience, background, interests, education)
- ✓ Ensure broad representation (family, skills, young and old, men and women)
- ✓ Expect turnover of team members (plan for contingency)
- ✓ Honour involvement (reward, recognition and acknowledgement)
- ✓ Build skills and increased responsibility as you go, offer training opportunities to your Planning Support Team
- ✓ Ensure a mix of skill sets that are helpful for LUP (project management, facilitation, research, event planning)
- ✓ Establish some clear terms of reference that outline roles and responsibilities for each team member
- ✓ When forming the Planning Support Team, think about inviting members who have some of the skills listed above. Once the team is established, a knowledge and skills inventory could be completed to assess what kinds of knowledge and skills are missing (see Sample Skills Inventory



Checklist in Toolkit Resources at end of this step). Then a plan can be crafted of how to address any gaps in knowledge and skills

- ✓ Communities can also use the information collected from the skills inventory to determine what role and skills need to be hired from outside of the community. In some cases, communities may need to hire a community or land use planner to guide the process, or in others, hire GIS technicians, facilitators or researchers for specific but limited tasks
- ✓ Whatever a community's planning needs may be, it is important that you consider how you can best use external planning support. For example, communities can build in a training component should they hire external planning support.

This involves having community members work along side planners or technicians in a hands-on learning and mentoring situation. Creating a learning agreement with the community trainee, and stating the obligation to train and mentor community members directly in an external contract with any hired support is ideal.

F. Assessing Capacity, Capability and Skills

Part of assessing your readiness to start a LUP process and identifying who should be on the Planning Support Team is thinking about the specific capacity, capability and skills required to complete a LUP.

There are three broad categories of skills required to support a LUP process:

- **Content and knowledge skills:** LUP, traditional knowledge, economic development, ecology, archeology, etc.
- **Planning and process skills:** Data gathering, data analysis, information management, policy making, mapping, implementation, monitoring and evaluation, etc.
- **Communication and engagement skills:** Group facilitation, event management, effective communication – writing and documentation, group decision-making, conflict resolution, using technology, etc.

“

The capacity of First Nations is a pressing issue that has been ongoing for a number of years—be that the number of people available, skills and knowledge, or access to revenue/resources/funding.

Angel Ransom, Angel Ransom Consulting

“

We have capacity challenges—there's a brain drain, people we hire leave for other opportunities. We can't do things as fast as we'd like to.

Andrew Bak, Territory Management Officer,
Tsawwassen First Nation

G. Evaluating the Need for External Support

For a LUP to be a relevant, useful and culturally-appropriate document for First Nations, the community must lead the planning process. In some cases, there may be a need for the community to engage the services of an external consultant or a community planner to provide process or technical support, and to contribute to building planning capacity in the community. However, this relationship must be carefully considered and defined to ensure the external consultant works with the community in a good way.

The skills inventory may identify some gaps in skills that could be filled by an external consultant. The following lists suggests some other reasons why you might involve an external consultant.

See [Working with Consultants Brief](#) in [Toolkit Resources](#) at the end of this step for details including:

- [Scenarios for hiring a consultant](#)
- [Roles of a planning consultant](#)
- [Qualifications to look for in a consultant](#)
- [Step-by-step how to hire a consultant guide](#)

WHY HIRE A CONSULTANT?

- Add/access specific expertise (e.g. mapping, policy and analysis, community engagement)
- Manage complexity and conflict
- Share the workload
- Supplement staff resources and time
- Enhance objectivity
- Increase visibility of the project
- Provide training and mentorship support
- Help meet deadlines
- Meet legal and technical requirements
- Provide an opportunity to learn about the approaches taken by other communities and industry good practices



It's really important to define the scope of your planning exercise – stage it out, sequence it out. Scoping will set your planning exercise up for success.

Steven DeRoy, Firelight Group

H. Defining the Planning Phases and Steps

Now that you have your LUP Champion and your Planning Support Team, including any external support, the first task of this team could be to map out the process in a series of phases and steps and provide an overall timeline. You might find that the general four phases of this Handbook (Prepare, Decide, Act, Reflect) and the steps proposed are a useful structure to apply to your own LUP project; but most likely you will adapt these steps to meet your unique context and needs.

There are a number of reasons for breaking the LUP process down into phases or steps:

- To break what could be a multi-year project into some more manageable sections
 - To help guide Work Plans
 - To help manage the scope of the LUP process and set some limits as to what the process will and will not do
 - To coordinate funding (often large multi-year LUP processes are broken down into one-year phases in order to access yearly funding)
- To easily communicate with community members the overall process, and orientate them to where you are in the process

Some First Nations have taken the opportunity to apply a cultural metaphor to communicate the phases and steps of their LUP process. For example, the Taku River Tlingit First Nation drew from the salmon cycle to describe the phases and steps of their planning process (see Figure 2-4). They described:

1. The process of getting ready to plan as **spawning**
2. The process of coming together and learning as **hatching**
3. The process of creating a common vision as **journey to the ocean**
4. The process of putting the vision into action as **summer harvest**; and
5. The process of reflecting on results as **returning home**

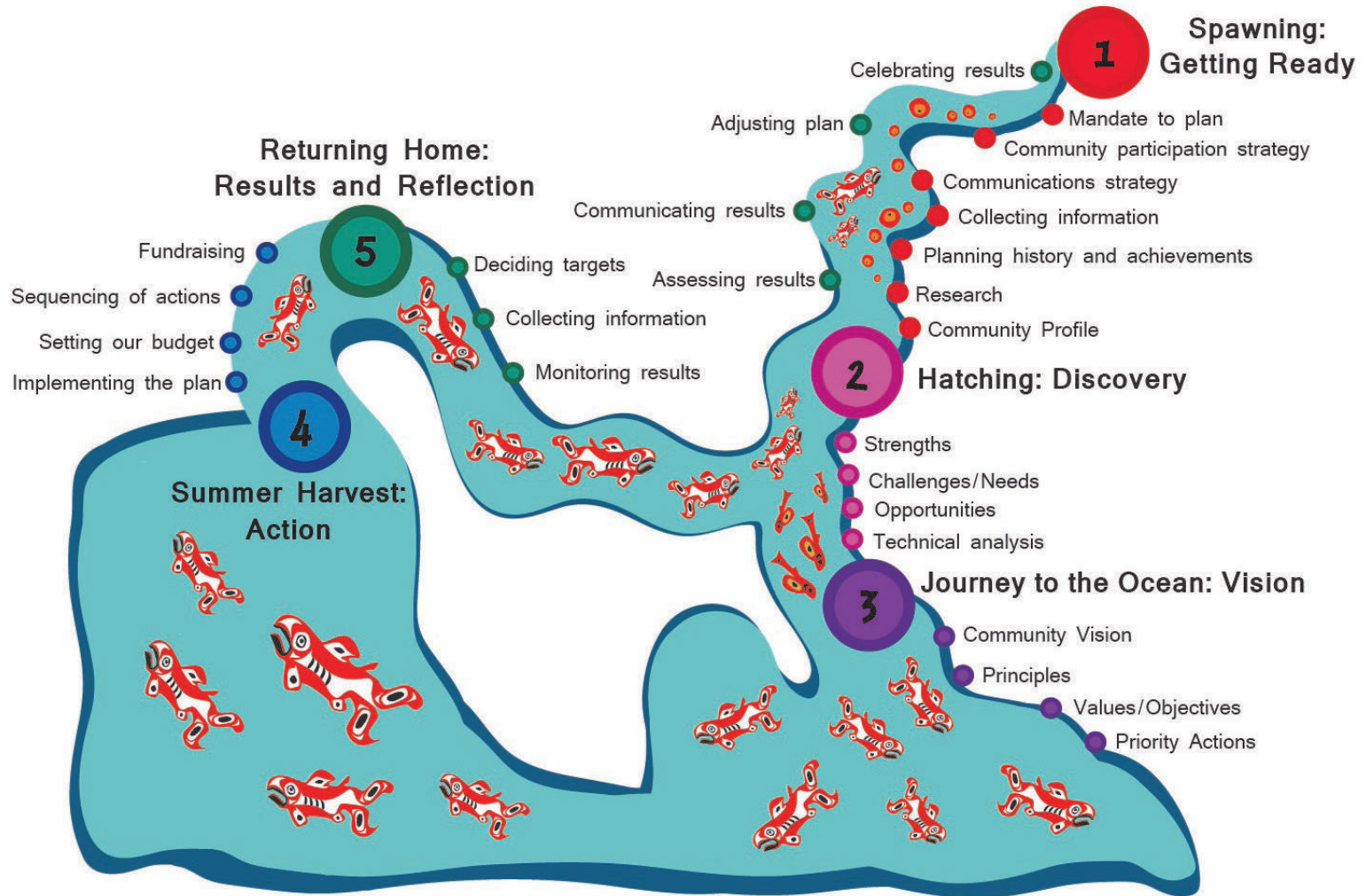


Figure 2-4. TRTFN Salmon Cycle

I. Establishing Roles

LUP can be a complex process to manage. The staff, volunteer and consultant hours this project can generate can be overwhelming, especially for staff who may also be balancing the day-to-day operations of their regular jobs. Depending on the governance structure of your LUP process, you will be trying to coordinate the efforts of:

- A LUP Champion
- Members of the LUP Planning Support Team
- An Advisory Committee
- Leadership
- Staff
- External consultants
- Community members
- External stakeholders

THE ROLE OF THE LUP CHAMPION AND PLANNING SUPPORT TEAM

The LUP Champion is the person who is ultimately responsible for keeping the process on track. This person leads the work of the LUP Planning Support Team and serves as a link between leadership and the Planning Support Team. This person is often also the face of the LUP process, so community members know who they can come to if they want to learn more or get involved. The Planning Support Team, as discussed earlier, are the 'doers' of the LUP process.



Their roles and responsibilities vary depending on the size and nature of the project, but ultimately, they are those who will do the work to keep the LUP going.

THE ROLE OF AN ADVISORY COMMITTEE

In some instances, leadership may want to involve an Advisory Committee to oversee the work of the LUP Planning Support Team. Unlike the Planning Support Team, who are actively carrying out the process, an Advisory Committee is less actively involved but provides advice at key decision-making points throughout the process. An Advisory Committee may already exist in your community (e.g. a Lands Advisory

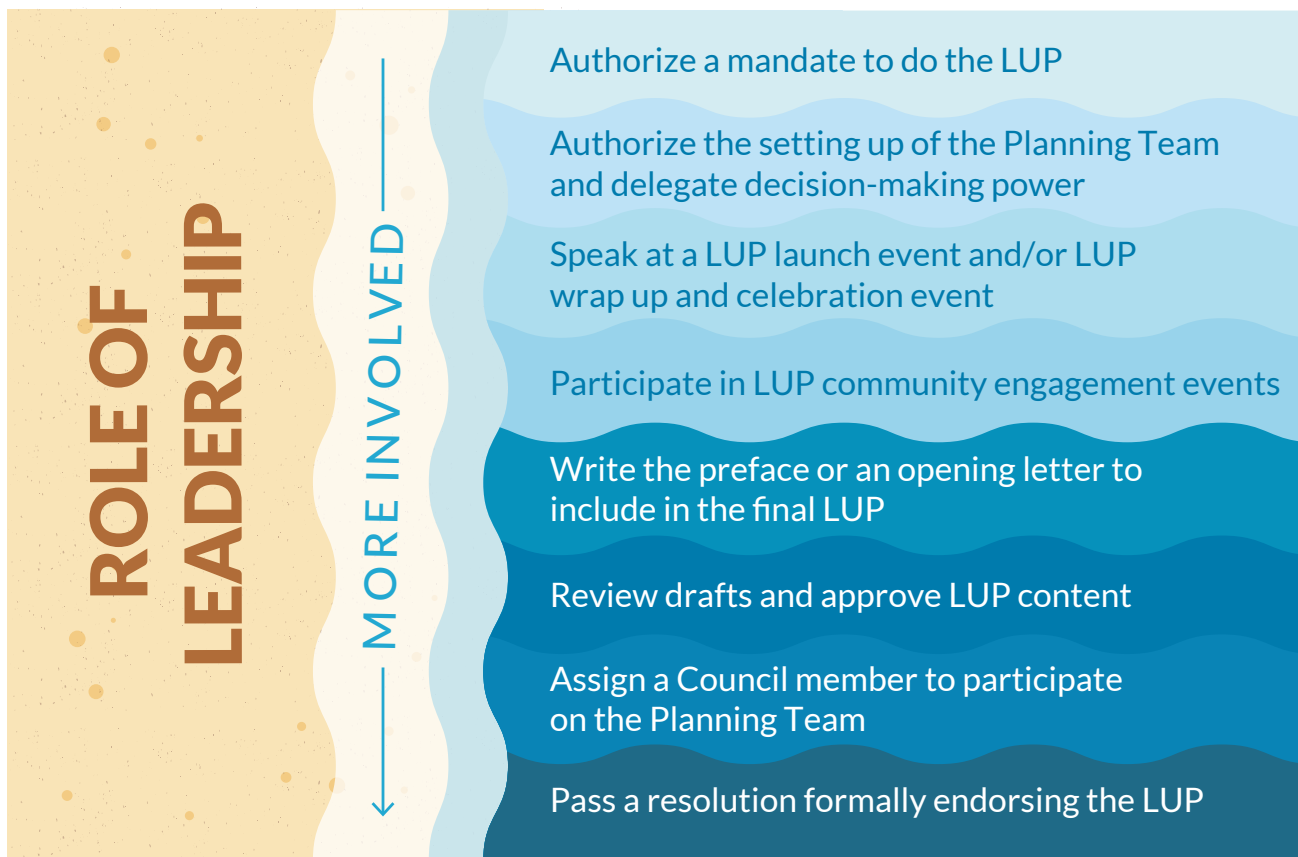
Committee) and will need to be included in this process. Or, you might create an Advisory Committee specific to the LUP process. Members of an Advisory Committee can be your community's knowledge keepers, often Elders, who provide guidance on the principles and values that should guide the process. Or, they might create a committee of subject area experts who contribute specialized knowledge to guide the process. Sometimes Advisory Committees are a way (mechanism) to ensure balanced representation from different groups in your community. An Advisory Committee might include representatives from different families or clans, or from different age groups (Youth and Elders). Like a Planning Support Team, an

Advisory Committee should have terms of reference to guide them. Key moments in the process that require consultation with the Advisory Committee should be established early on.

THE ROLE OF LEADERSHIP

Your community's leadership, whether it is the chief and council, hereditary leadership or a post treaty leadership structure, has an opportunity to play numerous roles in your LUP process. Depending on your approach, this role can vary.

In some communities, leadership plays an active role in championing the LUP process. In other communities, leadership stays behind the scenes to leave room for the community to make the process theirs.



There are many ways leadership can get involved, ranging from minimal to formal involvement such as providing a mandate for the LUP process or in the official endorsement of the LUP. Figure 2-5 provides some ideas of how leadership might get involved along a spectrum.

Figure 2-5. Role of Leadership

For some communities, leadership support will be very important for the legitimacy of the plan. In other communities, the perception that it is a leadership-driven process might threaten the community-driven nature of the LUP.

THE ROLE OF STAFF

Staff will play a key role in putting your LUP into action. For this reason, it is very important to involve staff in your LUP process. The work of all of your departments (e.g. lands, economic development, health, education, infrastructure, etc.) relates to the land in some way. A LUP process provides an opportunity for coordination of different departments in working towards a unified vision for the land.

This can be done in a number of ways:

- By ensuring that a staff member is on the Planning Support Team and/or the Advisory Committee
- By holding staff workshops early on exploring the role and value of LUP
- By involving staff early in compiling information needed to do the LUP from various departments
- By conducting interviews with staff with key roles relating the LUP to ensure that their knowledge contributes to the process
- By holding LUP workshops with staff throughout the process to ensure their knowledge is collected, they understand the LUP and build their capacity to implement to LUP
- By presenting the draft LUP to staff and allow discussion on implementation readiness and necessary revisions

THE ROLE OF THE PLANNING CONSULTANT

The external planning consultant, if you work with one, needs to have a very specific role that is controlled by your First Nation. As explored earlier, an analysis of the knowledge and skills needed to complete a LUP may lead you to decide how to involve the help of an external planning consultant. Their role will vary, depending on your community's needs.

What might a planning consultant do?

- Develop funding proposals
- Plan process design and support
- Community engagement
- Design and facilitation
- Facilitate community visioning
- Prepare Work Plans
- Complete research and mapping
- Complete knowledge and data analysis
- Policy development
- Manage partnerships
- Conflict resolution
- Capacity building
- Communications
- Plan documentation
- Implementation and action planning
- Monitoring and evaluation

Figure 2-6 presents some suggestions of different roles a planning consultant could take (see Toolkit Resources at end of this step for full brief on working with consultants).

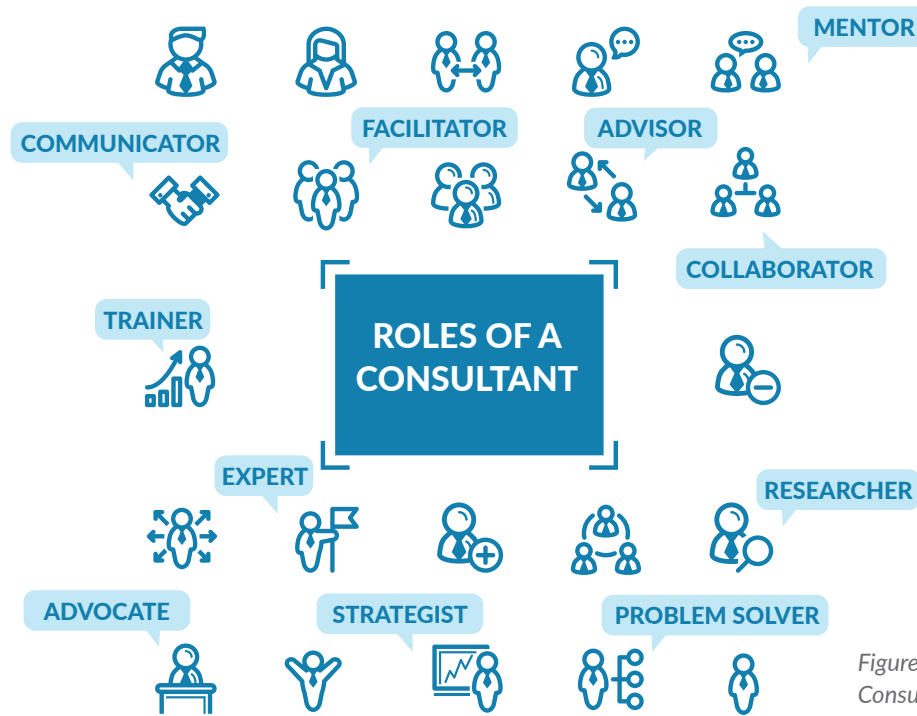


Figure 2-6. Roles of a Consultant

Roles of a planning consultant:

Mentor: Providing guidance on process or plan

Collaborator: Sharing work load and decision-making

Problem solver: Helping define and understand options

Advocate: Championing your work

Facilitator: Assisting you through the process or stages of planning

Trainer: Teaching all parts of the process, including skills and tools

Strategist: Identifying options for what approach should be taken

Expert: Providing expertise in a particular area

Advisor: Giving advice, suggestions

Researcher: Collecting, organizing and analyzing information

Communicator: Sharing results of the process

THE ROLE OF THE COMMUNITY

The role of the community will vary depending on your approach (see section D. Defining Planning Approach). The community represents an important source of information on your First Nation's current situation and vision for the future. An understanding of their lived experience will help you as process leaders to understand your community's:

- Values
- Principles
- Strengths
- Needs
- Opportunities
- Challenges
- Hopes and vision
- Needs and strategies
- Actions and solutions

Ideally, your LUP will be shaped by this understanding. Your LUP process also provides a key opportunity to build unity and a common vision. For this to happen, community members need to feel like they are playing a meaningful role in the process and that their contributions are being valued. We will discuss community engagement at length in the following Step 3: Engage Community.



COMMUNITY INVOLVEMENT

In general, community members are going to play the role of participants in the process, sharing their knowledge, stories and information by participating in community engagement activities (e.g. focus groups, open houses, world cafés, completing surveys, etc.). Consider what other roles they might play to support your process. For example, you might use community volunteers as helpers during community engagement events: setting up chairs, taking notes, preparing or serving food and taking photos. You might draw on your community to design a logo for the process or to come up with a name for the LUP. Community members most involved in your process might be invited to participate in the Planning Support Team. Any opportunity to involve community members in the process will help build buy-in for the LUP, which will be important when it comes time to put the LUP into action.

J. Building the Work Plan

A Work Plan is a tool to help manage the phases and steps of the LUP process, and to support tasks, people, timelines and budget. It breaks bigger pieces of work down into a series of smaller tasks and activities, designates who will be responsible for what, and when tasks will be completed. Completing your Work

Plan will give you an estimate of the time and resources required to complete the LUP.

This sample tool in Table 2-2 outlines a few early planning tasks and core activities (see Toolkit Resources at end of this step for a more complete Sample LUP Work Plan).

For each task, the Plan assigns who is responsible, what method (activities) will be used and a target date for completion. The LUP Champion and the Planning Support Team can use this tool to organize people and track progress.

Table 2-2. Sample Work Plan

PLANNING TASK	CORE ACTIVITIES	RESPONSIBILITY	OUTCOME	TARGET DATE
Create Planning Team	<ol style="list-style-type: none"> Determine planning needs and qualifications Decide on process to select members Post notice Select members Announce members 	Planning Champion	Members of Planning Support Team established	June 30, 2018
Develop Terms of Reference	<ol style="list-style-type: none"> Organize workshop Undertake research Compile results Approve terms of reference 	Planning Support Team Planning Champion	Terms of reference approved	July 15, 2018

The Work Plan aims to address the following questions for each planning task:

- What resources will you need?
- What activities/tasks have you planned?
- What is the timeline for each activity/task?
- What is the product or deliverable for each activity/task?
- Who is responsible for the activity/task?
- What is the result for each activity/task?

K. Determining the Budget and Resources

Creating a LUP is a focused effort that may take place over a number of years and will require people and money (and implementing the LUP will also require resources).

Many factors will influence the cost and the time it takes to complete your LUP process. Your Work Plan is a tool to guide the budget and help estimate the costs and expenses associated with each task on the Work Plan.

BUDGET CONSIDERATIONS

Cost and time is influenced by:

Planning approach: A large community engagement effort will be costlier and take more time than limited community engagement.

Capacity (internal and external): What is the capacity of your staff to undertake the LUP process. Will you need to involve external consultants? What opportunities exist to build the capacity of your staff through the LUP process? The fees for external consultants will need to be built into the budget. An emphasis on learning and training requires more time.

Information needs: Do you have access to the data and information needed for your LUP (e.g: population growth projection, traditional use study, environmental assessment, hydrology study)? These research projects or studies may require external support and could be costly and take time.

Technological needs: What tools are required to assess options and analyze results of various land use options (e.g. computer modeling, scenario building) and what technology is needed to gather and store data (e.g. GIS)? If you do not already have these technologies, their cost should be factored into the budget.

Unexpected delays: It can be expected that there will be process and information delays, including community and the cultural circumstances that will impact the length of LUP process and result in additional costs to complete the LUP.

Graphics: A highly visual, graphically innovative LUP requires an adequate budget for graphic designers. If you anticipate needing multiple LUP products (e.g. plan, brochure, poster, video), you will need to plan for higher graphics costs.

Size and location of the community: A larger populated community requires more time and effort for community engagement. A remote community may have higher transportation costs when bringing people and external technicians or consultants together. A larger LUP area may require more resources for information collection.

Legal obligations: If your LUP is part of a land code process or treaty process, it may involve higher legal costs.

“

There can be tremendous variation in the cost of planning between regions depending on current land use and interests and how much the landscape is likely to change. If there is significant current or planned development, your LUP expenses can go through the roof. Another major variable is the amount of traditional knowledge collection that has been done. If that has not been done, the LUP process will also be burdened with the cost of organizing that knowledge.”

Ron Cruikshank, Yukon LUP Council



“First Nations governments need the resources not only to prepare and develop plans, they need to have resources to implement, update and enforce their plans. Such revenues must come from the wealth of their lands. These are acts of self-determination and self-governance that require full political support and mandates from First Nations leaders in a community for technicians and policy advisors to be successful. Good LUP also understands its limits – it is a critical part of several approaches to heal the land and the lives of members.”

Jaime Sanchez, BC Assembly of First Nations

FUNDING AND PROPOSAL WRITING

The funding for your LUP will impact your time, timelines and the timing of your process. Government-accessed LUP funding is typically tied to the fiscal year calendar (March 31st). If your LUP process is anticipated to span multiple years, you may need to organize your efforts into phases and reapply for funding each year to complete subsequent phases of planning. The lack of multi-year funding can be disruptive for communities.

It could be helpful to explore a diversity of funding sources so that your LUP process is funded by a combination of government funding, own source funding, partnerships and private-sector funding. Applying for funding requires a strong proposal writer who can research different funding opportunities and create successful funding proposals. See Toolkit Resources at the end of this step for a list of potential funding sources for LUP (List of LUP Funds).

BUDGET

A budget identifies costs and expected expenses to create LUP or part of LUP over a set period of time. Budgets are usually developed for a fiscal year and broken down into quarterly and monthly budgets. The budget is an important tool to help you prioritize how to spend money, to make sure that costs do not exceed the available resources, and as a tool to report back on how resources have been used.

Start with a spreadsheet that lists the cost and expenses you expect – this is called a cost model and you can set it up with formulas so you can adapt numbers as needed (e.g. number of days, trips, etc.). See Toolkit Resources at the end of this step for a Sample Budget Template.

Some categories of costs that should be considered are:

- **Administration costs:** There will be administrative costs related to the management of this project including bookkeeping, financial reporting and office administration
- **Salary costs:** Consider the salary for the LUP Champion and if a per diem or salary will be paid to Planning Support Team members. Consider the time they will need to spend on this project including research and analysis time
- **Consulting fees:** If you engage with external consultants such as a planners, lawyers, mappers or engineers to support your process, you will need to gather quotes to determine total consulting fees
- **Travel costs:** Consider how many trips to which locations will be required to complete the LUP process, and then cost out the price per traveler by travel means (e.g. flight, bus, ferry, mileage) and accommodation
- **Event cost:** Consider the number of events and budget per event including workshop supplies, food, hall rental, and door prizes
- **Printing costs:** Cost out how much is needed to print materials throughout the process (informational material, newsletters) and to print your final LUP
- **Communications costs:** If your project requires a website or another online engagement platform, the costs for those online tools should be considered
- **Graphic design costs:** Include the costs to support communications throughout the process and to help build your final LUP

The budget should be reviewed on a monthly, quarterly and annual basis and adapted as needed.



STORY 4: CANIM LAKE BAND – MOBILIZING FUNDING FOR LUP

Canim Lake Band is a First Nations government of the Secwepemc Nation, located in the Central Interior region of BC. We are approximately 600 members and are known in the Shuswap language as the Tsq'esenemc "People of Broken Rock." We have rights and title to our traditional territory and have always been responsible stewards.

We are eager to develop a full LUP but one of our challenges has been to find sufficient funding. Funding we've obtained has been piecemeal and not enough to complete the planning process and often we feel like we have been forgotten. It is especially challenging to get funding for implementation, particularly for infrastructure development and servicing. To manage the ongoing funding struggle, we have decided to approach the development of a LUP

in phases, which will also help us align it to our treaty negotiations.

We have developed a Forest Stewardship Retention Plan (FSRP), which was approved by Band Council Resolution in 2013. This was a LUP exercise for Snine Forest, an area at the core of our traditional territory. The FSRP is considered a key piece of a future Canim Lake Band LUP. We have also started to plan specific land parcels, which will inform our full LUP. We have developed a plan for IR#1, which is our largest property with three subdivisions. We also reviewed our designation for lot #150 and engaged both on-reserve and off-reserve members in the decision-making process. We are pursuing a number of economic development initiatives on reserve land and have a strong commitment to engaging the community in these decisions. Any

time we meet with potential business proponents, we ask our community members for input.

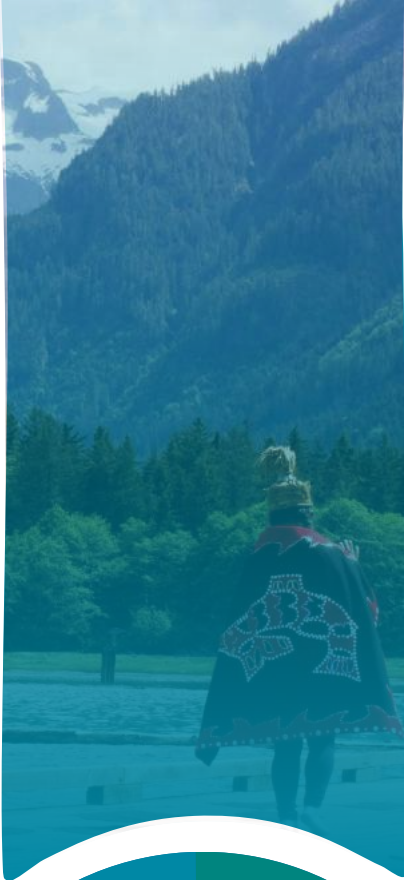
As we prepare for developing a comprehensive LUP, we are consolidating all of our planning knowledge. We are currently in the last stage of our CCP process. Through this we are merging all of our plans, including our Professional Development Plan, operational planning and FSRP. If we go into land code, we will have all of our land and financial laws already integrated with our CCP in one document. Through good coordination we won't have to double our efforts in future. Ultimately, we have not let a lack of funds stop us from drawing on our strengths and doing a variety of things in our community to prepare for LUP.

TIPS FOR BUDGETING A LUP

- ✓ Break your LUP process up in phases and steps based on what you have the budget and capacity to accomplish, then focus on one phase at a time
- ✓ Use the activities in your Work Plan to build a budget for each step
- ✓ Take the time to research costs to do and implement the LUP
- ✓ Plan for unanticipated costs- costs may drift so put some funds aside for the unexpected
- ✓ Track costing and monitor spending as you go
- ✓ Explore a diversity of funding sources (e.g. government funding, in source funding, partnerships, private sector funding)
- ✓ Consider hiring someone with proposal writing experience to actively go after new sources of funding

TOOLKIT RESOURCES:

- A. Sample Terms of Reference (TOR)
- B. Sample LUP Work Plan
- C. List of LUP Funds
- D. Sample Budget Template
- E. Sample Skills Inventory Checklist
- F. Working with Consultants Brief
- G. Consultant Evaluation Rubric



STEP 3

Engage Community

How do we build this plan together?

A successful LUP process requires strong community engagement. Once you have clarified the purpose of your LUP and organized the process, people and resources you need to get started, the next steps are to understand the spectrum and value of engagement, decide how the community will be engaged in the LUP process, and how best to communicate results. A successful LUP process involves developing an Engagement and Communications Strategy to guide and maximize outcomes throughout the planning cycle.

In this section, we explore:

- A. Understanding community engagement and communications
- B. Realizing the value of engagement
- C. Anticipating community engagement challenges
- D. Developing a community Engagement and Communications Strategy



prepare

“

A resurgence is happening and the Elders need to pass on their wisdom to the next generation."

LUP Workshop Participant (2018)



“

Community engagement gathers different points of view so that LUP decisions are more robust."

LUP Workshop Participant (2016)

“

Engagement with all community members is key - Youth (children/teens), adults, Elders."

LUP Workshop Participant (2017)



“

Community engagement offers the potential to foster healing and reconciliation between different factions."

LUP Workshop Participant (2016)

“

Community engagement gives membership a voice - gets them involved and gains support."

LUP Workshop Participant (2016)



“

Community engagement builds relationships to get everyone on the same page."

LUP Workshop Participant (2016)

A. Understanding Community Engagement and Communications

Community engagement is a process of bringing people together to learn and to share stories, knowledge, information and ideas in a way to make effective, informed decisions. In this Handbook, we focus specifically on the process of bringing people together to help make decisions about the present and future use and protection of lands and resources throughout an entire planning cycle.

Since time immemorial, Indigenous communities have practiced traditions and protocols around communal and collective gathering and decision-making unique to their community. Many communities have traditional ways and protocols to carry out engagement that are alive and well today. These might include annual



general assemblies, clan gatherings, potlatches, council meetings, community or communal meetings, family-based meetings, Elder's gatherings, and numerous other public and private ways of working together.

This is not to say that the experience of community engagement is without difficulty. The history and results of community engagement are complex and mixed. Understanding the engagement history of your community is an important first step in building successful community engagement.

Equally important is how you decide to communicate with community members and when. Communication is a crucial ingredient to successful engagement. Communication can be described as the sharing of information. Communication has always played an important role in Indigenous communities who have

COMMUNITY ENGAGEMENT DEFINITIONS

BC Assembly of First Nations:

“In the context of true community development work, as part of Nation building or Nation rebuilding, community engagement is the process of fully involving our citizens in the community decision-making process. It is a process of shared decision-making among citizens in support of effecting social change. It is the process by which community determines the vision and direction of the Nation and ultimately participates in decisions about that vision and direction.”

International Association of Public Participation (IAP2):

“Public participation is any process that involves the public in problem-solving or decision-making and uses public input to make sustainable decisions.”

depended since time immemorial on oral communication to transfer knowledge between generations. Communications in itself is not engagement, but effective communication is essential to engagement.

Collaborating with community members early on in the LUP process about their needs and preferences for community engagement and communication will go a long way in building respect, ownership and pride. Ideally, the more you can customize engagement and communications, offer choice in a variety of ways for members to be involved, receive information and keep engagement going – the community will realize its vision and outcomes for successful engagement and communication.

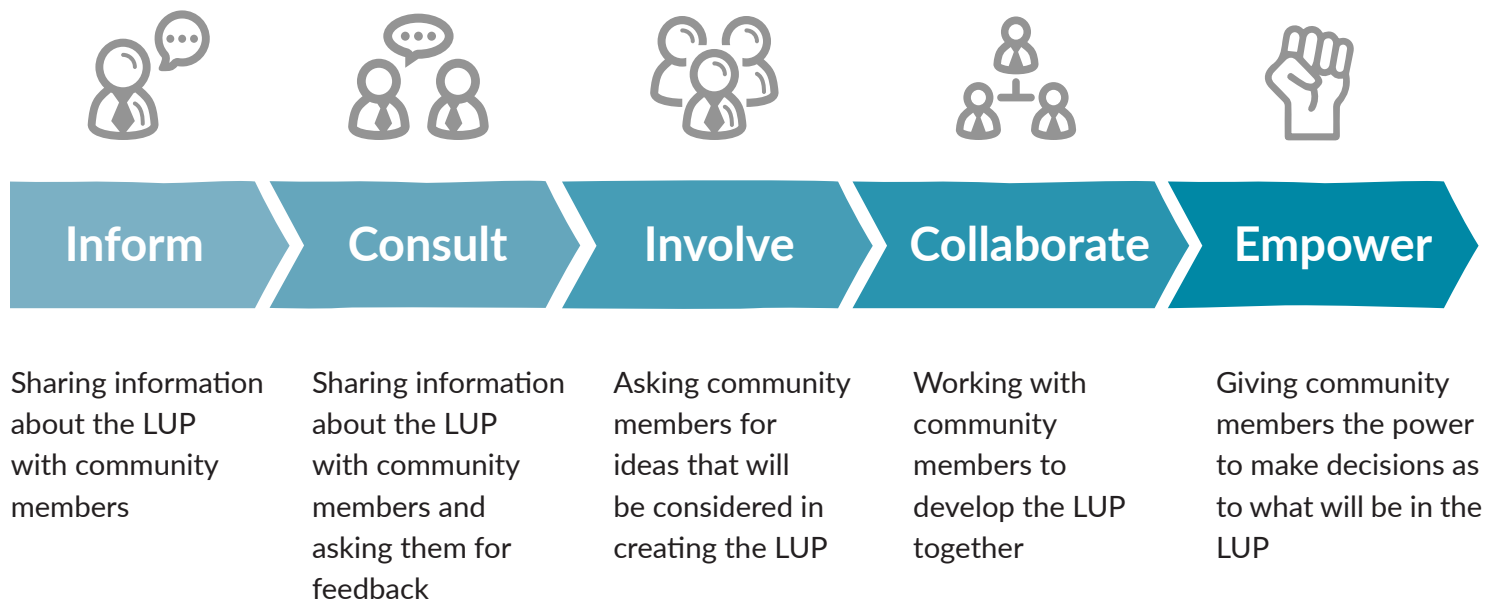
UNDERSTANDING THE SPECTRUM OF ENGAGEMENT

You will need to identify what kind of engagement effort your LUP process needs. This can be defined in a Vision Statement and a set of Principles, Objectives and Outcomes that you want to achieve – gathered from members early on in the LUP process.

One tool to help think this through is using the spectrum of public participation proposed by ©The International Association for Public Participation (iap2.org), as illustrated in Figure 3-1. This spectrum is a helpful tool to organize community engagement and the tools you might use throughout your LUP process (or cycle).

The spectrum shows that each time you engage with community members during your LUP process, you will do so at one of the following levels:

Figure 3-1. Spectrum of Community Engagement



What level of the spectrum you choose will depend on your Vision and Principles for the LUP process, what the Objectives of your Engagement Strategy are, or what stage of the LUP and decision cycle you are at. Other secondary influences include available time, budget, capacity, and participation levels.



Example of how the objective of your LUP influences the spectrum: A LUP process that has the objective of reducing community conflict will require a different level of the spectrum than a LUP process that has the goal of keeping members informed. If one of your engagement Objectives is to build capacity in the community, you may wish to emphasize the level of collaborate or empower.

Example of how the stage of your LUP influences the spectrum: In the 'prepare' stage, you might be engaging community members at the 'inform' or 'consult' levels. However, in the 'decide' stage, you may have community members more at the 'collaborate' level, actively contributing to the development of LUP alternatives and identification of preferred solutions.

Deciding where you are on the spectrum at any one given time matters in terms of the methods, tools and techniques you need to prepare and deliver. It may also influence the human resources and skills that are required.

Table 3-1 describes the Goals related to each of the levels of the spectrum (adapted from © The International Association for Public Participation) along with sample engagement tools that might be considered.

LEVEL	SAMPLE GOAL	SAMPLE ENGAGEMENT TOOLS
Inform	To provide community members with the information they need to understand the current conditions of the land	<ul style="list-style-type: none"> • Presentation • Website/Newsletter/Poster
Consult	To obtain feedback and/or promote discussion from community members about what areas of the land should be used for specific purposes	<ul style="list-style-type: none"> • Talking circle • Survey • World Café • Station-based brainstorming
Involve	To work directly with community members throughout the LUP process to ensure their needs and concerns are understood and reflected in the LUPs Vision and Directions	<ul style="list-style-type: none"> • Workshop series • Working groups (e.g. hunters, medicine gatherers, farmers, knowledge keepers) • Youth and/or Elder council
Collaborate	To partner with community members in each aspect of the LUP process including the development of LUP alternatives and identification of preferred solutions	<ul style="list-style-type: none"> • Brainstorming and ranking Action ideas • Participatory tradeoff analysis • Participatory budgeting
Empower	To place final LUP decision-making in the hands of community members to decide what land use policies will guide use and activities in designated areas	<ul style="list-style-type: none"> • Local Planning Support Team runs LUP • LUP adopts recommendations of Youth committee/Elders committee/Advisory groups

Table 3-1. Goals Related to Community Engagement Spectrum

B. Realizing the Value of Engagement

The Vision and Objectives of your engagement effort and where you end up on the spectrum of engagement will be influenced by your community's existing culture around community engagement. Community engagement as a general practice may or may not be valued. Here are some things to consider when making the case for community engagement.

Effective community engagement is an opportunity to overcome a history of exclusion. Colonization, the *Indian Act* and residential school trauma all impact your work in trying to build strong community engagement processes.

Some of the impacts of history on your engagement efforts include:

- Loss of knowledge of cultural systems and relationships that traditionally guided your community engagement efforts
- Long-term exclusion and lack of decision-making control
- Cynicism and lack of trust preventing community members from participating
- Health implications of intergenerational trauma creating barriers to participation

For many First Nations, community-based planning is about breaking down a colonial history of being planned for by others. By inviting community members to participate in all stages of LUP, you are giving community members their voices back.

With this understanding in mind, Figure 3-2 presents some of the personal and community outcomes of strong community engagement processes.

Some of the factors that contribute to effective and successful engagement for LUP include:

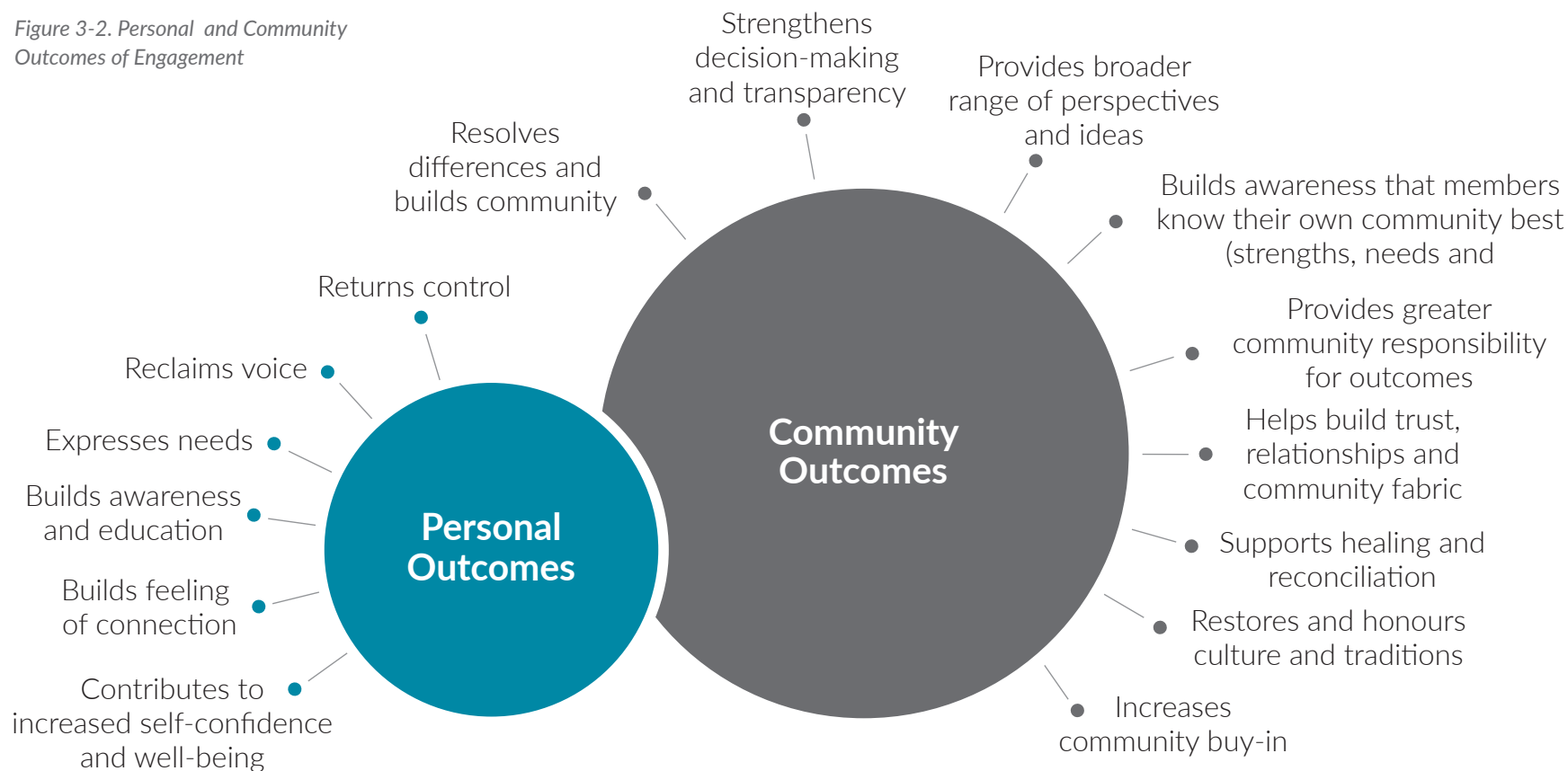
- Ensuring ethics, protocols and respect are practiced
- Honouring culture, history and use of visual and oral traditions
- Sharing and gathering local knowledge and beliefs
- Restoring permission and collaboration
- Inviting holistic thinking that explores connections
- Having community members consider the connections between past, present and future
- Ensuring that engagement is inclusive and accessible to a broad range of people
- Involving those most affected by decisions
- Facilitating understanding
- Ensuring participants have the information they need to participate



*Record your journey/story:
video, slides, photos,
recordings, documentary.”*

Legal Context Workshop Participant
(September 2017)

Figure 3-2. Personal and Community Outcomes of Engagement



C. Anticipating Community Engagement Challenges

Designing an engagement process that seeks to overcome a history of exclusion presents challenges. The following list presents some typical community engagement challenges to consider when designing your engagement process.

History of planning: Your community's relationship with LUP might be influenced by a history of poor planning, external planning and/or limited community engagement.

Conflict between members: Historical trauma may have eroded trust, and there may be conflict between members that will limit how much they will participate in the LUP process.

Too many other things going on/ engagement burnout: There may be lots of other things going on in your community that will limit how much time and energy community members have to contribute to the LUP process. You may be competing with treaty meetings, land code meetings, National Energy Board hearings or other planning processes.

Lack of trust and cynicism: If your community has not historically had a strong culture of engaging community members, there may be a lack of trust that this process will be any different.

Keeping engagement going: A LUP process will likely span many months or even years so keeping community members interested and engaged over time can be a challenge.

Lack of knowledge about the land among members: In some communities, the relationships community members traditionally had with the land may be broken. Community members may not be familiar with the land base and need information or experiential learning to be able to fully participate in the process.

Lack of good information to prepare members: A good LUP requires lots of information about the land that you can share with community members, but you may not have that information available.

Lack of interest: Past negative experiences with planning or a lack of understanding about what the LUP is and its value may lead to a general lack of interest in your process.

Not enough time or resources: You may not have the time or the resources you would like to deliver the kind of engagement process your community needs.

Communications: Getting the word out and reaching all community members who may be spread out geographically and have different communication needs is challenging.



D. Developing a Community Engagement and Communications Strategy

How do you position community engagement in a way that activates interest, involvement and commitment, as well as meets your community engagement challenges? One way to meet this opportunity and overcome challenges is to create a community Engagement and Communications Strategy. This Strategy describes your plan for how to design an exciting, dynamic and responsive approach to engagement with long lasting outcomes. Mapping out a Vision and a set of tools for your community engagement process can help to address any challenges you might have.

Completing an Engagement Strategy will move you towards:

- Achieving your Vision for how community members will be engaged
- Guiding the community engagement process
- Strategizing on how to meet anticipated challenges
- Ensuring continuity if there is turnover on the engagement team
- Maximizing results and outcomes
- Strengthening land governance
- Empowering members so they feel ownership of the LUP
- Rewriting history so as to overcome history of poor community engagement

While there is no exact formula for how to complete an Engagement and Communications Strategy, the following steps can guide you through a Strategy, as shown in Figure 3-3 (see page 116).

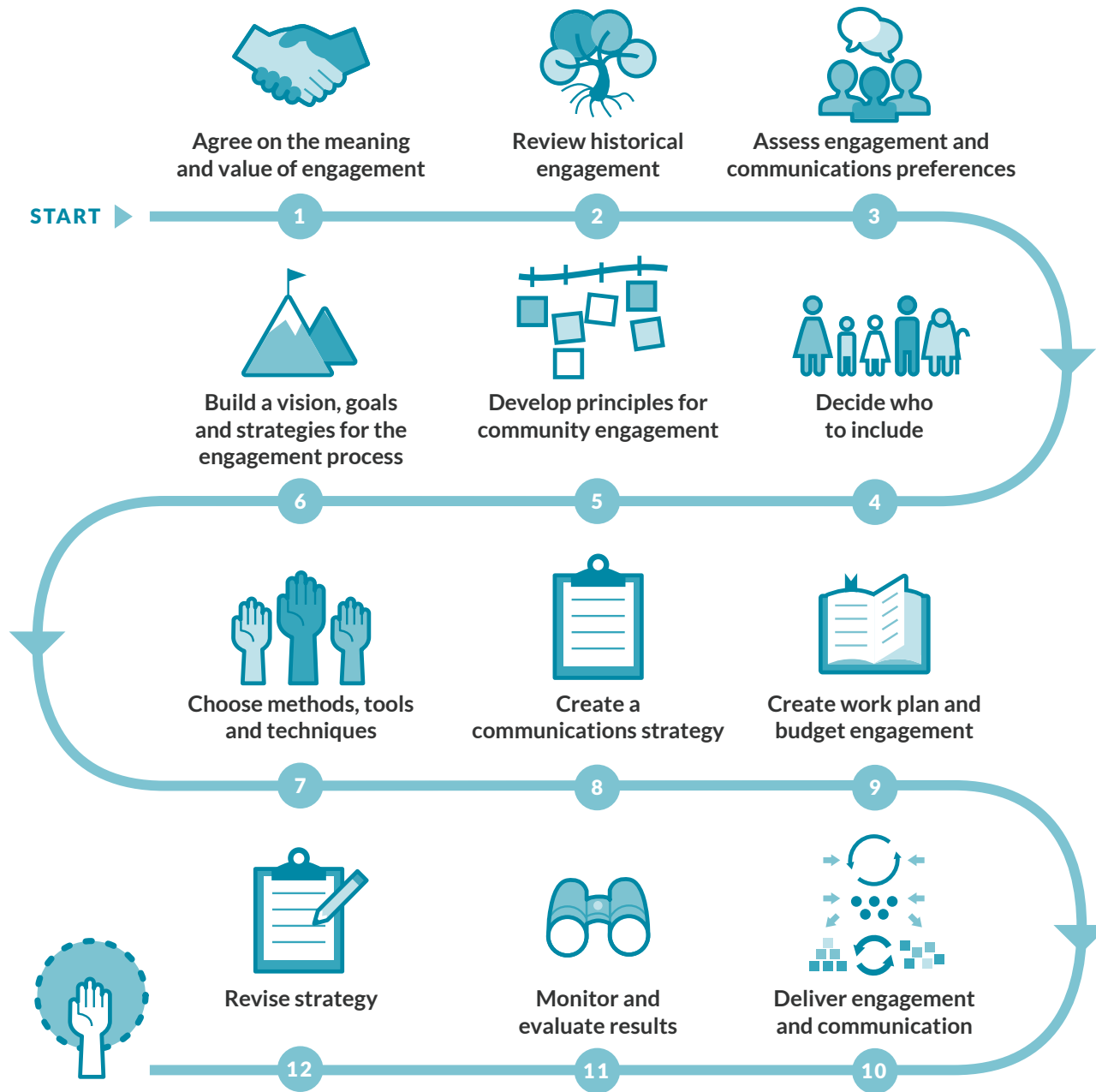


Figure 3-3. Steps to Create an Engagement and Communications Strategy

STEP 1: AGREE ON THE MEANING AND VALUE OF ENGAGEMENT

Community engagement will mean different things to different communities. A good place to start is to ask yourself:

- What does strong community engagement look like in your community?
- What are your traditions and protocols surrounding community engagement?
- What value is there in a strong community engagement process for your community?

STEP 2: REVIEW HISTORICAL ENGAGEMENT

Every community will have its own culture and history of community engagement and communication. This step involves exploring how that history will help you understand what works well and what does not. This understanding might help you guess how community members might react to the LUP

engagement effort and will prepare you for the needs and challenges to expect. Before designing your Community Engagement Strategy, consider:

- What is your community's culture around engagement?
- What engagement has been done in the past?
- How did it go? What worked? What didn't work?
- What needs to be done differently? Why?

STEP 3: ASSESS COMMUNITY ENGAGEMENT AND COMMUNICATIONS PREFERENCES

A powerful way to set the tone for a community-driven LUP process is to ask community members early on how they would like to be engaged. This step involves starting your process with an engagement and communications survey. This is a powerful way to signal to community members that their needs and preferences will actively shape the LUP process.

Ask community members:

- What does community engagement mean to them?
- What is their opinion on how community engagement is currently done?
- What tools and methods worked or did not work in past planning processes?
- How do they want to be involved?
- When do they want to be involved?
- How do they want to be communicated with?
- What do they need to be involved? (e.g. childcare, transportation)
- What incentives might encourage them to get involved?
- What concerns do they have about the LUP process?
- What might prevent them from getting involved?

(See Sample Engagement Preferences Survey in Toolkit Resources at the end of this step.)

STEP 4: DECIDE WHO TO INCLUDE

This step involves ensuring that everyone in your community affected by your LUP has an opportunity to participate. This might require special consideration for community members who are hard to reach. It also allows you to tailor your engagement tools to target specific groups.

The following questions can guide discussions on the people your Community Engagement Strategy should target:

- How do we ensure that all members of the community are engaged?
- What are the demographics of our community?
 - ▶ Population mix (e.g. 0-9yrs, 10-15, 16-19, 20-30, 31-59, 60+)
 - ▶ Group makeup (e.g. hunters, trappers, teachers, Youth groups, family heads)
 - ▶ Location (on-off reserve) (e.g. Which off-reserve communities will you reach out to?)
- Who are your target groups within the community? (e.g. Elders, Youth, men, women, hunters)

- Are there any community members who should be engaged for special considerations? (e.g. CP holders, business owners, knowledge keepers)
- Who in your community faces specific barriers to participation? (e.g. single mothers, community members with a disability, those who lack transportation)
- Who in your community should take on important roles in the process? (e.g. Who should be on the Planning Support Team or a specific task force?)
- Is there anyone you need to collaborate with and involve externally? (e.g. local government, industry, parks, etc.)

Once you have created a list of all of the people you would like to reach out to, the next step is to consider the needs of each of these groups and how to tailor engagement and communications activities for each group. (See Identifying Engagement Target Groups in Toolkit Resources at the end of this step for two activity templates).

STEP 5: DEVELOP PRINCIPLES FOR COMMUNITY ENGAGEMENT

In Step 1 we discussed establishing Principles for the LUP process. You may also establish a set of Principles to guide your community engagement process. These Principles describe the values and beliefs that will guide the way you engage and communicate with community members.

The Principles you establish set the tone for your community engagement process and influence where on the spectrum of engagement most of your engagement activities will lie. For example, a community-based approach to LUP will have you more on the 'involve', 'collaborate' and 'empower' sides of the spectrum, whereas an expert-driven LUP will have you more on the 'inform' and 'consult' side.

STORY 5: TSAWWASSEN FIRST NATION (TFN) – WORKING WITH CP HOLDERS

Our Nation has about 490 members. About half of our membership live on 640 acres of pre-treaty reserve. The Tsawwassen treaty was ratified in July 2007, expanding our land to a total of 724 hectares (1789 acres). At the time of ratification, approximately 80% of our former reserve land was held by Certificate of Possession (CP) holders. As we entered into treaty, it became clear that the economic future of our community would be driven in large part by CP holders.

Through our LUP process, the TFN was able to explore ways to use our public land efficiently and to discuss different land use options with CP holders. Under treaty, land not held by CP holders became held by the TFN Government on behalf of all members, while CP titles were converted to a modified form of fee simple land. This transition involved a review of all the CPs that had been issued and where needed, adjustments to boundaries and encumbrance agreements. The holders of these lands are now called Tsawwassen Fee Simple Interest (TFSI) holders. TFSI holders must be community members. However, TFSI holders can lease their land on a long-term basis to developers.

When we designed our community engagement process, we chose to have one process for all community members. However, we were aware that CP holders were interested in commercial development so we created space for these conversations.



Photo credit: SalishSea Sam

We used a variety of engagement techniques to work with CP holders including one-on-one meetings with individuals and meetings with family groups with joining CPs. CP holders were also involved in engagement sessions with the entire community. Overall, there was more interest and participation from the CP holders in the community.

Through the LUP process, we were able to strike a balance between what individual members wanted to accomplish with their lands and what we had to accomplish for all members and TFN as a whole, such as social housing.

PRINCIPLES OF COMMUNITY ENGAGEMENT

Based on the results of your community survey and your experience, your community can develop a set of Principles for community engagement based on its culture, traditions, protocols and LUP needs. The following is a list of general Principles of community engagement to consider.

- **Inclusive:** Involve people affected by decisions
- **Accessible:** Everyone has an opportunity to participate and understand information
- **Collaborative:** Decision-making power is shared
- **Capacity-driven:** Increase capacity of local planners and community skills, tools, and knowledge
- **Strength-based:** Honour and build on existing strengths and celebrate the resilience of the community
- **Community-based, community-driven:** Community members' knowledge, needs and values drive the process and results
- **Culturally-relevant:** Draw from traditions and protocols, facilitate access to cultural practices
- **Comprehensive and integrative:** Consider the interconnection between land with health and wellness, economy, education, infrastructure, culture and governance
- **Intergenerational learning and Youth empowerment:** Provide opportunities for Youth and Elders to share knowledge and learn from each other, and opportunities for Youth to take on leadership roles
- **Relationship building:** Build trust by being transparent and responsive to community needs
- **Opportunity for healing:** Empower voices lost through intergenerational trauma
- **Participatory culture:** Involve building long-term relationships between decision makers and community members

STEP 6: BUILD A VISION, GOALS AND STRATEGIES FOR THE ENGAGEMENT PROCESS

Based on the results of your community engagement survey and your community engagement Principles, the next step is to describe the overall Vision for the community engagement process, as well as the process Goals and specific Strategies that will be used to meet those Goals.

A community engagement Vision describes the big picture hopes for the outcomes of the LUP process. A sample community engagement Vision might be as follows:

Our community supports a holistic LUP process that is community-driven, respects local knowledge, is inclusive and participatory, fun, creative and empowering. Our members are given multiple ways to share their knowledge, values, preferences and ideas in an engaging way. People are comfortable, willing to share, listen and are open to all community issues and solutions regarding land use and development. Our LUP results and strategy are documented in user friendly ways, produced on an ongoing basis and shared with members at large. Our communications tools empower us to share our land use vision with stakeholders, agencies, and governments to maximize the effective use of our community lands for future generations.



TIPS FOR CREATING A COMMUNITY ENGAGEMENT VISION STATEMENT

- ✓ Ask community members what their Vision is for the process
- ✓ Circulate a draft Vision Statement and have community members comment
- ✓ Promote and profile the Vision Statement for the process
- ✓ Monitor results against the Vision and adjust the process if necessary

A set of Goals and Strategies relating to community engagement will describe how this process vision will be brought to life. Some example Goals for the LUP community engagement effort include:

- To maximize and sustain community engagement
- To keep members informed
- To share decision-making tools to empower our members
- To promote Youth learning and capacity development
- To restore and celebrate our culture and share traditional knowledge
- To have fun and get along well together
- To learn about our land and history

Creating a Vision for community engagement with Goals and Strategies can help build a healthy process and ensure a memorable planning experience that is long lasting and effective. Your Engagement Strategy demonstrates a community-driven approach, increases ownership and buy-in, increases the level of participation, and results in better targeted outcomes.

Figure 3-4 provides an example of a Community Engagement Strategy.



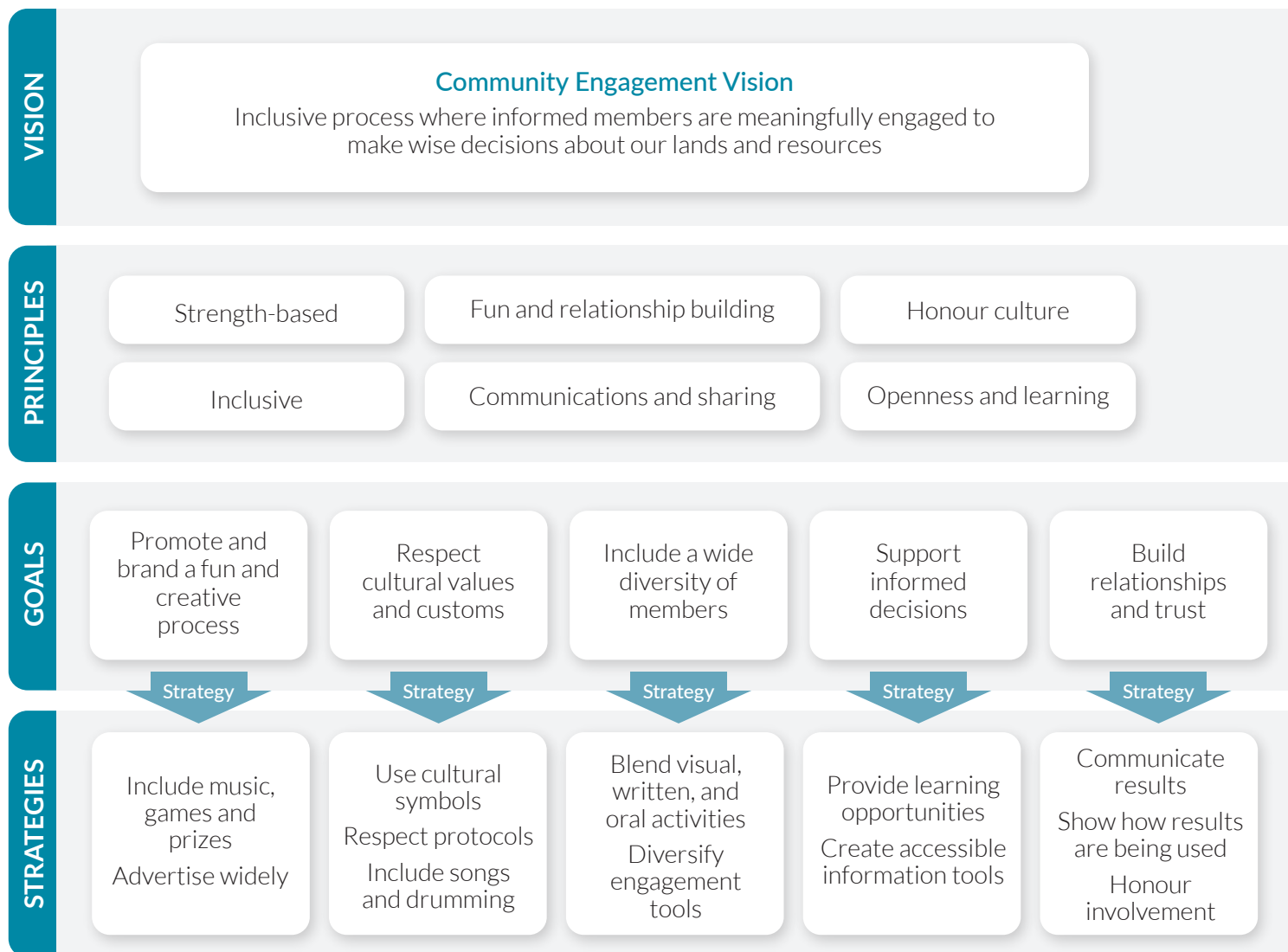


Figure 3-4. Sample Engagement Strategy

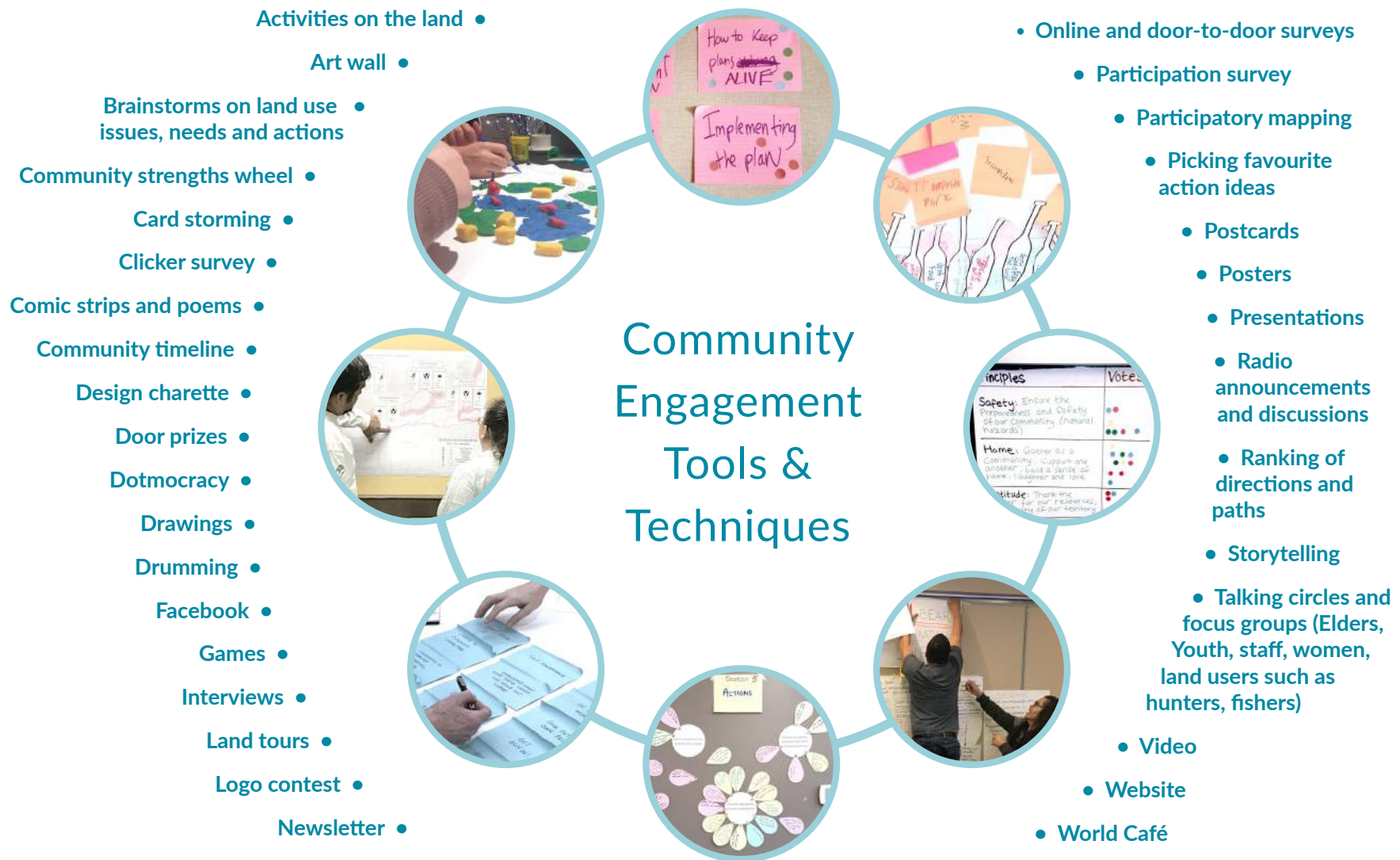


Figure 3-5. Community Engagement Tools

STEP 7: CHOOSE METHODS, TOOLS AND TECHNIQUES

Once you have your engagement Principles, Vision, Goals and Strategies in place, the next step is to pick the specific methods and tools you will use to implement them.

This Handbook will not attempt to comprehensively cover the full range of community engagement tools and techniques. There are a number of valuable community engagement guidebooks out there (see resource list at end of chapter). However, our Tools and Techniques Database (in Toolkit Resources at the end of the step) does provide an overview of some tried and true community engagement methods with an emphasis on practical, affordable, grassroots-friendly methods that lend themselves well to LUP.

This database organizes community engagement tools into three broad categories:

1. Tools to inform and consult, such as open houses, street stalls and surveys
2. Tools to involve, such as world café, appreciative inquiry and land tours
3. Tools to collaborate and empower, such as open space, charrette and citizen juries

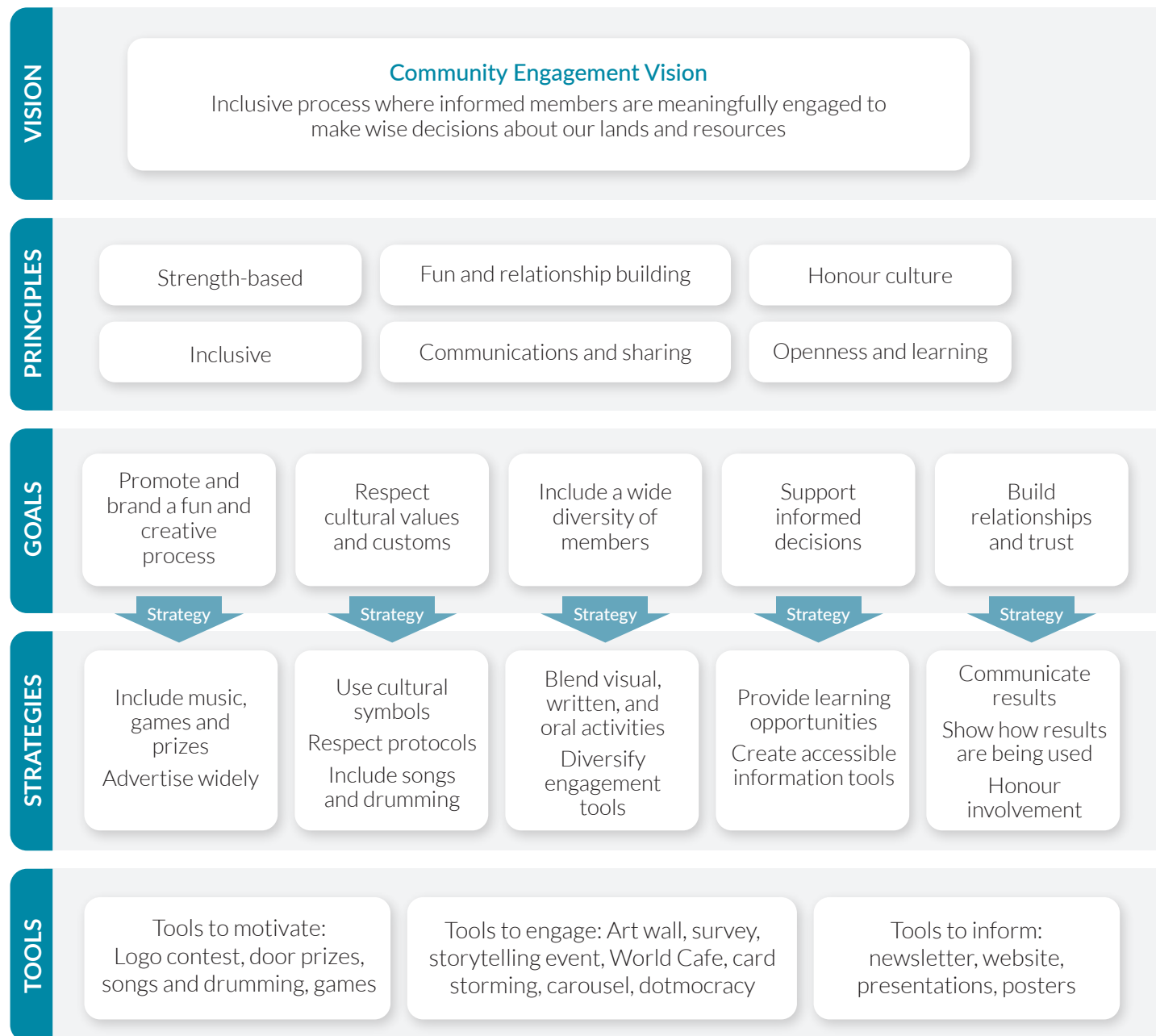
For each tool and technique, you will find a description, a link to follow for further resources and a suggestion for what purpose this particular tool or technique is good for. See Figure 3-5 (page 124) for a list of community engagement tools and techniques.

Figure 3-6 (next page) demonstrates example tools that could relate to your Vision, Principles, Objectives and Strategies (see Toolkit Resources at the end of this step for a Sample Community Engagement Strategy and a Community Engagement Strategy Template).

Considerations when deciding which methods and tools to use in your LUP process include:

- The tools you choose to use during your LUP process should relate directly to the Vision, Principles and Objectives of your Engagement and Communications Strategy. A LUP Strategy that has the objective of reducing community conflict will require very different tools than a LUP Strategy that has the objective of keeping members informed.
- Where you are on the spectrum of engagement (inform, consult, involve, collaborate, empower) will require different types of engagement tools and techniques. For example, some tools do a great job of consulting but are not well suited for collaboration.
- The time and money available for engagement may limit which tools and techniques you choose. Some techniques are more time intensive or need experienced facilitators to pull off, while others are relatively affordable and easy to facilitate.
- Keep in mind how you will capture and use the information participants share during the engagement event. Give some thought about the time and capacity you have for analysis when picking your tools. For example, a closed-ended survey questionnaire is much easier to analyze than sets of notes from a World Café.
- It is possible to combine tools and methods in one engagement event. For example, you may hold an Open House that involves information booths, a paper survey, card storming, a graffiti wall and an art station.

Figure 3-6. Sample Engagement Strategy with Tools



“

We worked with Blueberry River First Nation on a planning exercise, and the whole thing was getting people out onto the land. They identified a number of parcels of land that they wanted to set up as planning units – 3 or 4 units in the territory. They hosted a camp at Pink Mountain Ranch for the community to gather and talk it over. There were Elders sitting by the fire, time for eating wild foods, skinning moose, experiential learning and talking about maintaining their way of life. We conducted a bunch of site visits, and some sites you could only get to by quad, taking individual trips of 8-10 people at a time. They needed to go spend time there to understand why those places matter to them. Talking about it in a boardroom is just not informative, you are not experiencing it firsthand with all your senses. Ideally, the planning process helps to facilitate access to already existing cultural practices. The cultural process also has to facilitate the planning process. Opening up access to people who many not have access through their family— not everyone is a hunter. The hunters got a chance to show everyone else what they do. It was fun, especially for the Youth . There was knowledge transmission from active land users, and Elders, sharing stories around the campfire.”

Steven DeRoy, Firelight Group

STEP 8: CREATE A COMMUNICATIONS STRATEGY

Strong engagement requires strong communications. This step involves developing a Communications Strategy that describes how information will be shared during the LUP process.

A Communications Strategy is a way to:

- Ensure that members can be, and stay informed of the process and results
- Brand the LUP process, for example:
 - ▶ Pick culturally appropriate metaphors and visuals to help communicate the process
 - ▶ Have someone in the community design a logo to brand the process
- Tailor communication tools for different audiences (e.g. members, funders)
- Document the process along the way (e.g. tracking attendance)
- Provide opportunities for two-way communication (e.g. build opportunities for community members to provide feedback)
- Ensure an online presence: develop a community planning website or build a page on existing community website

Once your Engagement and Communications Strategy is finalized, communicating and sharing the Strategy with community members is a key way to set the tone for your engagement effort. Show community members you are putting into practice their engagement preferences and let community members keep you accountable to the community engagement Vision and Principles.

COMMUNICATIONS TIPS

- ✓ **Ask community members for their communications preferences:** In your engagement survey, make sure to ask how community members prefer to be communicated with.
- ✓ **Build on the unique ways your community already shares information:** Each community will have already established preferred communication networks, whether it be face to face, online, by radio or on walkie-talkies. Identifying the networks that reach the most number of people will be key to a successful Communications Strategy.
- ✓ **Recording community events:** Consider how you will report out the results of community events (e.g. newsletter or blog post). This allows those who attended to see the results of their participation and those who missed the event a chance to be updated.
- ✓ **Acknowledging participation:** Build into your process a way to keep track of who has been involved throughout the process and consider a respectful way to acknowledge their contribution in your communications.
- ✓ **Ensuring confidentiality:** Ensure that each community member's information, thoughts and opinions remain confidential when communicating out results of engagement.
- ✓ **Documenting knowledge for different audiences:** Consider the different audiences that you will need to communicate with and their different needs (e.g. Elders, Youth, funders, general community members, staff). Consider the diversity of communications tools you can use and how you can tailor to different audiences.
- ✓ **Assign someone to be a communications coordinator:** Identify someone who community members can contact if they have questions. Collect and share feedback from community members back to the Planning Support Team.
- ✓ **Evaluate your Communications Strategy and adjust as you go:** Ask for feedback on your communications tools throughout the process and adjust your Strategy as you go.

See Toolkit Resources at the end of this step for a Sample Communications Strategy.

STEP 9: CREATE WORK PLAN AND BUDGET ENGAGEMENT

Once you have a sense of your engagement and Communications Strategy and your specific engagement activities, the next step is to map out on a timeline your engagement and communication activities and budget your efforts.

Figure 3-7 provides an example of a Community Engagement Timeline.

The size of the budget will depend on:

- Your approach
 - Where members live
 - The size of your community
 - The types of engagement methods and tools you use (e.g. online tools, video, interactive clicker surveys)
 - Protocols/expectations around honorariums
 - Training needs
 - External support needs (e.g. facilitator, video maker, graphic designer)
- Availability of meeting places (e.g. indoor/outdoor, climate, season, equipment rentals, catering needs)
 - Participation incentives (e.g. acknowledgement, gifts, door prizes, draws, cultural activities or entertainment)

Depending on the budget available, you may need to adjust your Strategy and Work Plan, or you may choose to seek out additional funding to deliver the Engagement Strategy you need.

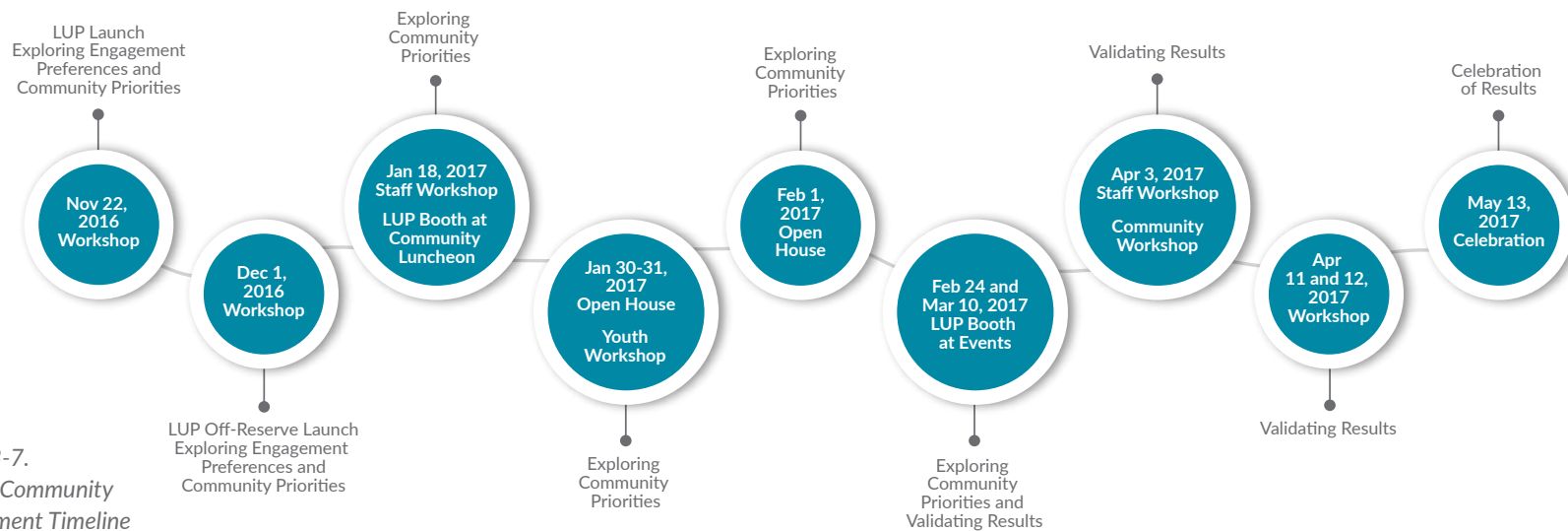


Figure 3-7.
Sample Community Engagement Timeline

COMMUNITY ENGAGEMENT TIPS

In summary, here are some general communication engagement tips to support the implementation of your Community Engagement Strategy:

- ✓ **Ensure ethics, protocols and respect are practiced:** Set ground rules for engagement and follow cultural protocols (e.g. prayers, ceremony).
- ✓ **Build trust:** Weave input into the planning process and be transparent about how community input is informing the LUPs development. Be consistent with your communications and allow follow up after an engagement event with the results.
- ✓ **Acknowledge trauma:** Create space to move through historical trauma and provide opportunities for healing.
- ✓ **Ensure broad representation:** Seek out community members who are not yet engaged in the process. Target groups that have historically not been engaged. Ensure a balance of representation between age group, families, gender and interests.
- ✓ **Seek to identify shared values:** In the face of conflict and competing positions on how to use the land, invite holistic thinking that explores connections between land, health, economy, environment and help participants find shared guiding values.
- ✓ **Restore permission and trust:** Adopt an official confidentiality policy on how information will be used, collected and integrated into the plan.
- ✓ **Bring the process to the people:** Create engagement opportunities out of situations where people are already gathering. An understanding of the social/cultural/recreational groups will help. Whether it be BINGO night, the weekly arts and crafts get together or Youth gym drop in, find opportunities to get invited to have some conversations about the land during regularly scheduled events.
- ✓ **Provide multiple opportunities for engagement:** Give community members lots of choices of ways they can be involved. Each community member will have their preferred way of being involved. By using a diversity of engagement tools and techniques you are more likely to meet the preferences of more community members.
- ✓ **Build in opportunities to explore the relationship to the land:** Bring people out on the land to discuss LUP issues and opportunities.

- ☑ **Promote community empowerment:** Create opportunities to learn about the value of LUP and build capacity through the engagement process.
- ☑ **Make it fun** – create opportunities for fun, joy, delight – eat well.
- ☑ **Honour involvement** – recognize and celebrate the community's contributions whether it is by feeding them well, giving out door prizes, paying them an honourarium or acknowledging them in the final plan.
- ☑ **Time the process well** – consider the seasons, wildlife patterns and harvesting cycles and how this will affect the timing of your engagement events. Consider the rhythm of community life relating to school, work schedules, tournaments, pay day, and how that might impact the timing of your engagement events .

“

I call this Planning for Joy. If we design planning processes that are tedious, people won't want to take part in them. If the processes are joyful they will naturally attract people to take part. Planning a community meeting can be like planning for a great birthday party – food, a nice place to hang out, a mix of people, a great invitation, a celebratory atmosphere, ample time for socializing, games, music. People fail at engagement because they treat it like going to the office. Make sure you have childminding at every event and door prizes. Put flowers on the table that Elders can take home at the end of the meeting. In the GNN CCP process, we had a Christmas party that involved no work at all. There was a dinner and a dance and we decorated the room all nice. If you are doing a multi year planning process invest in tablecloths and reusable plates, it makes a big difference!"

Jessie Hemphill, Partner and Senior Planner for Alderhill Planning Inc.,
Gwa'sala-'Nakwaxda'xw Nations



STEP 10: DELIVER ENGAGEMENT AND COMMUNICATION

Once your Engagement and Communications Strategy are completed it is time for the fun to begin! Delivering community engagement and communications efforts will require skills in:

- **Event planning:** Organizing the community engagement events including booking a venue, getting materials, securing food and cooks, organizing entertainment and door prizes, etc.
- **Facilitation:** Leading the community engagement activities, which involves a comfort level in speaking in front of groups and skills in leading group activities
- **Communications:** Sharing information about the process with community members, which involves advertising events, writing up results and sharing information about the process
- **Project management:** Keeping the overall Engagement and Communications Strategy on track, which involves work planning, coordinating a team, and monitoring the process against the Strategy



STEP 11: MONITOR AND EVALUATE RESULTS

Take every opportunity to ask community members for feedback on the engagement process. This step can be as easy as asking what they liked and what they would improve at the end of each event, and/or can involve a formal engagement survey at the end of the LUP process to evaluate the Engagement and Communications Strategy.

STEP 12: REVISE STRATEGY

Based on what you are learning while implementing your Engagement and Communications Strategy, you need to revise and communicate the changes to your Strategy. This is the final step of the process.

STORY 6: LOWER SIMILKAMEEN INDIAN BAND (LSIB) — DESIGNING A COMMUNITY ENGAGEMENT PROCESS

Over a twenty-month period in 2010-2011, Lower Similkameen Indian Band (LSIB) undertook a LUP process to plan for nine of its reserves. We wanted the process to result in a local LUP created for the community, by the community. We realized that the process to create this LUP was as important as the plan itself. Our process vision was to build a community and family-based process that was participatory, interactive, inclusive, fun and one that respected our cultural values and practices.

The foundation of our culture is based on several traditional stories. The most prominent one is the Four Food Chiefs story which highlights how every member is important and that everyone's contribution is vital. This story became a touchstone for our planning process.

There were a number of factors that helped to make our community engagement process successful. A Planning Support Team came together to guide the process. Trudy Peterson, the late Jeanine Terbasket and Kelly Terbasket were core team members. The mandate of the team was to manage and guide the process in a culturally appropriate way, co-facilitate workshops, maximize community involvement, and help to communicate results back to the community. Two planning firms, Beringia Community Planning and HB Lanarc, provided support to

the Planning Support Team by assisting in designing tools and methods to gather community input and assisting with mapping results.

We began by discussing what LUP means to our community, how LUP could help us, what was required, and the steps to undertake land use planning. We explored with the community our planning history, and in particular how LUP was a continuation and expansion of LSIB's Comprehensive Community Development Plan (CCDP), which was completed earlier in 2004. The community asked that we ensure their comments and input were used in future planning. Careful attention was given to documenting both the process and information contributions from the community.

The Planning Support Team convened a variety of events—from Chief and Council meetings to open houses, family-based workshops, mapping workshops, surveys and review sessions. The Team hosted a website and distributed four newsletters. We shared information on our overall process through a timeline diagram. Over 140 community members participated in a variety of ways to produce LSIB's land use plan. It was officially adopted in April 2013. We are very pleased that there was a lot of community learning generated from the planning process.

TOOLKIT RESOURCES:

- A. Sample Engagement Preferences Survey
- B. Identifying Engagement Target Groups (Tool 1 + 2)
- C. Tools and Techniques Database
- D. Sample Community Engagement Strategy
- E. Community Engagement Strategy Template
- F. Sample Communications Strategy

For more information check out:

International Association for Public Participation: <https://iap2canada.ca/>

Tamarack Index of Community Engagement Techniques: <http://tamarackcommunity.ca/library/index-of-community-engagement-techniques>

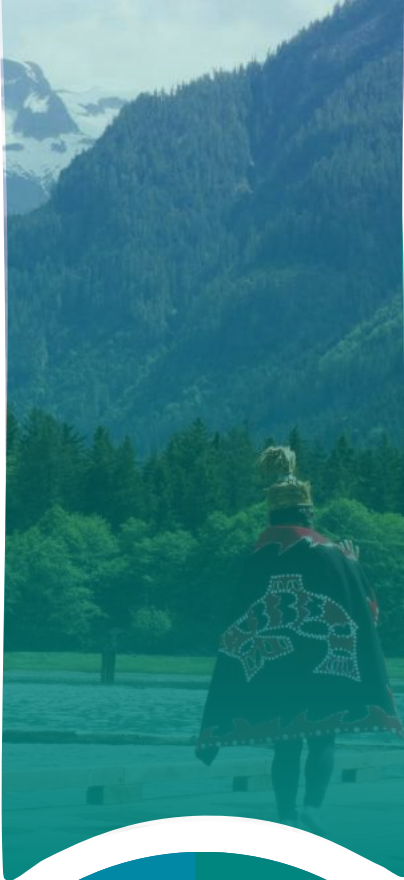
Nick Wates (2014) The Community Planning Handbook 2nd Edition, How people can shape their cities, towns and villages in any part of the world. Earthscan from Routledge.

“

You have to meet with the key stakeholders and talk to them face to face for as long as they need to understand. We couldn't rely on meetings in our setting; people were busy with their lives. You might have to follow a fisherman onto his boat to continue the conversation. Sit in with Elders at the Elders centers, talk to them while they are having a regalia workshop.”

Andrew Bak, Tsawwassen First Nation





STEP 4

Gather Knowledge and Information

How will we manage our LUP knowledge and information?

A LUP is only as good as the knowledge and information used to create the LUP. Now that you have decided how you are going to engage community members in LUP, you need to be clear on what knowledge and information you need from community members, and internal and external sources to complete a LUP. You also need to plan for how you are going to collect, store, control, access and share this knowledge and information.

In this section, we explore:

- A. Understanding knowledge and information
- B. Indigenous or traditional knowledge
- C. Challenges and opportunities
- D. Protocols and principles
- E. LUP knowledge information needs
- F. Sources of knowledge and information (internal and external)
- G. Information collection methods and tools
- H. GIS technology
- I. Analyzing results
- J. Verification and validation



prepare

“

Community engagement is a way to bring traditional knowledge into the process.”

LUP Workshop Participant (2018)

“

Through our planning activities we will try to teach the generations about our culture and traditions.”

LUP Workshop Participant (2016)



“

Community engagement shows respect and recognition to the community.”

LUP Workshop Participant (2016)

“

Community engagement sets a good precedent for Youth as future leadership.”

LUP Workshop Participant (2016)

A. Understanding Knowledge and Information

LUP is largely about collecting and managing knowledge and information in order to make collective decisions about using and managing the land.

The act of managing knowledge and information is sometimes called data governance. Data governance refers to the act of collecting, organizing and controlling knowledge and information. This is a core topic in First Nations research and planning because of the way that First Nations knowledge has been misused in the past.

In the recent past, Indigenous people have not been consulted about what knowledge and information should be collected, who should gather it, how it is to be used, who should maintain it, how it should be protected, and who should have access to it. First Nations are increasingly asserting their right to control their own knowledge, data, information and research.

Why is data governance important for LUP?

- Enables wise decisions about land use for current and future generations
- Strengthens traditional ways of knowing and being by sharing and protecting land use knowledge
- Provides an opportunity to take control and ownership of research and what happens with it
- Communities learn new and creative ways to improve land use practices
- Increases self-determination



Definition

Data governance is “ownership, control, access, and possession of a community’s data.”

Source: FNIGC

Data governance is how you “collect, manage, report on and own a community’s data.”

Source: BCFNDGI

We **GATHER** knowledge by both generating new knowledge and collecting existing knowledge.

We **MANAGE** knowledge through sharing and protecting it.

Source: <http://fnha.ca/what-we-do/research-knowledge-exchange-and-evaluation>

B. Indigenous or Traditional Knowledge

Since time immemorial, First Nations have made decisions about their lands based on what we would now call Indigenous or traditional knowledge. One of the effects of colonization is the devaluing of Indigenous knowledge and ongoing efforts to eliminate the transmission of Indigenous knowledge, for example through the residential school system.

Despite these devaluing efforts, Indigenous Knowledge is increasingly being reclaimed, celebrated by First Nations, and in the field of LUP, recognized as critical in deciding the present and future of land use and protection.

Another specific reference of Indigenous knowledge is the term **Traditional Ecological Knowledge** (TEK). TEK is a specific kind of Indigenous knowledge that relates to an understanding of one's environment and the *interrelationship* between plants, animals and people.

TEK is accumulated over time and based primarily on the observations and experiences of Elders, resource users (such as hunters and trappers) and other members of the community who subsist off the land. Each Indigenous community has unique sets of knowledge and information based on their own experience with the land, water, plants and wildlife. This information provides knowledge concerning critical issues and needs related to decision-making and adapting to change.

TEK is increasingly recognized as an important source of knowledge in LUP and resource management fields. While Western scientific knowledge tries to understand ecological systems in various parts, TEK tends to look at ecological systems as a whole, fostering a greater understanding of the complexity of the entire system and the relationships within it.

Source: Environmental Careers Organization (2009) Land Use Planning Coordinator Training Program, p. 105

INDIGENOUS KNOWLEDGE

Indigenous knowledge is described in the following way by the Assembly of First Nations (AFN):

- Indigenous knowledge has evolved since time immemorial
- It is often sacred, it is not always meant to be shared
- It is collective and evolving and therefore not eligible for copyrights, patents or other forms of legal protection
- Most First Nations consider improper access, collection, use or interpretation of Aboriginal knowledge an act of theft

Source: AFN (2008) First Nations Ethics Guide on Research and Aboriginal Traditional Knowledge

SOME DEFINITIONS OF INDIGENOUS KNOWLEDGE

“Traditional knowledge, Indigenous knowledge, I’d rather use the word First Nations knowledge – future and present, long ago, recent past, present. Trying to put together our lessons learned and prepare for the future. Traditional knowledge is always changing. It is community owned or family clan owned. Everything we try to do in our teaching has to do with traditional laws and our understanding of that which encompasses spirituality.”

Joe Copper Jack, Yukon Land Use Planning Council

“Knowledge, then, is based on experience. One’s experiences through her inward journeys provide both individual learning and teachings for the collective. The accumulation of each individual’s contribution becomes a community’s culture. Culture is kept alive and constantly changing because individuals continue their introspective journeys and contribute their learning to the community.”

Baskin, C. 2006. Aboriginal Worldviews as Challenges and Possibilities in Social Work. *Critical Social Work*, Vol. 7, No. 2

“The knowledge of a person, place, thing, event or process that has been passed down through generations. Through storytelling, art, crafts, etc. this information has been developed using the skills, capacities and values of a local group of people and is directly influenced by one’s experience with the land, people, spirituality, environment, region, culture and language. Cultural knowledge is often shared collectively between all members of a community and is typically passed down orally and/or through actions and observations.”

Source: Tobias, T.N 2000. Chief Kerry’s Moose: A guide to land use and occupancy mapping, research design and data collection. Union of BC Indian Chiefs and Ecotrust Canada; Environmental Careers Organization (2009) Land Use Planning Coordinator Training Program, p. 105



C. Challenges and Opportunities

Data governance has become a core issue and opportunity in First Nations research and planning because of the many historical and current challenges associated with how First Nations knowledge and information is gathered, shared, stored and used. Table 4-1 summarizes some of the common challenges around managing knowledge and information. For each challenge, an opportunity is presented.

KNOWLEDGE AND INFORMATION GATHERING CHALLENGES	KNOWLEDGE AND INFORMATION GATHERING OPPORTUNITIES
Accessing information: Keeping it organized, easy to access, able to be shared between different people	Developing a good storage system with easy-to-find information you are looking for; easily share information with collaborators; still accessing information if something goes wrong (e.g. power outage, computer crash), the file name describes the contents
Storage security concerns: Hacking, fire, water, stealing, old technology	Periodic backing up of information in multiple locations; converting information when moving to new technology
Keeping information current	Keeping a catalogue of information updated; regular schedule of updating information
Transitioning from oral knowledge to written knowledge	Developing systems to store unique information such as stories, photos, videos, traditions and ceremonies
Losing knowledge as Elders pass or we lose senior staff	Digitizing and organizing information; succession planning
Capacity and time	Regular training for new staff
Cost	Obtaining funding for a data governance project
External planner or researcher leaves the community with the information	Developing protocols for external planners and researchers

Table 4-1. Challenges and Opportunities of Knowledge Gathering

D. Protocols and Principles

Setting up protocols to guide the process of knowledge and information collection in your community is one way to ensure respect and protection of your knowledge and information. A protocol is a statement that describes the values and rules that will guide data governance in your community .

Some protocols to consider include:

- **Confidentiality:** Information shared by participants remains confidential and results cannot be traced back to a single individual
- **Consent:** Individuals participating are informed of how the information will be used and are given the opportunity to consent to participating
- **Respect for human dignity:** Research and planning activities are done with the upmost respect for the participants and for the community
- **Inclusion:** Everyone affected by the topic at hand has an opportunity to participate, and enough people participate that you can speak to the results with confidence
- **Benefit:** The research or planning process benefits the community and causes minimal disruption to the community
- **Communication:** The information collected will be available to community members in a way that is understandable and accessible
- **Community ownership:** The information collected is owned and controlled by the community
- **Integrity:** The research or planning project reflects the truth and information is not fabricated
- **Respect for protocol:** Respect that some types of information have specific protocols associated with them (e.g. origin stories, ceremonies) that govern who and how the information can be shared



“

Together we learned that having tea with an Elder is a valid way of seeking knowledge, that offering tobacco is a valid way of ethically obtaining consent from participants and that activities like cooking, drum-making and medicine walks are appropriate contexts for exploring research questions.”

Dawn Lamothe, Associate Researcher,
Walking the Red Road

OWNERSHIP, CONTROL, ACCESS AND POSSESSION (OCAP)

The First Nations Information Governance Center (FNIGC) has developed the following principles, summarized with the acronym OCAP, to describe the minimum principles that should guide all relationships between First Nations and external researchers.

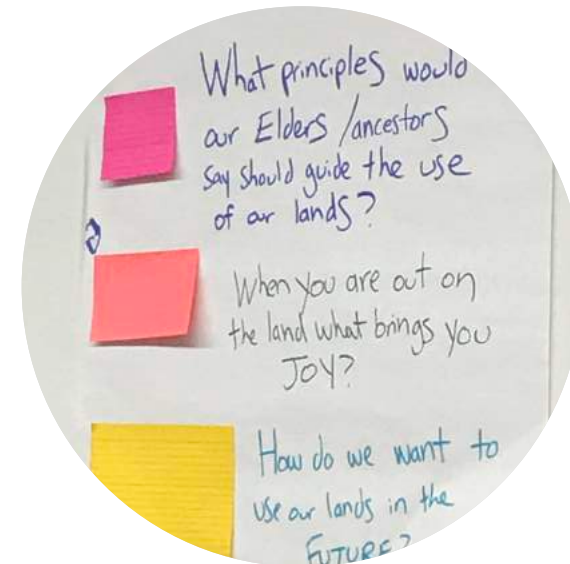
The First Nations Principles of OCAP® means that First Nations control data collection processes in their communities.

- **Ownership:** All results of the data gathering belongs to the community
- **Control:** The community retains the control of the research process
- **Access:** The community can access information and data about themselves and their community
- **Possession:** The data and results of research is in the possession of the community

Source: <https://fnigc.ca/ocapr.html>

Protocol Considerations:

- How are results communicated to the community ?
- Do you need to speak to Elders before gathering origin stories?
- Does the language translation need to be approved by Elders' Council?
- Does a family clan need to give consent to offer the story during a meeting?
- What research or planning methods are approved in the community ?



E. LUP Knowledge Information Needs

To undertake a LUP, you will need a broad range of knowledge and information to help you make decisions about the land and resources. The range of knowledge and information needs can include traditional ecological knowledge around hunting patterns and migration, cultural information about stories and protocols, legal knowledge around jurisdiction and land tenure, technical information such as fish counts and water quality, and socio/economic information such as population numbers and employment rates.

This page summarizes some of the information needed to complete a LUP.



NATURAL RESOURCES, ANIMALS AND PLANTS

Fish counts, native plants, animal sightings



TRADITIONAL KNOWLEDGE

Understanding of hunting patterns and migration



LAND USE CAPACITY

Current land use, adjacent land use, slope analysis, soil types, hydrology, vegetation, climate, solar access, wind patterns



COMMUNITY HISTORY

Trap lines, past land use, history of territory, archeological features



LAND FEATURES

Ecosystems, habitats, geography, circulation



BUILDINGS

Physical buildings, services and utilities



DEMOGRAPHICS

Population projection, population make-up



CULTURAL KNOWLEDGE

Stories, art, songs, crafts, medicines, culturally significant areas



BASE MAPS

Planning area boundaries, location of roads, buildings, rivers and other significant features



JURISDICTION AND RESPONSIBILITY

Land inventory and tenure, land management regime, easements, land holdings



SOCIAL ECONOMIC DATA

Employment rates, regional economic trends



BOUNDARIES

Reserve boundaries, traditional territory boundaries, boundaries of neighbouring municipalities, regions, shared territories

F. Sources of Knowledge and Information (internal and external)

Where will you get all of this knowledge and information? Some of it you will already have on hand, and other information you may need to collect as part of your LUP process. Different kinds of knowledge and information will come from different sources. Not all of this knowledge and information is readily available and requires specific strategies and effort to collect. In Table 4-2 types of required information and sample sources are presented.



Table 4-2. Types of Knowledge and Information

TYPE OF KNOWLEDGE	EXAMPLE SOURCES
Community-based knowledge	Community members share their concerns, needs, values and ideas for the future throughout the LUP process, or past planning
Traditional knowledge	<ul style="list-style-type: none"> • Elders • Community knowledge keepers • Traditional use study or use and occupancy map survey
External knowledge	<ul style="list-style-type: none"> • Geotechnical report • Flood risk assessment • Climate change modeling
Community statistics	<ul style="list-style-type: none"> • Internal data • Community staff members • Department of ISC • Statistics Canada • Province of British Columbia • First People’s Language Map of BC
Maps and GIS data	<ul style="list-style-type: none"> • Google Maps • Bing • Aboriginal Mapping Network • Data BC

TYPES OF INFORMATION GATHERING ACTIVITIES (RESEARCH)

When gathering knowledge and information, you will use a range of activities and consult a variety of sources. Some of these sources you will go to directly (primary) and others you will learn about indirectly (secondary).

Primary

Learning directly from those with first-hand experience with the topic at hand.

Primary sources: Elders, Youth, business owners, Chief and Council, parents, adults

Examples: interviews, diaries, storytelling.

Secondary

Learning by reading a description, analysis, interpretation or comment on a research or experience that is not the community's own

Secondary sources: Government reports, environmental group blog post, newspaper article

Examples: textbooks, art, videos, and articles or publication



G. Information Collection Methods and Tools

Collecting the types of knowledge and information summarized in the last section requires methods and tools. Some helpful methods and tools that your community could consider throughout your LUP process include:

1. Community profiling
2. Community mapping
3. Traditional use studies
4. Land capacity/constraints analysis
5. Cumulative effects management

1. COMMUNITY PROFILING

A community profile is an inventory of key community and land facts. Remember all of those LUP information needs introduced previously? A community profile is a document that presents all of the known information about the land and area under consideration. As a land use planning activity, it involves researching and compiling these facts into a document to help create a common understanding of the current situation.

A community profile is generally a publication that describes who your First Nation is and key community and land facts. It is a helpful tool for:

- Organizing information about your community and land
- Increasing understanding of where the community is at now to inform better decision-making
- Communicating with community members and outsiders key facts about your community
- Collecting baseline information that can be used to compare with future community information as a way to measure progress and outcomes

See Community Profile Checklist in Toolkit Resources at the end of this step, and a sample Community Profile for a fictional Nation (Green River First Nation) from which we will pull examples throughout the Handbook.

2. COMMUNITY MAPPING

Community mapping involves members of a community making a map about the place they live. Community members who live, work and play in a place have expert knowledge of their community. Community members are therefore well positioned to create an accurate map of their history, land use, way of life and a vision for the future.

Community mapping allows diverse members of the community to share their knowledge of the land and their ideas about land use and protection.

In its simplest form, community mapping can involve asking community members to draw the land (or model out of playdoh!) and identify areas of interest from their perspective.

As a more structured activity, community mapping involves providing community members with a base map of the area in question (reserve, traditional territory, region) and then providing community members with icons that are used to indicate specific features. These icons can represent anything you are interested in knowing more about. Creating the base map will require collecting or accessing basic geophysical and land tenure information about the planning area and presenting

“

Mapping involves community members in a pictorial construction of information about their community. During a mapping exercise, maps are constructed from local knowledge and observation.”

Mark Roseland (2005), *Toward Sustainable Communities: Resources for Citizens and their Governments*

this information in a way that is accessible to community members.

See Community Mapping Activity Template in Toolkit Resources at the end of this step.

This activity can be done on paper, giving community members individual maps, or working in groups off of large maps. Once the mapping activity is completed, data can be inputted into a GIS system.

There are also some online community mapping tools which allow community members to add icons to a web-based map.

Recognizing that there are many ways to go about community mapping, a basic set of steps to consider are illustrated in Figure 4-1 (next page).

“

Maps are more than pieces of paper. They are stories, conversations, lives and songs lived out in a place and are inseparable from the political and cultural contexts in which they are used.”

Warren, (2004), International Forum on Indigenous Mapping for Indigenous Advocacy and Empowerment

Community Mapping Steps

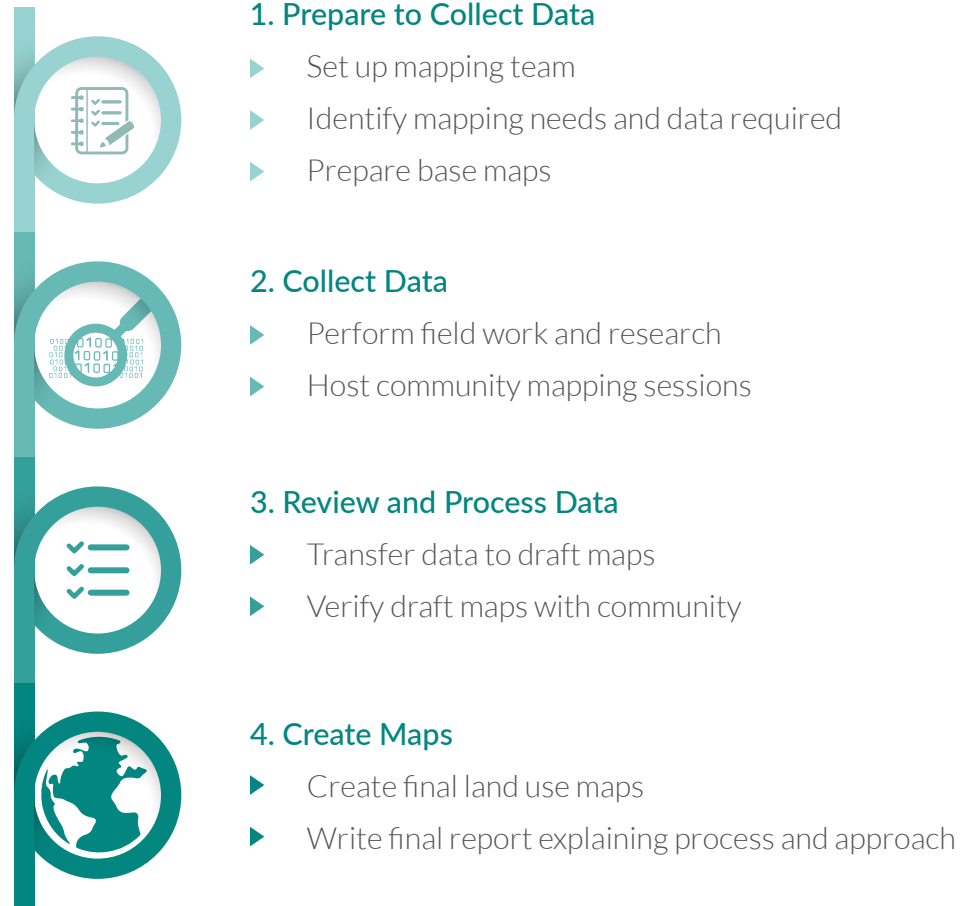


Figure 4-1. Community Mapping Steps

3. TRADITIONAL USE STUDIES

Indigenous or traditional knowledge includes the landscape-level knowledge of an Indigenous community that can be mapped. These are commonly called **Traditional Knowledge and Use Studies** (TUS) or **Use and Occupancy Map Surveys** (UOMS) and they document on a map the knowledge of Elders and knowledge holders about how communities use land and water for hunting, trapping, fishing, plant gathering, camping, and many other important activities. The goal is to capture aspects of oral traditions and current uses of the lands.

This information is critical to informing decision-making during all parts of the LUP cycle. It is used to understand past, present and future uses as well as inform boundary definition, policy and guideline tools and so on.

There is a range of approaches and methods to conducting a TUS. Most combine information gathered from interviews with the documentation of a respondent's place-based activities on a map. The information from these activities can be inputted into a GIS system to create digital maps. Some communities have had a long history of mapping their traditional use and occupancy to build on going into the LUP process; others may be doing this for the first time as part of their LUP process.

“

A collection of interview data about traditional use of resources and occupancy of lands by First Nations persons.”

Terry Tobias (2000), Chief Kerry's Moose: A guidebook to land use and occupancy mapping, research design and data collection



4. LAND CAPACITY AND CONSTRAINTS ANALYSIS

A land capacity and constraints analysis involves studying the features of the land to decide which activities could be done on the land, and which activities cannot. This allows you to gather site specific information related to the physical, cultural and biological character of the site and to make informed decisions based on this information. Information such as current land uses, development patterns, topography, soils, water and vegetation should be collected and analyzed before site planning begins. This will ensure that any proposed development is suitable for the site and the community.



I will focus on coding and organizing what information I already have ”

LUP Workshop Participant (2016)

Typical information to collect includes the following:

Current land use: Describes what the land is currently being used for

Adjacent land uses: Neighbouring land use (e.g., industrial, agricultural, parks, etc.) can influence what can be developed nearby

Topography: Topography affects drainage patterns of rivers and streams and the ability to build on steep slopes

Soil types and characteristics: Certain soil types affect drainage and are unsuitable for buildings (i.e. softer, mucky soils), other soil types are unsuitable for agricultural uses

Vegetation: The location and type of existing vegetation

Circulation: Existing road patterns and walkways

Services and Utilities: Existing sewer, water, gas, electricity, and other utilities

Climate: Typical temperature and precipitation patterns

Figure 4-2 is used to identify some example capacity and constraints of the land based on information provided by the illustration of Green River First Nation's land.

Capacity and constraints analysis

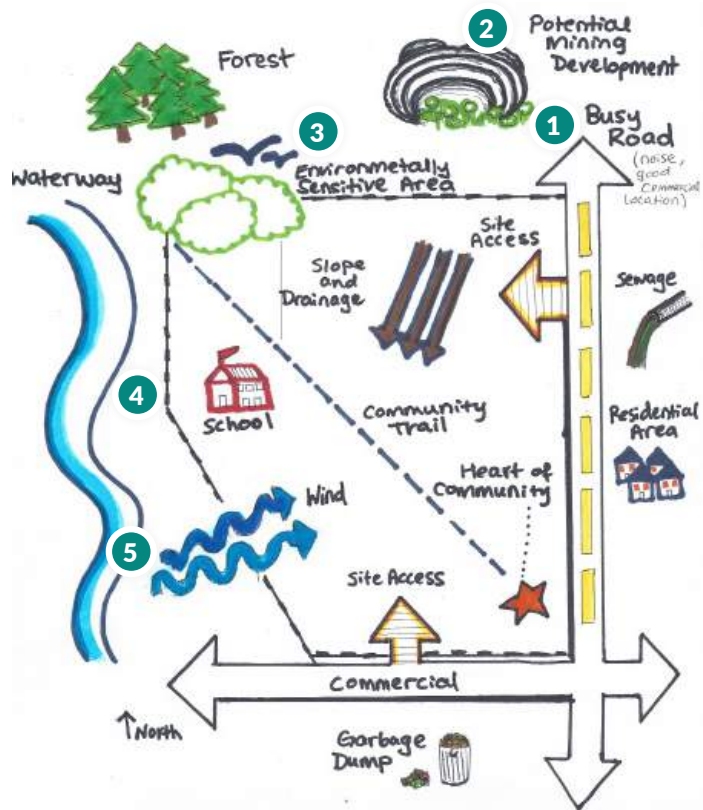


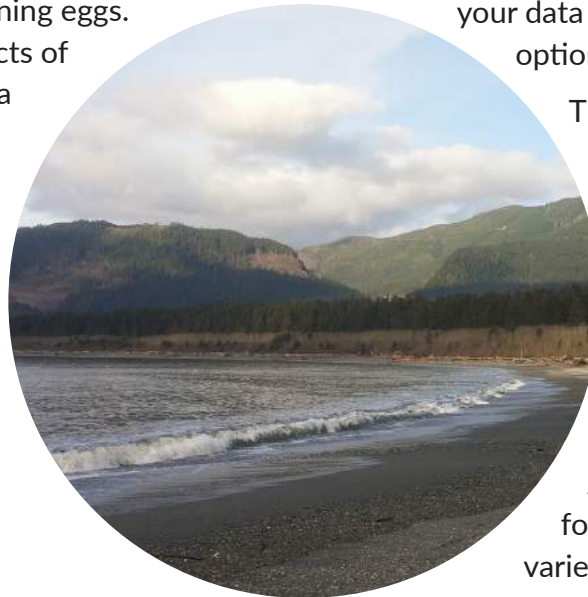
Figure 4-2. Capacity and Constraints Analysis

FEATURE	CAPACITY	CONSTRAINTS
1. Busy Road	Heart of community on a busy road-good for certain tourism or business opportunities	Residential area on other side of busy road from heart of community and school- potential safety risk
2. Geological	Hills rich in valuable minerals, good for mining	Potential mine development not suitable for habitat restoration
3. Environmentally sensitive land	Great area for habitat restoration and traditional uses	Environmentally sensitive area not suitable for development
4. Flood risk	Flood plain has good arable land for growing crops	Flood risk area not suitable for housing or community buildings
5. River	Access to a major waterway- fishing opportunities	Development along riverbank should be regulated to prevent contamination

5. CUMULATIVE EFFECTS MANAGEMENT

Sometimes First Nations may need to complete a technical analysis to describe the future effects of a project on their land. One tool to do this is to prepare a cumulative effects report where researchers try to predict what the combined effects of certain activities may be over time. For example, a mining development might affect the habitat of salmon at the same time that climate change is warming the water making it unsuitable for spawning eggs.

Together, the cumulative effects of these two things occurring is a decrease in salmon. Based on cumulative effects research, plans can be put in place to avoid, minimize or mitigate negative impacts.



H. GIS Technology

Geographic Information Systems (GIS) are tools that can help you work with spatial information. Most GIS tools have a range of features that can help you capture, store, manipulate, analyze and present your mapping data.

The industry standard is Esri ArcGIS and is a commercial software that you must pay to use. There are other types of commercial GIS software available, as well as many free and open source options. Data governance is an important consideration, so make sure to evaluate where your data will be hosted in each of the options you are considering.

There are many resources online that can help you determine the differences between the tools and which one is best suited for your needs and budget. See Toolkit Resources at the end of this step (Online Community Mapping: Approaches and Resources) for an overview of the wide variety of options available.

STORY 7: ADAMS LAKE – DATA STORAGE

The Adams Lake Indian Band (ALIB) is a member of the Secwepemc Nation. Our Elders tell us we have lived here since time immemorial. We have archaeological evidence such as pit house impressions that show we have at least nine thousand years of occupancy along the lakes and rivers within our territory. Our ancestors prospered off the land for thousands of years through an economy based on fishing, hunting, trapping and berry picking and medicinal gathering. The waterways and networks of trails enabled vast travel that was tied to the seasonal cycles. Recently we've seen waves of unsustainable resource extraction and many of our resources have been depleted.

Since 1998, we have invested in building our understanding of the history of our people and documenting traditional use and occupancy as the basis of our Aboriginal Rights and Title to our land. As a result of residential school, much of our knowledge went underground and was held by individual families. Many of the Residential School Survivors have a

significant memory of territory, land, and culture as so many depended on their memory as our traditions were passed down orally. However, until recently, people were reluctant to share this knowledge. Today there is a technical urgency to obtain and preserve this knowledge while our Elders are still with us.

In the process of documenting our history on the land, we accumulated a large amount of data through interviews and mapping sheets but found we were losing information or were unable to access it effectively. Information was on hard copy paper maps, hand-written notes and recordings on cassette tapes. In addition to the challenges of data storage and accessibility, our Title and Rights Department was finding it increasingly challenging to respond to development referrals from industry and government



ADAMS LAKE – DATA STORAGE (CONTINUED)

in the time allotted. We needed an efficient way to organize it so it could be useful in our day-to-day operations and strategic decision-making.

We tried out several systems but faced some challenges: pieces of data got lost in the move to digitizing, the organizations we worked with were not always consistent, and some of the technologies we tried were not user-friendly and required extensive training. After much trial and error with different systems, we learned about the

Community Knowledge Keeper (CKK) software system. This was the only system we found that has a simple mapping addition and enables us to easily access our information digitally.

It took a long time, but we digitized all of the information and inputted it into the database. Kwusen can come into the office and upload all of the information in one batch for a fee, but we felt it was important to use it as a training exercise. We used the money that we would have spent on Kwusen

to hire a band member. He was able to understand the system within a few days of training and we were able to retain his skills as a staff member. We have trained ALIB staff in Traditional Use Studies interview methods and data management and many staff can use the database. Our staff are well-trained, and we continue to use Kwusen to conduct quality checks so that we can say for certain that our work was reviewed by an independent party.

We now have almost 1000 archive items stored in the CKK and a further 5200 mapped traditional use sites (including hunting, berry picking, and Secwépemc spiritual sites). As we continue to undertake interviews and ongoing data collection for various projects, we are able to identify in the system and record the knowledge holders from the community. Now, when new Traditional Use Studies are conducted, there is a procedure in place to digitize it and upload it into the CKK. More than once, an Elder who was being re-interviewed has said

Community Knowledge Keeper, developed by Kwusen Research and Media, is a digital community archive for documents, photographs, audio and video files. It is a simple platform for First Nations that allows for instant analysis of potential impacts of industrial projects on land and habitats and is compatible with GIS and Google Earth. CKK manages the review process for Environmental Impact and Traditional Use Sites Impact Assessments. The system also has a function for writing and sending responses to industry on a per consultation/referral basis. The system is very user friendly – a simple search function allows users to easily find documents. This makes it a rich resource for students, researchers, teachers and band administration. To date, the system has been customized for 19 bands, each with their own security system.

to researchers “I always wondered what happened with that information” and was pleased to see the information was being taken care of. It saves time in interviews if a site which was mapped almost 20 years ago does not need to be remapped.

Using the system, we are able to analyze the potential impacts of industrial development on Traditional Land Use, species habitat, and culturally significant sites. We can create Research Project pages to store interview notes, workshop photos and videos, and fieldwork information from community members. Video clips, built in media players and photos can be added to interactive maps with Traditional Use Value labels identified through Google Earth, GIS, or GPS. We can create detailed species profiles to track and monitor species habitat location and impacts of development.

The system also interacts with other databases and systems such as Esri, ArcGIS and ALCES. We are continuing to develop the connections between these systems so that we can automatically access information from all of them for planning purposes such as Cumulative Effects Planning. For example, we might want to understand the impacts of different land uses and developments on our berry picking sites and water sources. We would go back to information and

interviews on berry picking, export this information from CKK into an ArcGIS, create a Shape File, and export this into ALCES Cumulative Effects Program. We can then categorize these impacts to show what percentage of berry picking sites are being logged, under road development, or impacted by private land development.



Using CKK with referrals gives us a summary of any overlapping impact. When referrals are submitted, community map layers are created which show whether proposed developments will overlap or come close to traditional use sites such as hunting grounds, medicinal plant areas, berry picking and camping sites. We can now respond to referrals entirely online and create a consultation record that neatly organizes the response letters we send to industry. When we don't have this information, the Province and companies just rely on their information, which doesn't include our oral history or reflect our needs and interests. Companies or the Province will look at the impact over one lifetime, whereas we can look at our database and see the impact over several generations.

ADAMS LAKE – DATA STORAGE (CONTINUED)

Being able to hold and access our own information strengthens our ability to guide development processes on our territory. With the highway expansion, for example, the local Secwepemc Bands called for a meeting to discuss the impact on our Title and Rights of four laning the Trans-Canada through our territory. Utilizing this information has led to a Corridor Wide Agreement for us. We have since moved to the consideration of the Cumulative Effect of the four laning utilizing ALCES on certain indicator species important to us such as grizzly bears.

We are eager to begin land use planning, engage in shared decision-making, and protect our lands. Our knowledge gives us strength and puts us in a good position to begin planning. Our database is vital for determining our most important areas such as village sites and exploring different planning scenarios. We have reviewed our territory and mapped different scenarios of development according to our priorities and natural resources (e.g. what our territory would look like if it had never been colonized and what it might look

like in the future with climate change). We have looked at more specific scenarios such as reducing cut allowances so that the forest can grow back and become a tourism base. We add details to this scenario such as reducing roads and then explore how that might bring back grizzly populations and safeguard caribou and fish populations, water and water quality.

We now have the information we need to manage our lands and make operational and strategic decisions. Finally, one of the most important reasons for developing a digital database is so that the information can be made readily available to our school. The school can access age-appropriate information such as place names and legends and incorporate it into the school curriculum. This is one way that our knowledge is revived back into the community for generations to come.



I. Analyzing Results

The community open house was a huge success. You return to your office with a stack of flipchart paper, some drawings, a ton of sticky notes and a pile of worksheets. Now what?

Data analysis is the act of transforming sources of knowledge and information into a format that can be easily shared, understood and used in decision-making. These sources of information can be gathered from previous planning processes, community research and through community engagement sessions and tools.

Although there are many ways to do this, Figure 4-3 shows a series of seven simple steps that can be applied for most data analysis processes:

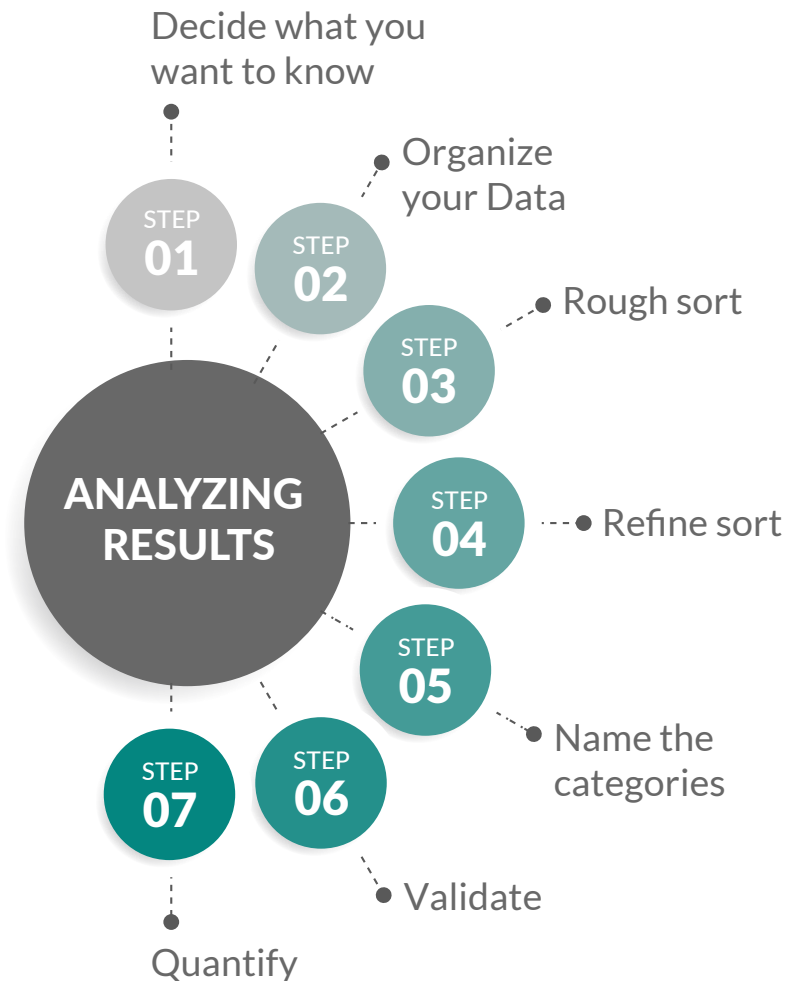


Figure 4-3. Steps for Analyzing Results

STEP 1: DECIDE WHAT YOU WANT TO KNOW

When looking at results, you may need to remind yourself what the purpose of the knowledge and information gathering activity that produced these results was.

This will depend on where you are at in the planning or decision cycle and what level you are at on the participation spectrum, among other things.

What kind of knowledge and information did you ask community members for?

- Did you ask them to share land use issues, strengths, their vision for the future or ideas for specific projects? Understanding this will help you categorize their answers

What do you want to do with this information?

- Thinking ahead to the LUP product you are working on might impact how you categorize results. For example, if you are working on a land capacity and constraints analysis, you may want to categorize results as either a constraint or an opportunity (to reflect land capacity)

STEP 2: ORGANIZE YOUR DATA

- Decide how you are going to code your data
 - ▶ Manual coding:
 - Excel sheet
 - Word document
 - Electronic data base
 - ▶ Data coding software program (see Software Options for Qualitative Data Coding and Analysis in Toolkit Resources at end of this step for a list of software options with some pros and cons associated with each)
- Compile all of the results by station, workshop, activity, interview, etc.

STEP 3: ROUGH SORT (MANUAL CODING)

- When you notice two community responses that are similar group them together
- When you notice a new theme or topic start a new category
- Keep going until all of the community responses belong to a group
- You might find it handy to have an “other” category for responses that don’t fit anywhere else to go back to at the end

STEP 4: REFINE SORT

- Review and sort again!
- Once all of your data has been sorted, review the categories and look for:
 - ▶ Opportunities to move items from one category to another
 - ▶ Opportunities to break large categories into new smaller categories
 - ▶ Opportunities to combine similar categories
 - ▶ Opportunities to categorize “other” responses

STEP 5: NAME THE CATEGORIES

- Create a label for the category that reflects as closely as possible the contents of that category
- Try to use the language of the participants in naming the categories

STEP 6: VALIDATE

- Count how many responses landed under each category
- This allows you to validate the existence of each thematic category, easily share results, and prioritize what matters more

STEP 7: QUANTIFY

- Present results back to community members
- Ensure that the community agrees with the findings or decisions. Consider the question: “Does this summary reflect what we said as a community?”
- Cross reference with other knowledge and information sets



J. Verification and Validation

Validation is the action of checking if something is accurate. One way to do this is to present the results back to community members and give them an opportunity to react. Another way to validate is to check and see if you are hearing the same thing from different knowledge and information sources.

As Figure 4-4 demonstrates, there are many different knowledge and information sources that contribute to our understanding and decisions about using the land and resources. Some of those sources of knowledge and information are technical, like a geological survey, or quantitative-like demographic trends. Other sources of information are qualitative, like the results of a Youth circle, Elders walk on the land and interviews with trappers.

Are these sources of knowledge and information telling us the same thing or different things?

If different sources of information are telling us different things, it's a clue that perhaps we need to do more knowledge gathering to get a clearer picture.

If what the Elders are saying is consistent with what the fish counts are saying, which is consistent with what the fishers are saying, this would be an example where there would be a high level of confidence in the information gathered.



Figure 4-4. Sources of Knowledge and Information



STORY 8: TLA'AMIN NATION – WORKING WITH ELDERS TO UNDERSTAND TRADITIONAL HOLDINGS

The Tla'amin Nation is post-treaty with 8,322 hectares of fee simple land north of Powell River on the Sunshine Coast. The community has over 1,100 members, with the majority living in the main village of Teeshohsum. Before going into Land Code and then finalizing its Treaty in April 2016, Tla'amin Nation did some important background work with community members through a LUP process for Teeshohsum to build a shared understanding of the community's history. This helped the Nation tackle the challenging task of clarifying land ownership on-reserve, an important step towards both developing and then implementing the LUP.

The Nation needed to survey and register all the lots and parcels on-reserve. This meant moving beyond handshake deals and memory and having possession clarified and documented. The Land Use Coordinator at the time recalled how the process began:

“We started by listening to what was controversial and what was causing conflict between community members. There was a lot of misinformation circulating. Many people in our community did not understand how the right to possess land had been allocated through certificates of possession (CPs). Before going into land code, CP information was registered with ISC and not with our Nation. It was really hard for people to get

accurate information. People had to contact ISC to try to find out anything about their interest in land, and often received no response. The level of frustration was huge.”

The Tla'amin Nation hired a lawyer and the Land Use Coordinator worked with her to develop a legal land registry. In addition to clarifying possession information, the land registry includes traditional names and teachings on how the Tla'amin people pass things down, which is different than the Crown and ISC systems. The Planning Support Team started gathering information in 1999 and invited CP holders to bring their documentation and discuss any problems with their lot (hydro lines or roads crossing their lands for example). The team committed to registering their land and addressing any outstanding issues. The Coordinator said, “We wanted everyone to have access to the same information, so there were no secrets anymore.”

Some difficult truths about registered land interests were exposed in the process. However, more than anything, the community came to realize that housing ownership and land ownership had been mismanaged as an automatic function of ISC's system. For example, when ISC transferred CP interests in land, they assumed a lot of things. They were responsible for wills and estates and handled things from afar. They never came to the

TLA'AMIN NATION – WORKING WITH ELDERS TO UNDERSTAND TRADITIONAL HOLDINGS (CONTINUED)

village or interviewed anyone. Through no fault of their own, some people ended up with assets that were not theirs when ISC automatically transferred interests in land to them. In a lot of cases, there were problems with boundaries and encumbrances on CP lots because land had not been properly surveyed and administered. There were a number of housing issues to address.

Through this process, the Land Use Coordinator and Planning Support Team realized that many people in the community did not understand the history of how the reserve had been established, and the distinction between traditional land ownership and possession under the ISC system. The Planning Support Team looked for a way to teach on this and build a shared understanding of the community's history.

An opportunity came as part of the Tla'amin Nation's LUP process. With support from a community planning firm (EcoPlan), the Planning Support Team worked with an Elders group to map out their earliest memories of the main residences at Teeshohsum (IR #1). To help spark people's memories, the Coordinator looked for the earliest aerial photograph of the reserve. In a workshop setting with everyone present, the team interviewed every Elder in the

community about where their parents and grandparents lived from 1920 to 1945, while a GIS specialist marked the approximate location of the buildings on the aerial map. The map was marked with everyone's traditional names and who was married to who. The Elders talked about how their ancestors previously held vast tracts of land throughout the traditional territory, and how their main residences had been at Teeshohsum. Some shared how family members had also maintained fishing, hunting and trapping cabins located throughout the territory and how they had moved according to seasonal gathering patterns. The reserve system changed this way of life. The commemorative map gave the community a window into their collective past, before the 1958 lot surveys conducted by the Department of Indian Affairs. It became a central piece in the LUP and is on display in the Band office for everyone to see.

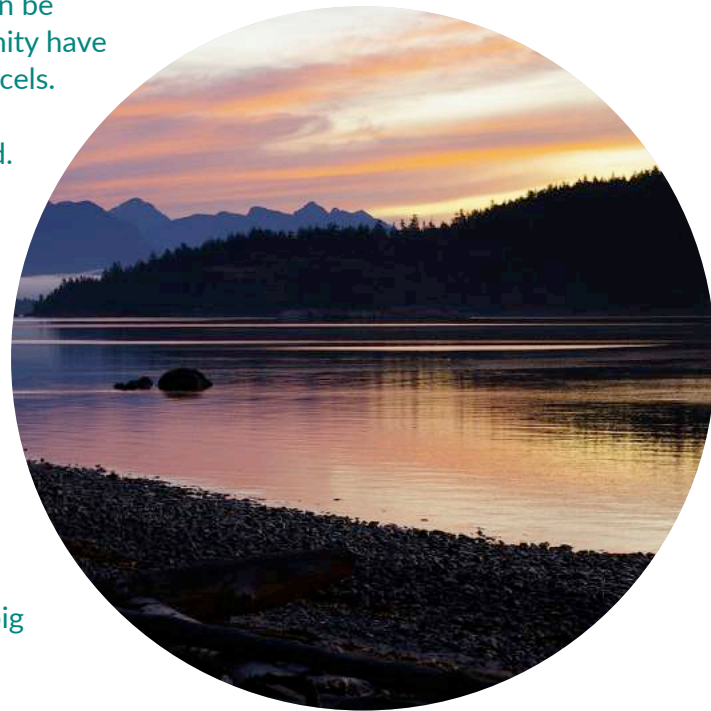




The Coordinator stated, “It turns out that making this commemorative map was the most valuable thing we did in our LUP process. The year after the mapping workshop we lost 28 Elders. There’s only one person left out of the entire group. I wouldn’t have been able to do this work without them.”

The Planning Support Team was able to sort out a lot of things. The Nation has acknowledged that there’s nothing that can be legally done about CP interests. CP holders in the community have retained their interest in land post-treaty as fee simple parcels. Most CP holders live on small lots. Now, boundaries and encumbrances have been properly surveyed and corrected. Some people found there was no legal documentation to back up their claim. Knowing this provided them with closure and they were able to move on.

One step at a time, a lot of things have been put to rest. In the beginning, anger surfaced at every workshop about something that had happened historically to a family member. The Planning Support Team acknowledged past history through a historical timeline, which became an important tool in the land use planning process. The Land Use Coordinator said, “It has helped us move past some of the intergenerational conflict and controversy. Making information publicly available was a big step towards transparency and accountability.”



TOOLKIT RESOURCES:

- A. LUP Sources of Information
- B. Community Mapping Activity Template
- C. Community Profile Checklist
- D. Green River First Nation Sample Community Profile
- E. Overview of Mapping Tools
- F. Online Community Mapping: Approaches and Resources
- G. Software Options for Data Coding and Analysis

For more information check out:

Aboriginal Mapping Network: nativemaps.org

AFN (2008) *First Nations Ethics Guide on Research and Aboriginal Traditional Knowledge*

British Columbia First Nations' Data Governance Initiative (BCFNDGI): <http://bcfndgi.com>

Ecotrust Canada (2017) *Referrals Software: an analysis of options*: <http://ecotrust.ca/wp-content/uploads/2017/08/AMN-Referrals-Tools-Analysis-sm.pdf>

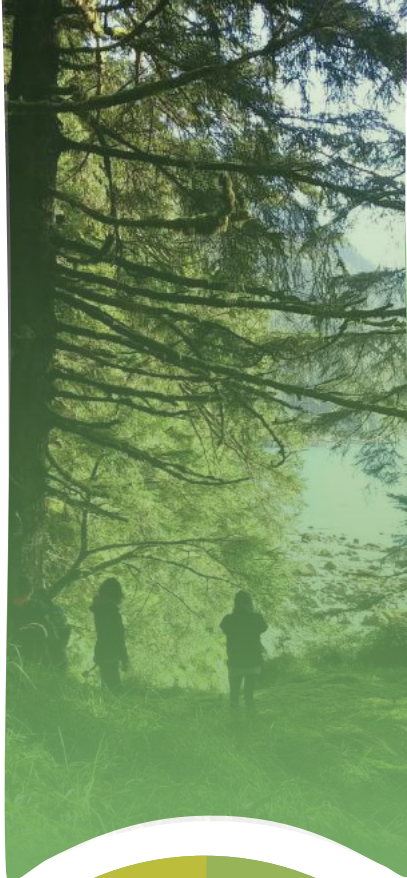
First Nations Information Governance Centre (FNIGC): <http://fnigc.ca>

University of Victoria Ethnographic Mapping Lab: sample set of Indigenous mapping icons: <http://uvic.ca/socialsciences/ethnographicmapping/resources/indigenous-mapping-icons>

University of Victoria Community Mapping Collaboratory (2016) *Mapping our Common Ground: A Community and Green Mapping Resource Guide*

Tobias, T.N (2000) *Chief Kerry's Moose: A guide to land use and occupancy mapping, research design and data collection*

Union of BC Indian Chiefs and Ecotrust Canada; Environmental Careers Organization (2009) *Land Use Planning Coordinator Training Program*



STEP 5

Decide Future

Where are we going?

You are engaging your community members and collecting and analyzing knowledge and information. How will you use all of this knowledge and information? Largely, this information will help you understand your current situation, which will help you decide on your Vision and Direction for future land use. Then you will decide on the specific Strategies and Actions (e.g. policies, projects, programs, positions, buildings, etc.) you will undertake to build your Vision for land governance. These elements make up your LUP Vision Framework.

In this section, we explore:

- A. Translating knowledge and information into a LUP Vision Framework
- B. Understanding our past and present situation
- C. Creating a LUP Vision Framework
- D. Creating a Vision Statement and Principles for LUP
- E. Creating LUP Directions and Strategies
- F. Assessing land use development scenarios
- G. Action brainstorming and prioritization
- H. Sequencing and costing Actions



decide

“

We will adapt engagement to members' preferences to ensure they feel comfortable to participate.”

LUP Workshop Participant (2016)



“

I know what info I need. I know how to protect it.”

LUP Workshop Participant (2018)

COMMON TOOLS FOR SUMMARIZING OUR PAST AND CURRENT SITUATION:

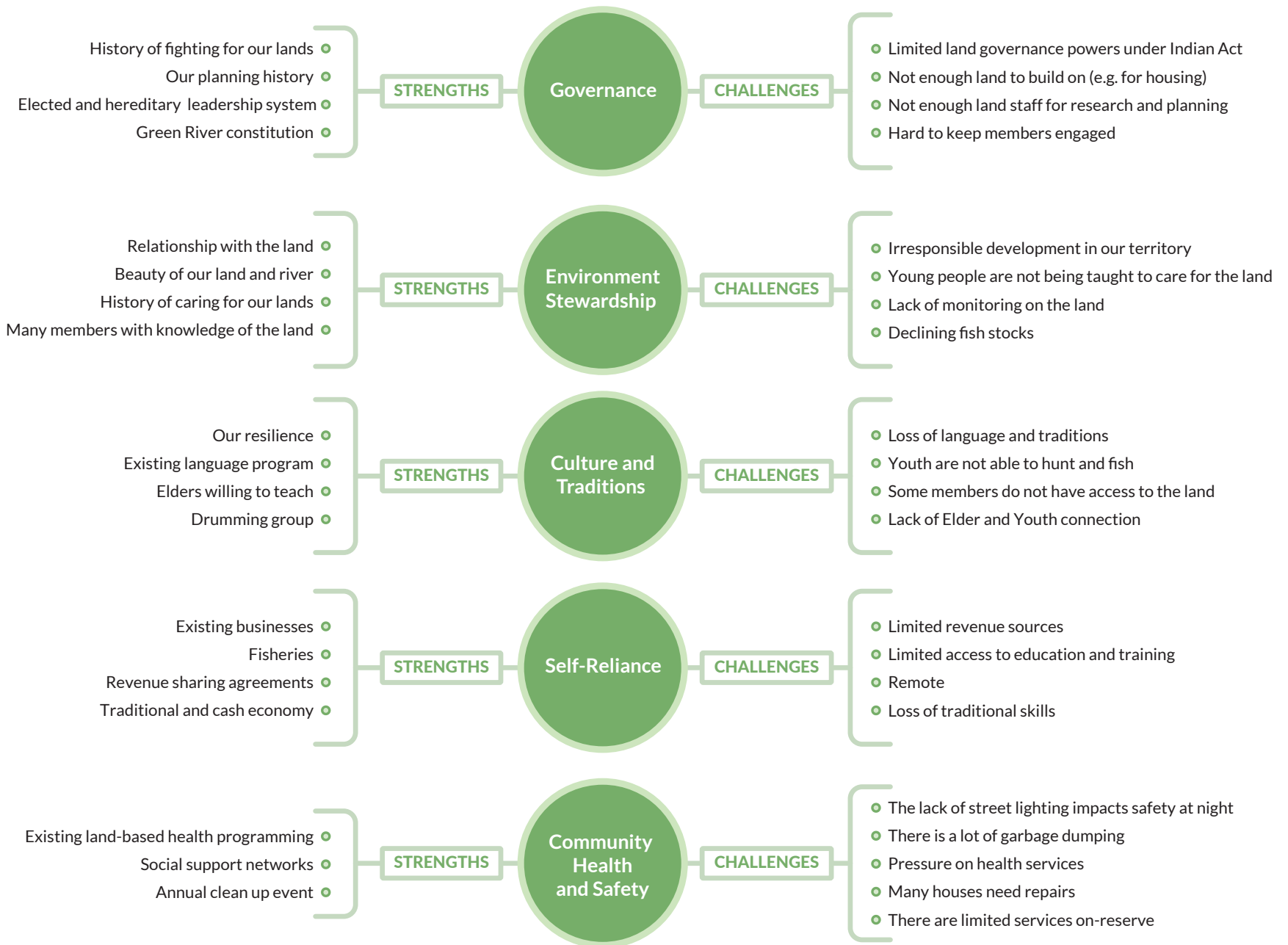
- A. A historical timeline:**
A timeline of the events that have shaped the community
- B. Community profile:**
An inventory of key community and land facts (see Community Profile Checklist in Toolkit Resources at the end of Step 4)
- C. Situational Assessment:**
An analysis of information gathered to identify core issues, needs, opportunities and constraints to be addressed in the LUP

A. Translating Knowledge and Information into a LUP Vision Framework

In Step 4 we talked about gathering knowledge and information for LUP. Much of that knowledge and information helps you understand the past and current situation. Reviewing planning history is one way we seek to understand “Where have we come from?” and compiling information in a community profile is a way to help communicate and understand “Where are we now?”.

In Step 3 and 4, you have also been gathering knowledge and information from community members about core issues and opportunities. This knowledge and information or research can be summarized in a Situational Assessment. A Situational Assessment is an analysis of knowledge and information gathered in order to identify core strengths, issues, needs, opportunities and constraints to be addressed in the LUP. Typically, it presents key strengths, challenges and opportunities organized by theme (e.g. health, governance, lands, safety). The Situational Assessment should make it clear to the reader what the most pressing strengths, challenges and opportunities are to focus on in the LUP.

Figure 5-1 (next page) provides a sample of what a summary Situational Assessment might look like for Green River First Nation.



Once you have a firm understanding of the current situation, the next step of the planning process is to develop a vision for the future. We describe this as a Vision Framework.

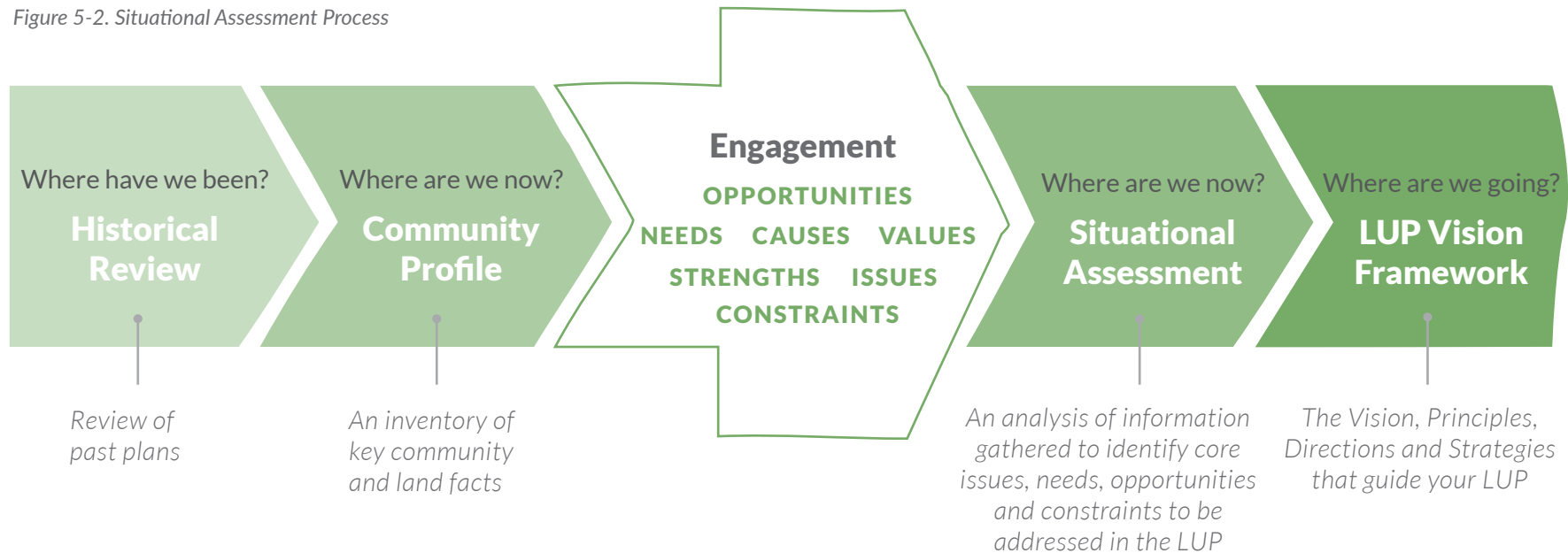
The Vision Framework aims to apply the strengths, challenges and opportunities highlighted in your Situational

Assessment. In addition to gathering knowledge and information about how things are now, you are collecting knowledge and information to decide your collective Vision for what the community would like to see in the future.

In summary, your LUP Vision Framework will respond to the strengths, issues,

causes, needs, opportunities and constraints identified in your Situational Assessment, and those identified through your engagement and research efforts. These combine with your community profile and historical review to position your LUP Vision Framework (see Figure 5-2).

Figure 5-2. Situational Assessment Process

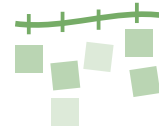


B. Understanding Our Past and Present Situation

In order to decide “Where are we going?”, the community needs to look at what is going on in the community and on the land. What is going on in the community today that you need to understand and consider in your Vision for current and future land use?

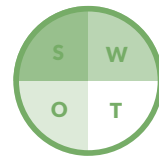
As explored in the Step 4, good knowledge and information are important for making good LUP decisions. Some of that knowledge and information will help you understand what is going on in the community and on the land right now to help make decisions on what the needs and opportunities regarding land use are for the future.

Understanding the past and present situation involves research (e.g. collecting community statistics, reading past planning reports and studies, collecting knowledge and information about the land) and community engagement. Information gathering tools such as a community profile and Situational Assessment, community mapping and a land capacity/constraints analysis are helpful in understanding the current situation. A few additional community engagement tools that can be helpful in collecting information about the past and present situation include: a community timeline, SWOT, PARK, and an exploration of underlying causes.



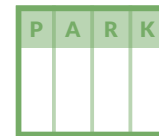
COMMUNITY TIMELINE

Place a large, blank timeline up on a wall and ask community members to add dates of significance.



SWOT

Ask community members to consider current Strengths, Weaknesses, Opportunities and Threats relating to their community and the land (see Toolkit Resources at the end of this step for SWOT Template).



PARK

Ask community members to consider what they want to Protect, Add, Remove or Keep (PARK) on their land (see Toolkit Resources at the end of this step for a PARK Template).



EXPLORING UNDERLYING CAUSES

Ask community members to brainstorm some of the issues they feel are important to the land, and for each issue, ask them to consider what the underlying causes are of the issue (see Toolkit Resources at the end of this step for Root Cause Tree). This exercise helps community members consider some of the root causes that are important to address and decide solutions.

C. Creating a LUP Vision Framework

A Vision Framework is one way to organize how everything fits together in your LUP. It typically includes a statement of your Vision for the future use and protection of your land, a statement of guiding Principles, along with a set of Directions, Strategies and Actions that describe how you will achieve the LUP Vision Framework (See Figure 5-3).

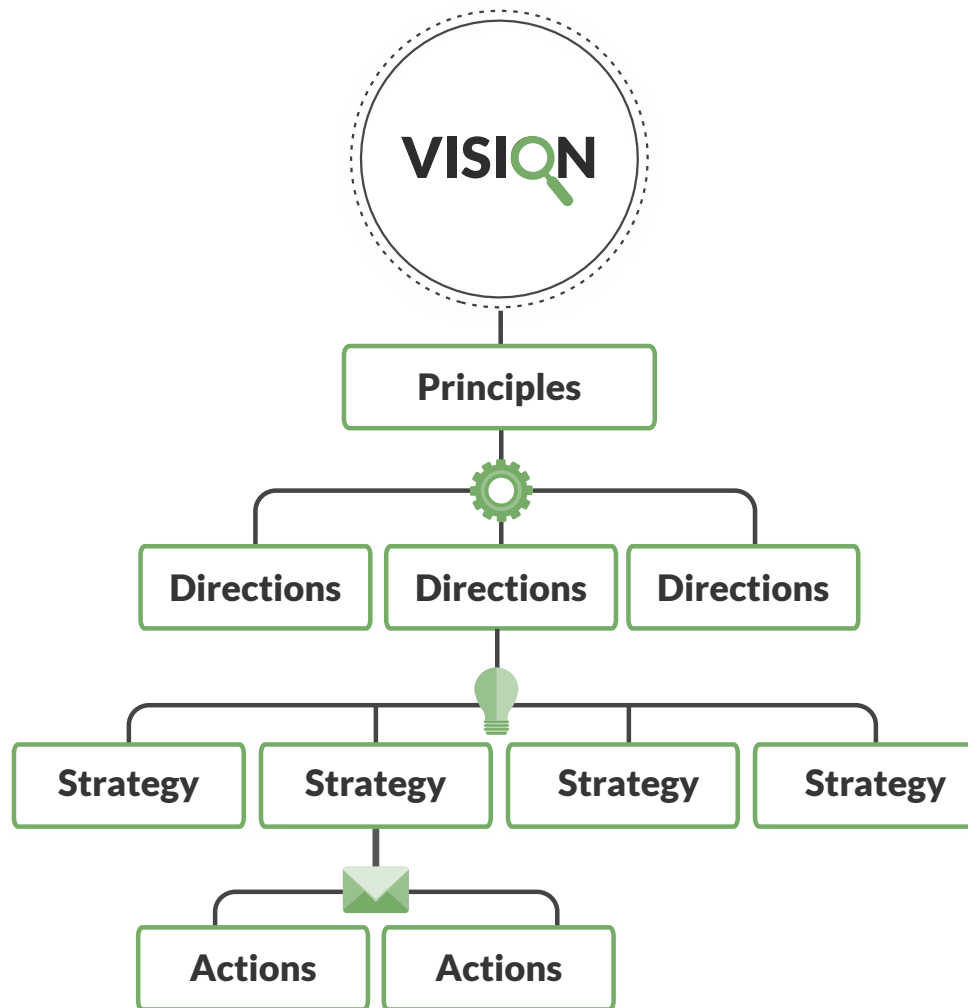


Figure 5-3. LUP Vision Framework

ELEMENTS OF A VISION FRAMEWORK

Your Vision Framework is made up of the following parts:

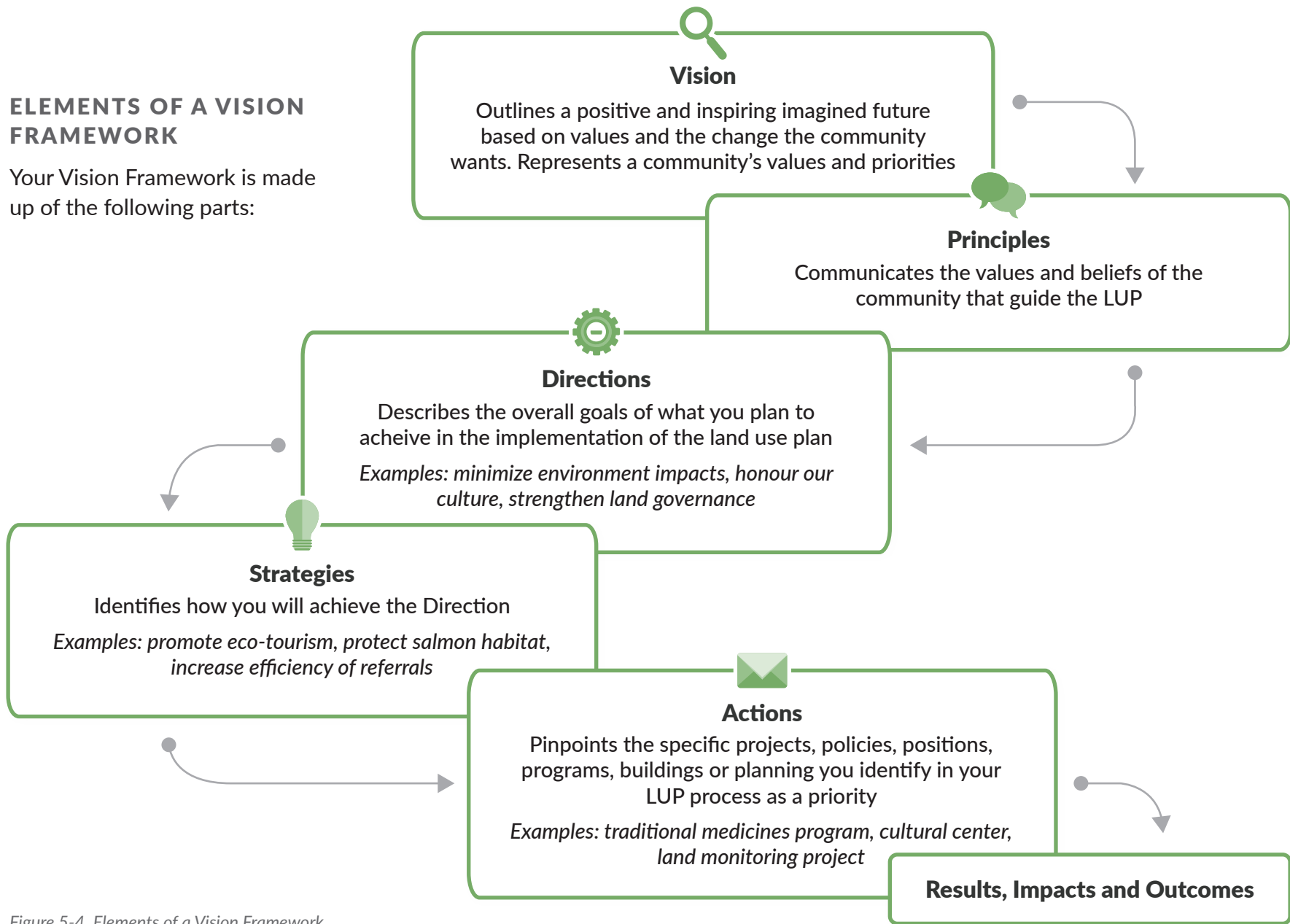


Figure 5-4. Elements of a Vision Framework



A Vision Framework can be described as the outline of your LUP. Ideally, your Vision Framework can be summarized on one page, thus providing members with easy access to the core elements of your LUP.

All of your work up to this point should influence what goes in your LUP Vision Framework including all of your knowledge and information from past planning research, community engagement and your decision analysis (as illustrated in Figure 5-5 below).

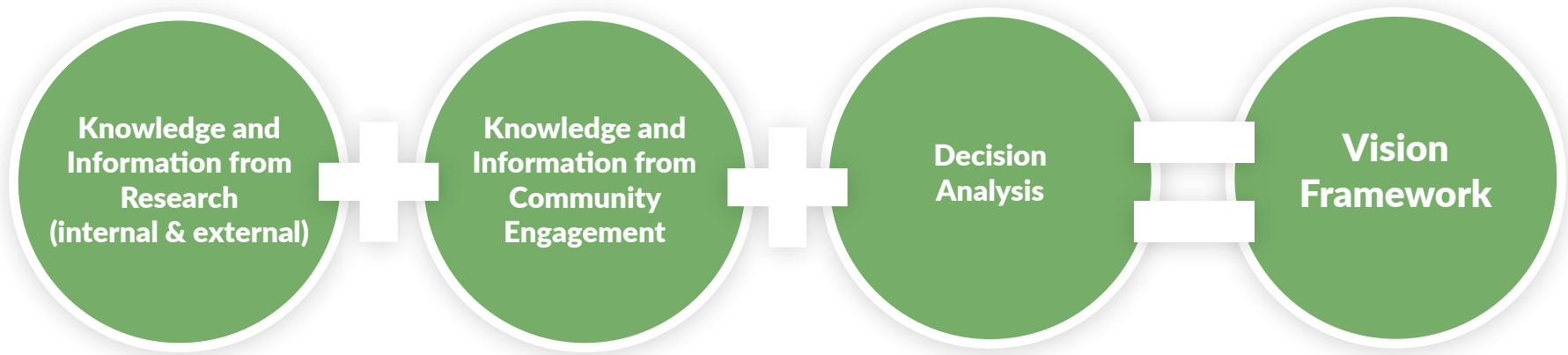


Figure 5-5. Steps in Creating a Vision Framework

D. Creating a Vision Statement and Principles for LUP



Vision

A positive and inspiring description of an imagined future based on values. It describes the desired change the community wants and represents the community's values and priorities.

To develop a Vision Statement as a community, you will need to provide community members with opportunities to share their ideas regarding the future of your lands based on what they are saying about the past and present situations. The following are a few examples of tools that can be helpful for having community members share their Vision for the future.

Art-based visioning



Ask community members to draw, collage or paint a scene on the land that they would like to see in the future

Write a postcard



Ask community members to write a postcard to a relative describing their Vision for the land 20 years from now (see Toolkit for sample postcard)

Vision tree



Ask community members to populate a tree with leaves on which they write ideas for their Vision for the future

Reviewing draft Vision statements



Based on the ideas shared in visioning activities and/or based on past Vision statements, ask community members to review draft Vision statements or a set of LUP principles by circling words they like, crossing out ideas they do not like, and adding any words that are missing



EXAMPLE VISION STATEMENTS

Lower Similkameen Indian Band 2011 Land Use Plan

“Our vision for the Smelqmixw People is one where we honour our Ancestors, Elders and future generations by living in harmony with our environment. Our water, lands and resources are fundamental to our identity, create our sense of community, and sustain our health. We respect and manage our environment based on our traditional teachings, spirituality, cultural values and practices, and through our stories (such as the Four Food Chiefs) that have been passed down and told to us generation after generation. We take enormous pride in the stewardship of our water, lands and resources, and all generations share in this responsibility. This includes teaching, learning and being on the land together whenever possible. Through our transparent decision processes, land governance tools and policies, we make the wisest decisions possible regarding the use, impacts and protection of our environment. We act on our economic development needs and opportunities in a balanced way, work together and embrace our culture whenever we can.”

Trudy Peterson, LSIB

Heiltsuk 2004 Land Use Plan

“Our vision for this area remains unchanged. We will continue to balance our needs while sustaining the land and resources that support us. We will continue to manage all Heiltsuk seas, lands and resources according to customary laws, Traditional Knowledge and nú.ym' (oral tradition) handed down by our ancestors, with consideration of the most current available scientific information.”

Heiltsuk Land Use Plan (2004)



Principles

A set of statements that describes the values and beliefs of the community that guide the land use plan.

PRINCIPLES

As discussed in Step 2, a Principle is a statement about beliefs and values that describes how to live and behave in a good way with respect for the land. Along with a Vision Statement, your LUP may have a series of statements that describe the Principles that will guide the LUP.

The following are a few examples of tools that can be helpful for having community members share ideas for Principles.

- **What would our ancestors say?**
Ask community members to reflect on what Principles your ancestors would have wanted you to follow.
- **What rules should guide us?**
Ask community members what rules should guide how we care for the land. Children in particular find it easier to relate to the concept of rules rather than Principles.

- **What brings you joy?**
Ask community members to consider what brings them joy when they are out on the land as a way to collect information on what values community members think are most important. An understanding of what values are most important to community members can be translated into specific Principles for LUP.

For example, community members may answer the question of “What brings you joy?” with many examples of being out on the land with their family. From this you understand that access to getting out on the land is something that is highly valued. This could translate into a LUP Principle that states: “We will maintain and support community members’ ability to be active on our lands.”

TIPS IN DEVELOPING A COMMUNITY VISION AND PRINCIPLES

- ☑ Get Youth to lead and motivate the community Vision process
- ☑ Use a variety of engagement tools to explore Vision and Principles
- ☑ Ask community members to consider what life was like a long time ago
- ☑ Bring in examples of Vision Statements and Principles to get the juices flowing
- ☑ Document and circulate the Vision and Principles in creative ways
- ☑ Invest time in creating a Vision Statement and Principles that members connect with

EXAMPLE PRINCIPLES

Haida Gwaii 2005 LUP

- Care of the land – focus on what to leave and then what to take
- Meeting community needs – optimize benefits to island communities
- Meeting future needs – maintain or increase sustainable ecological, social, spiritual, cultural and economic opportunities for future generations – our great grandchildren will have better opportunities than are available to us

Tla'amin 2010 LUP

The language and teachings of the Tla'amin people are included in their LUP. This reflects decades of dedicated work to protect and revitalize the language and traditional governance Principles. The teachings are presented as the guiding Principles of the Plan, known in Salish as the Ta'ow. There are five Principles:

1. Yeeqotltlet – accountability
2. Qwakwistowtl – communication
3. Thahthxwen – fairness
4. Ganuxwet – honesty
5. Teestahm – respect

Sumas First Nation 2013 LUP

- Sema:th will commit to collective community balance in creating and fostering a healthy, prosperous and sustainable way of life
- Sema:th will respectfully progress into the future by embracing Sema:th heritage; the land, the sky, the water, the forests, the animals, and the people, not the least of whom are the ancestors – all that Sema:th is
- Sema:th recognizes that the LUP is part of a greater objective, to “look after” all that belongs to Sema:th
- Sema:th drafted the LUP to ensure a healthy environment, protection of resources, appropriate development, and a celebration of culture
- Sema:th will work to promote sustainable economic development and work to protect and enhance the value of Sema:th Lands
- Sema:th seeks to articulate a clear plan for land development on Sema:th Lands
- Sema:th seeks to provide an informed, transparent, consistent, and credible process for making decisions concerning the development of Sema:th Lands
- Sema:th will contribute to local and regional prosperity and be known as a strong political and reputable neighbour

E. Creating LUP Directions and Strategies

Your Directions should help answer the question: “*What are we ultimately trying to do with our LUP?*” They represent the highest ordered priorities, broadly. Directions are sometimes called goals or ends-objectives. They do not tell us specifically how to achieve these Directions (that comes later with Strategies and Actions) but rather describe the major themes that have been uncovered through research and engagement in previous planning steps. They may line up, for example, with the themes identified in your Situational Assessment. A good Direction has a verb (such as increase, ensure, strengthen, honour) that describes exactly what your community hopes to do regarding the particular theme identified such as ‘*Strengthen our Land Governance*’ or ‘*Maintain and Protect Natural Resources*’.

Looking at the themes that have emerged from your Historical Planning Review, community profile and/or your Situational Assessment is a great place to start when drafting Directions. In your Situational Assessment, for example, you may have identified a number of overall core issues you hope your LUP will address. In Table 5-1 (next page), the issues from LSIB’s Situational Assessment have been grouped by theme, and then restated as Directions.



Directions

Describes the overall goals of what you plan to achieve in the implementation of the land use plan.

Examples: minimize environment impacts, honour our culture, strengthen self-governance.

TIPS FOR WRITING DIRECTIONS

- ✓ A land use Direction should relate to the community’s Vision, Values and Principles
- ✓ Write your Directions in the active tense so that they are action oriented
- ✓ Use the verb in the statement to describe the Direction (e.g. decrease, increase, strengthen etc.) you want to go
- ✓ Use the themes from your Situational Assessment, Vision Statement, and Principles to craft the first draft of your Directions
- ✓ Have community members validate the Directions and check the wording for accessibility



ISSUES FROM SITUATIONAL ASSESSMENT	THEME	DIRECTION
Limited land governance powers under <i>Indian Act</i> Not enough land to build on (e.g. for housing) Not enough land staff for research and planning Hard to keep members engaged	Land Governance	Build land governance to promote the health of our lands
Irresponsible development in our territory Young people are not being taught to care for the land Lack of monitoring on the land Declining fish stocks	Environmental Stewardship	Expand land, water and environmental stewardship for future generations
Limited revenue sources Limited access to education and training Remote Loss of traditional skills	Self-Reliance	Generate financial self-reliance through the wise management of our lands
Loss of language and traditions Youth are not able to hunt and fish Not all members have access to the land Lack of Elder and Youth connection	Culture and Traditions	Protect and teach our culture in ways that honour our Ancestors Build unity and collaboration within our community and between generations
The lack of street lighting impacts safety at night There is a lot of garbage dumping Pressure on health services Many houses need repairs There are limited services on-reserve	Community Health and Safety	Maximize community health and safety Promote the sustainable design of our lands and infrastructure

Table 5-1. LUP Issues -Directions: Lower Similkameen Land Use Plan

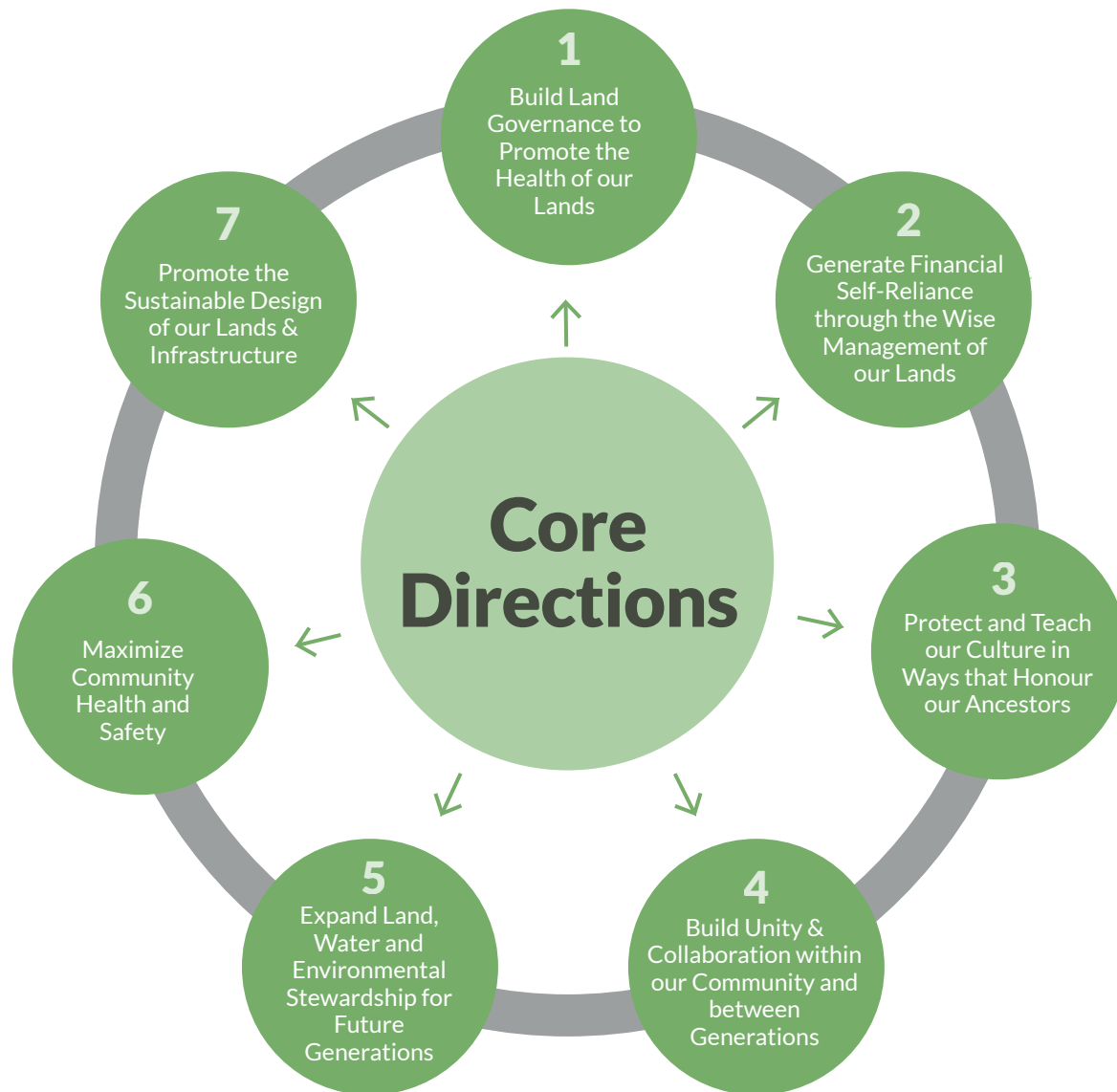


Figure 5-6. Example LUP Actions and Core Directions adapted from LSIB Land Use Plan



Strategies

Identifies how you will achieve the Direction.

Examples: promote eco-tourism, protect salmon habitat, increase efficiency of referrals.

Strategies are more specific than Directions and they describe how you plan to achieve your Directions. Strategies are sometimes referred to as means-objectives. It is helpful to think of Strategies as a way to bridge broad Directions with specific Actions (e.g. policies, programs, positions).

Figure 5-6 illustrates seven examples of LUP Actions and Core Directions from the LSIB Land Use Plan.

One way to help distinguish whether something is a Direction, a Strategy or a specific Action is to answer the following questions:

- Does the statement describe a broad goal (Direction)?
- Does the statement describe how change or improvements will take place (Strategy)?
- Does the statement describe specific initiatives or activities (Action)?

Table 5-2 is meant to show how Strategies can help bridge Actions and Directions.

TIPS FOR CHOOSING STRATEGIES

- ☑ Each Direction may have multiple Strategies
- ☑ Pick Strategies that meet multiple Directions
- ☑ Pick Strategies that bridge specific Actions with Directions

Table 5-2. Directions Strategies Actions

DIRECTION	STRATEGIES	ACTIONS
Maintain and Protect Natural Resources	Ensure habitat protection	Habitat restoration program Hire environmental protection officer
	Monitor our lands and resources	Land monitoring program Annual fish counts
	Increase land-based knowledge	Back to the land program Fishing program for Youth

SAMPLE LUP STRATEGIES BY DIRECTION

In this example from the Lower Similkameen Indian Band LUP, each Direction has a number of Strategies that describe specific approaches to achieving that Direction.



“

Land use plans can inform and be used as a negotiating tool.”

LUP Workshop Participant (2017)

Strategies by Direction

1. Build Land Governance to Promote the Health of Our Lands

- Expand and clarify the authority, control and security over our reserve lands
- Increase the certainty of land ownership
- Share the responsibility of managing lands and resources together
- Increase our capacity to monitor and control access to LSIB lands

2. Generate Financial Self-Reliance Through the Wise Management of Our Lands

- Increase our land supply so that we can sustain wealth for our people
- Expand our local and regional economy for the benefit of people and community
- Develop our knowledge and information base for our strategic decision-making process

3. Protect and Teach Our Culture in Ways that Honour Our Ancestors

- Preserve, protect and restore sacred, cultural and historic sites
- Ensure LSIB language and cultural practices are integrated into our land management system

F. Assessing Land Use Development Scenarios

This activity involves preparing different land use development scenarios based on the ideas, values and needs gathered during research and community engagement. Each scenario represents a set of choices and emphasizes priorities. Each option involves trade-offs and has strengths and weaknesses.

One way to obtain community feedback is to have community members review maps where the potential land use options have been identified and the risks and benefits of each option are explained. This should be clearly displayed on large maps and posters so community members can write comments either directly on the map or use post-it notes. This information is then recorded, analyzed, and used to refine the land use planning options.

The purposes for creating land use development scenarios include:

- To validate local knowledge and community based solutions guided by local values
- To identify which is the best 'road' to take (several Actions packaged together make up an option) to realize the LUP Vision (Framework)
- To ensure the best and appropriate use of land and resources
- To increase understanding of the risks and benefits of different options
- To reduce risk and unintended consequences
- To maximize benefits
- To promote community self-government

Another way to assess land use scenarios is to evaluate them using the identified core Directions. All decisions require tradeoffs (What will you gain? What will you give up?). By asking community members to consider tradeoffs, you are increasing understanding for how decisions are made.

Each land use development scenario needs to be described or, ideally, demonstrated visually on maps.

For each land use development scenario, consider how well they meet each Direction. This can be done by giving each option a numeric score, or a simple "Low, Medium or High" score.

Example:

The Green River First Nation Planning Support Team has developed the following three land development scenarios in Table 5-3 for consideration by community members:

High Use Development: Intensive commercial and residential development throughout our land

Conservation Focus: Limited development throughout our land with an emphasis on habitat restoration and conserving land for traditional uses

Cultural Focus: Medium scale commercial development focused on cultural amenities and cultural tourism opportunities

In this example, the tradeoff analysis reveals that the cultural focus land use development scenario does the best job at meeting multiple Directions.

DIRECTIONS:		PROTECT AND TEACH OUR CULTURE AND LAND-BASED TRADITIONS	BUILD ECONOMIC SELF-RELIANCE	MAINTAIN AND PROTECT NATURAL RESOURCES
OPTIONS	High Use Development	Low	High	Low
	Conservation focus	Medium	Low	High
	Cultural focus	High	Medium	Medium

Table 5-3. Land Development Scenarios

It is important to describe your rationale through facts and analysis for assigning a low, medium or high score. Table 5-4 demonstrates how you can describe your rationale for each score.

DIRECTIONS:		PROTECT AND TEACH OUR CULTURE AND LAND-BASED TRADITIONS	BUILD ECONOMIC SELF-RELIANCE	MAINTAIN AND PROTECT NATURAL RESOURCES
OPTIONS	High Use Development	Not directly related to our culture	Will provide many local jobs and revenue	Does not help us protect our natural resources
	Conservation focus	Will protect the resources we need to practice our culture	Will not generate any revenue	More of our land is protected
	Cultural focus	Directly relates to the goal of protecting and teaching culture	Some economic activity related to cultural tourism	More of our land is protected

Table 5-4. Options Analysis

STORY 9: STORY OF PRACTICE FROM TSAWWASSEN LUP PROCESS

“During our LUP process it became apparent that members had different ideas on density and the types of community amenities they would like to see, but we worked through these differences with extensive dialogue and information sessions. We felt it was important to recognize that each individual member has a unique voice in the process.

Through engagement, we developed a good understanding of our members’ priorities and we were able to develop three land use planning scenarios that reflected their needs. One

scenario focused more on industrial development, another on commercial development, and a third option was for more moderate commercial development as well as a focus on member housing.

The selection process gave everyone a sense that it was a bottom up decision. We presented the scenarios and members were invited to vote on their preferred Direction—which ended up as the moderate commercial development with housing.”

Andrew Bak, Territory Management Officer, Tsawwassen First Nation

G. Action Brainstorming and Prioritization

The Actions listed in your LUP should represent the specific things that will get done. Throughout your process, community members will likely share many ideas for Actions. Actions are typically a program, a position, a building, a policy, a plan, a study or an event.

BRAINSTORMING ACTIONS

There are a number of different ways you can ask community members to share their ideas for Actions:

- **By Issue or Opportunity:** Share with community members the main issues and causes that were identified in your Situational Assessment and ask them to brainstorm specific solutions for each issue
- **By Direction or Strategy:** Share with community members the draft Directions and Strategies that have been identified to date, and ask them to brainstorm specific Actions for each



Actions

The specific projects, policies, positions, programs, buildings or planning you identify in your LUP as a priority.

Examples: traditional medicines program, cultural centre, land mointoring project.

- **By Type:** Share with community members the different types of Actions that have been suggested so far (e.g. programs, policies, buildings, positions, etc.) and ask them to brainstorm Actions by type

It is helpful to start a database of all of the ideas for Actions suggested by community members. You can use the categories listed above (issue, Direction, Strategy, type) to organize your Actions for easy access. If you are able to track how often each idea gets suggested, this will be very helpful later on in understanding which Action ideas are most popular. See Table 5-5 (page 188) for example LUP Actions.

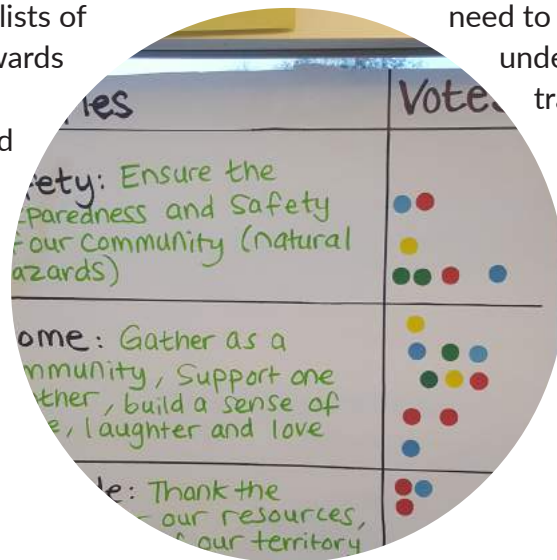
PRIORITIZING ACTIONS WITH COMMUNITY MEMBERS

Generating ideas for Actions is generally fun and easy to do. The challenging part is narrowing the wish list down! A LUP with a list of 400 Action ideas is not helpful. A long list of Actions can be overwhelming, and leave people questioning “How are we possibly going to accomplish all of this?” There are a few ways to organize your Actions to help set you up for implementation success.

Your LUP should provide Direction to leadership and staff as to the most Strategic Actions to focus on given limited resources. Many communities will have their own traditional processes

for communal decision-making. The following three simple tools can be used in group settings to narrow down LUP options and prioritize Actions.

1. Dotmocracy: In this exercise, community members are given a pack of stickers (typically dots). Each dot represents a vote. Community members are invited to put a dot next to the Action they like the most. They can distribute their dots in any way they like, giving all of their dots to one priority Action, or sharing their dots between different Actions. This tool is useful only when screening long lists of options, as a step towards narrowing the list down. The tool should not be intended to



decide a final list of Actions. Additional due diligence research and costing are typically needed for the final Action list.

2. Ranking: In this exercise, community members are asked to rank Actions, typically based on criteria, by placing the #1 beside the Action they like the most, a #2 beside their next favourite Action, and so on until they reach the end of the list. This works best for lists that are no longer than 10 Actions. To prepare community members to prioritize Actions, it is important to provide them with the facts and information they need to make decisions and to understand the trade-offs. For example, you may provide them with a description of

each option with a list of pros and cons or you may provide a cost-benefit analysis when looking at the options.

3. Criteria: You may ask community members to help identify what criteria should be used to prioritize Actions. This helps get community members involved in the decision-making process. Criteria represent the things you consider to help make a decision. A common set of criteria for narrowing down Action ideas include:

- Popularity
- Cultural Approaches
- Impact
- Feasibility
- Cost
- Urgency
- Risk level

PROGRAMS AND SERVICES	HUMAN RESOURCES AND TRAINING	PLANNING STRATEGIES AND RESEARCH	INFRASTRUCTURE	EVENTS AND WORKSHOPS	POLICIES AND PROTOCOLS
Parenting and trauma workshops Support group for parents Cultural education program Help for families struggling with addictions Firewood collection service Traditional foods program (Youth and others) Job shadowing and mentorship Walking program Program to help Elders clean their yards and take care of their homes	Mental health/addictions worker Train staff to understand trauma Conduct Traditional Use studies Business planning education Cultural teachers Youth committee Cultural programs manager Governance and Leadership training Housing committee Train Youth to know the land and lead First aid and emergency response training Housing worker	Health and Wellness Strategy Emergency planning Plan for natural disasters Research on Treaty process Communications Strategy Economic development planning Ecotourism study Curriculum project to bring Traditional Knowledge into school Language Assessment and Strategy Rights and Title Strategy Design process to respond to referrals LUP and land code Youth Strategy	School in our community Better roads (fix potholes) Cultural centre that is Youth friendly A place for Youth Build/repair community members' homes Signage in traditional language Community gas station and store Fire escapes in all homes Upgrade sports fields	Community cultural celebration Get members on the land Annual Youth camp on the land Health and wellness workshop Parenting workshop on traditional values Annual event on the land with technology prohibited Workshop for Elders to teach Youth about land Get Youth and Elders together for events Baby naming ceremony Recognition ceremony; recognize the people who make a difference in community	Child protection protocol Create and enforce administrative (staff, hiring) and community (pet, junk, housing) by-laws Human Resources Policy Ceremony protocol (document) Communicate to outsiders the treatment we expect Document and share best practices for land management Create land tenure and land use regulations Policy regarding how band corporations make community decisions Update education policy

Table 5-5. Example LUP Actions



“

You also can't go through a major planning process without having some tangible milestones being met. People want to see the influence of change, they want to see their dialogue contribute to something positive. If your planning process is not doing that then you're missing the boat.”

Steven DeRoy, Firelight Group

PRIORITIZING ACTIONS WITH COMMUNITY MEMBERS (CONTINUED)

Using a set of criteria, developed internally by decision-makers or with community members, you may undertake an analysis of Action options.

Here is a short description of some of the most popular decision-making criteria:

Popularity: Which Actions were mentioned the most frequently throughout the process and/or which Actions were most popular when you asked community members to rank Actions?

Impact: What is the anticipated impact of this Action on the Directions and Strategies? Prioritizing Actions that have the highest anticipated impact on the most number of Directions and Strategies is ideal.

Feasibility: Considering financial and human resources, how long will this Action take to accomplish?

Urgency: What is the urgency or severity of the issue or need this Action is trying to address?

Based on any or a combination of these criteria, Actions can be prioritized based

on how well the Actions meet these criteria. A simple tool to do this as a group is to assign each Action a score based on a point system you develop based on criteria.

For example, let’s say the Green River First Nation has decided that their criteria are popularity, feasibility and impact. They could develop the following scoring system to assess their action ideas, as illustrated in Table 5-6 below.

Table 5-6. Analyzing Options

SCORE	POPULARITY	FEASIBILITY	IMPACT
3	Action was suggested by community members more than 50 times	Easy to achieve	Meets more than 3 of our Directions
2	Action was suggested by community members 20-49 times	Requires more resources, funding, or training	Meets 2 or 3 of our Directions
1	Action was suggested by community members less than 20 times	Will require extensive funding, planning and resources	Meets 1 or 2 or our Directions

When applying this point system to their list of potential Actions, the Green River First Nation found that some Actions scored higher than others (see Table 5-7). This helped them sort Actions and quickly identify those that meet multiple criteria. In this example, the Land-based Youth Program is the most favoured.

EXAMPLE ACTIONS	POPULARITY	FEASIBILITY	IMPACT	TOTAL
LAND-BASED YOUTH PROGRAM	3	2	3	8
BUILD A SCHOOL IN OUR COMMUNITY	2	1	1	4
HIRE STAFF TO COMPLETE TRADITIONAL USE STUDY	1	3	2	6

Table 5-7. Prioritizing Actions

When listing priority Actions in your LUP, you may find it helpful to distinguish them by priority level.

One possible way to distinguish different levels of priorities is as follows:

- **Critical:** An Action we cannot do without
- **Important:** An Action that needs to happen, but not as urgent as our critical actions
- **Supporting:** An Action that needs to get done at some point

Community members can help in categorizing Actions by prioritization level after a discussion about the criteria to use for decision-making. (See a sample Action Prioritization Tool in Toolkit Resources at the end of this step).

Organizing Actions into different priority levels is one way to show a larger set of Action ideas in your LUP, all while ensuring that the most strategic Actions are identified.

Ultimately, the goal is to narrow the list of Actions down to meet the criteria that are most important to community members in realizing their Vision.

Depending on the criteria that are most helpful to your community, prioritizing your LUP Action ideas will help you identify the Actions that:

- Are supported by community members
- Advance as many of your Directions and Strategies as possible
- Address the strengths, issues and opportunities identified in the Situational Assessment
- Generate the highest benefits for the community
- Are feasible given access to resources (e.g. time, funding, people, information)

Once 'Quick Starts' are identified, the community needs to figure out the best approach to organize and sequence the set of Actions declared. There are three approaches:

APPROACH 1: MAPPING OUT BY YEAR

After the Quick Starts, the rest of the Actions can be presented along a timeline of 5 or 10 years or whatever timeframe makes sense for the community (see Table 5-8). Sequencing actions along a timeline is a helpful way to:

- Sequence Actions in a logical order, recognizing that some things need to happen before other

things (for example, before launching a land monitoring program, there is a need to train members to be land monitors)

- Space out high cost items to help organize yearly budgets
- Build in enough planning time for the sub steps required for complex projects (e.g. feasibility studies, impact assessments, business plans)
- Some Actions might be piloted in earlier years, and then based on the success of the pilot, scaled up in future years. What started as a cultural event, for example, could be scaled up to be a culture and land program comprised of regular events.

Table 5-8. Sample 10-Year Timeline

YEAR	1	2	3	4	5	6	7	8	9	10
	Culture camp	Youth mentorship program	Train land monitors	Water Strategy	Establish land information management system	Launch land monitoring program	Expand Youth mentorship program	Feasibility study for cultural centre	Emergency Response plan	Build cultural centre

APPROACH 2: MAPPING OUT BY PHASE

Another approach to organizing Actions for implementation is to phase Actions by themes as shown in Table 5-9. This involves grouping Actions that will happen together in a phase, and spreading Actions out over time. The phases of Actions build on the Actions from the previous phase. This can help break up the priority Actions into smaller pieces, and help prepare budgets by phase. This way of organizing helps manage expectations and results.



Table 5-9. Sample Phases of Implementation

PHASE	TIMELINE	DESCRIPTION
Phase 1: Getting Ready for Action	Years 1-2	Organizing your human resources and lining up funding for implementation
Phase 2: Building Momentum	Years 1-3	Building confidence with quick start projects
Phase 3: Building On Our Strengths	Years 2-4	Starting with the things you can do right now with existing resources to prepare yourselves for bigger changes in the future
Phase 4: Expanding Our Capacity	Years 5-7	Expanding the infrastructure, human and financial resources you need to achieve larger goals
Phase 5: Increasing Scale and Impact	Years 8-10	Completing your big ideas that require significant funding and/or human resources

EVENT	Community fishing event Traditional Knowledge conference
POLICIES	Fencing policy Water licensing policy
PLANS OR STUDIES	Economic development plan Cultural centre feasibility study Water Strategy Emergency response plan
POSITIONS	Lands monitor Water coordinator Youth mentor
PROGRAMS	Lands monitoring program Culture camp Youth mentorship program
BUILDINGS	Cultural centre Sawmill Fish processing plant

Table 5-10. Example Actions Sorted by Type

APPROACH 3: MAPPING OUT BY TYPE OF ACTION

Another way to help prepare Actions for implementation is to group Actions by type as shown in Table 5-10.

An Action might be a:

- Policy
- Plan or Study
- Position
- Program
- Building

By seeing all of the same type of Actions grouped together, it helps to prioritize and sequence Actions. How many buildings can we realistically expect in the next 5 years? How many new positions could we add a year? In general, the set of Actions should be reasonable, achievable and strategic to secure and guide the change community members want to see.

COSTING

The next step in preparing for implementation is budgeting. This involves calculating how much the LUP will cost to implement. This calculation is an estimation based on the sequencing or phasing of your Actions. Not all of your Action ideas will have had full feasibility studies and/or business plans completed yet, so the cost at this stage may be an estimate, and you may build in the cost of a feasibility study and/or business plan as one of items in your costing model.

Considerations for costing:

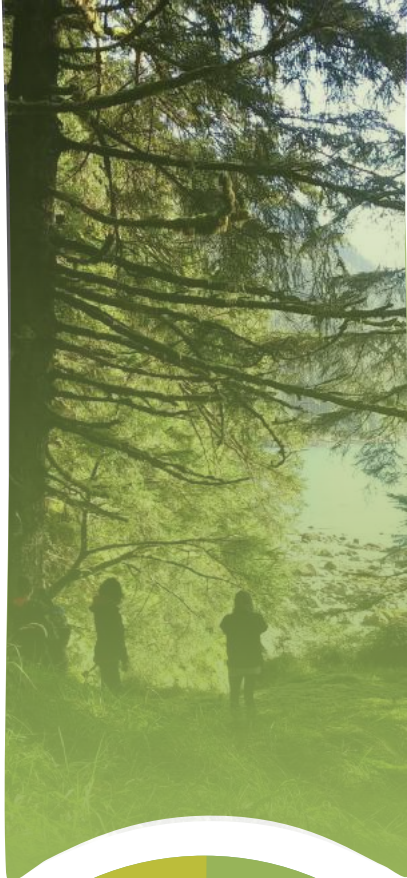
- How much will each Action cost to implement?
- Which Actions will be one type expenditures and which require yearly funding to maintain?
- How many staff hours will be required to implement the plan? How many more employees will you need to implement this plan? What kind of staff? At what wage?
- What enforcement needs does your LUP have? Will enforcement require new positions?
- What studies will be required relating to some of your Actions (e.g. business plans, feasibility studies, engineering studies, environmental assessments, legal opinions)? How many consultant fees will this require?
- How many Actions depend on volunteers and/or community engagement? What is your community culture around volunteerism and/or honourariums?
- What are your revenue sources (e.g. own source, government funding, proponent funding, donations)?
- Which of your funds are one-time versus ongoing?

TOOLKIT RESOURCES:

- A. SWOT Template
- B. PARK Template
- C. Root Cause Tree
- D. Sample Visioning Postcard
- E. Action Prioritization Tool

For more information check out:

- INAC CCP Handbook (2006) *Comprehensive Community Planning for First Nations in British Columbia*
- UN-Habitat (2005) *Promoting Local Economic Development through Strategic Planning Volume 2: Manual, Module 3: How do we get there?*



STEP 6

Create Tools

How will we get there?

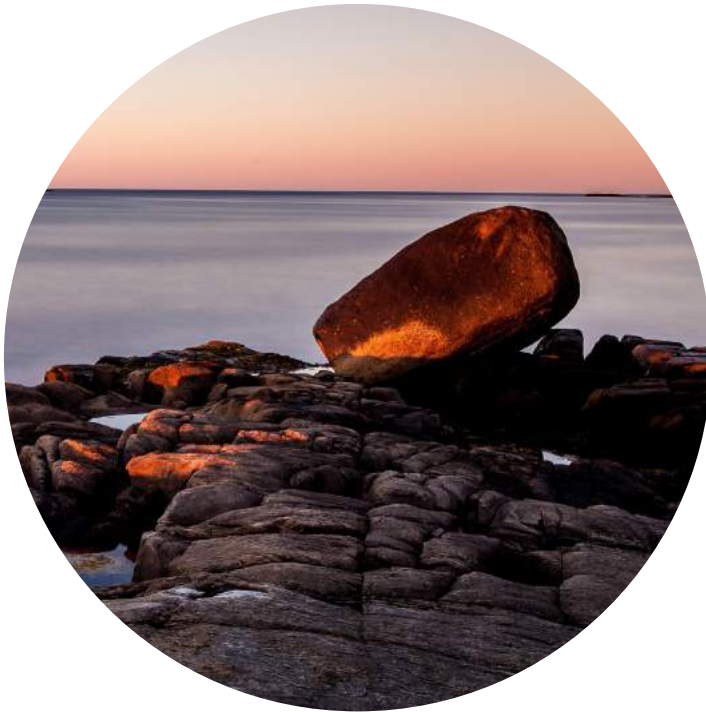
You have identified your Vision Framework for your land use, and have decided on and sequenced your priority actions. You now need to understand how your actions will impact the land and decide what can happen where and how to best manage the use and protection of lands. To do this, you can develop LUP tools to ensure that you can manage the activities that happen on your land. These main tools will include land zones, specific land laws, regulations or policies and a set of maps that will express what can happen on your lands, where and how. In this sense, you are operationalizing your LUP, or setting up the tools you will use to put the LUP into action.

In this section, we explore:

- A. Understanding land use planning tools
- B. Understanding zoning/designation of lands
- C. Deciding on land use zones
- D. Land use laws, regulations or policies
- E. Permitting
- F. Referrals process



decide



“

First Nations that have a plan know where they want development and where they don't and can communicate that to third parties. Land use plans help create certainty for third parties interested in economic development, they share the community vision and expectations on how development can occur.”

Angel Ransom, Angel Ransom Consulting
Nak'azdli Whut'en First Nation

A. Understanding Land Use Planning Tools

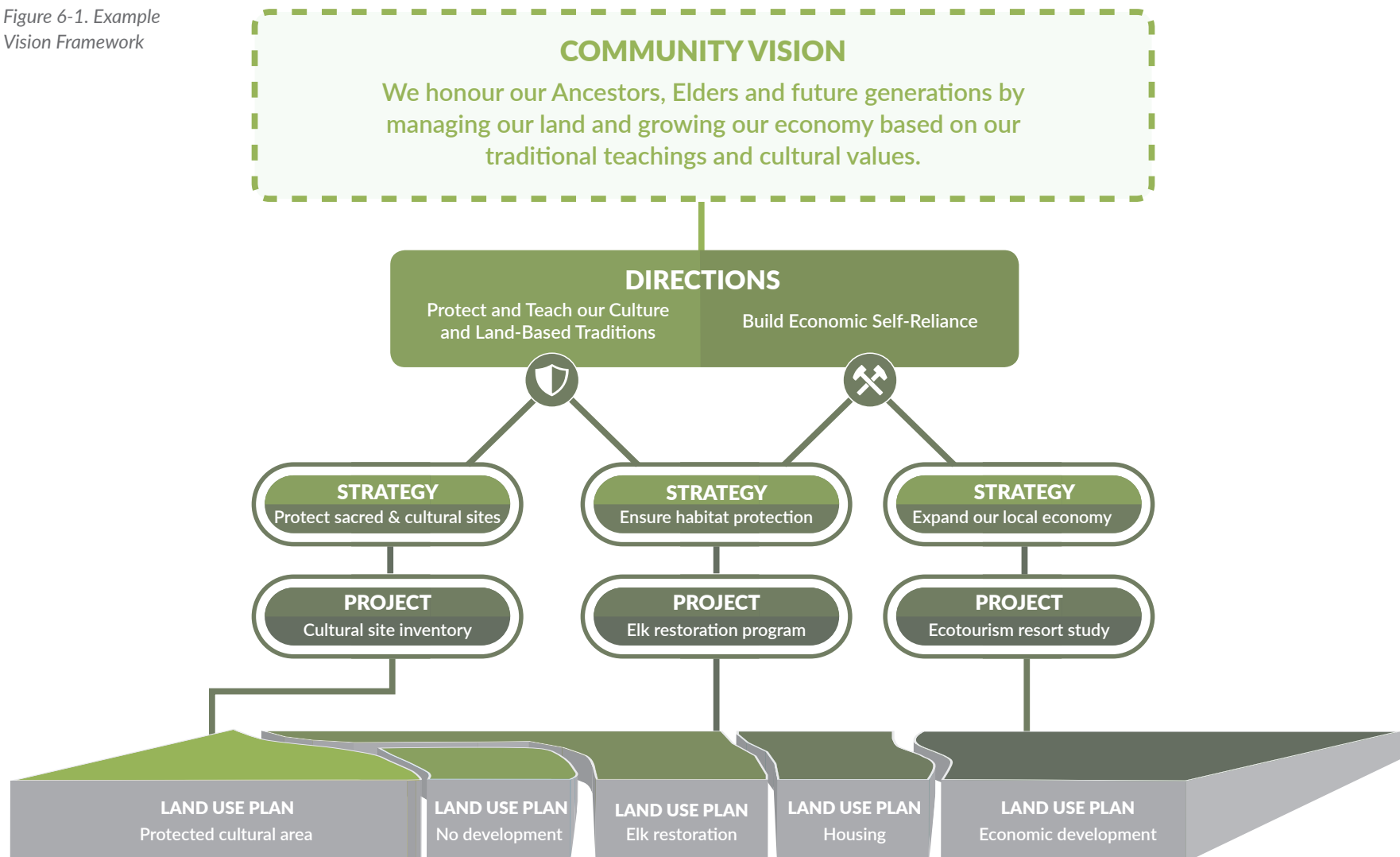
Your Vision Framework explains how you are going to manage and care for your lands in the future. This Vision has implications for what will or will not happen on the land. Land use planning tools allow you to set the limits for what can or cannot happen on your lands, where and how.

These tools aim to ensure that the ways you use the land now are protected (e.g. harvesting berries or picnicking at the lake with your family) and that there are areas available for future uses (e.g. to support a future fish processing plant or to protect a cultural site).

These tools may be driven by some of the priority Actions you have identified in your LUP that will physically need to be placed somewhere on your land. For example, you may have identified an ecotourism resort as a priority Action, and will need to identify where on your lands is appropriate for an influx of tourists using the resort. Other priority Actions will require that certain areas or resources be protected in order to succeed. For example, if you have identified the need for an elk restoration program, a certain amount of land will need to be protected to ensure sufficient elk habitat. As Figure 6-1 demonstrates, your priority Actions can be mapped on the land.



Figure 6-1. Example Vision Framework



MUNICIPAL LAND USE PLANNING TOOLS

In the BC municipal LUP context, there is a standard set of tools available to put your LUP into action guided by the *Local Government Act* (or the Vancouver Charter for the City of Vancouver). These include:

- **Official Community Plan (OCP):** A visionary document that uses policies (rules) to guide decisions on planning and land use management within the area covered by the plan. OCPs are adopted by bylaw. Once such a plan has been adopted, all future bylaws must be consistent with the OCP.
- **Bylaws:** Municipalities have the authority through provincial legislation to enact bylaws to regulate various matters affecting their community.
- **Land Use Zoning:** Land use is segregated into different areas for each type of use, such as agricultural, commercial, industrial, recreational, and residential. Zoning also regulates the height, bulk and placement of buildings constructed on parcels of land as well as the allowable density (such as the maximum number of dwelling units per land area or the amount of floor area included in each dwelling unit).
- **Building Permits:** A development control bylaw requiring development proponents to submit a building application and plans for review on a case-by-case basis allows site-specific discretion. The building review process includes a review of a Building Code (national or provincial), and of any land use regulations.
- **Development Permits:** This process, as identified in either a zoning bylaw or a community plan, requires special consideration on any of the following land use issues:
 1. Form and Character for: commercial areas, industrial areas, certain types of residential areas, resort areas, energy conservation, water conservation, and reduction of greenhouse gases.
 2. Protection of the natural environment
 3. Protection of development from hazardous areas (e.g. landslips or flooding)
 4. Protection of farming (this can include the establishment of a buffer between the various land uses)

Note: This is not the same as the development permit process utilized by ISC Canada

MUNICIPAL LAND USE PLANNING TOOLS (CONTINUED)

- **Development Variance Permits:**
A proponent can seek to develop a project that does not meet the requirements of the existing zoning regulations.
- **Policies and Guidelines:** Land use policy statements and guidelines guide development (e.g. affordable housing policies, heritage policies and guidelines).
- **Business Regulation:** *The Local Government Act* gives the municipality the authority to regulate business activities, including commercial, industrial, professional, personal or other service businesses. The Community Charter allows the municipality the ability to set up a business license regime which includes not allowing certain types of business activities in the community.
- **Development Approval Information:**
As outlined under the *Local Government Act*, this type of tool helps a municipality understand what the impacts are on the community if the development happens. This report is paid for by the developer and reviewed by the municipality, or if required, a third party paid for by the developer. This type of tool looks at impacts of the following issues:
 1. Traffic flows and other transportation issues
 2. The local infrastructure such as the sewer or water lines. (Do they need to be upgraded and if yes how much will that cost, as the developer will need to pay 100% of these costs?)
 3. Any public facilities
 4. Any community services such as fire or police services
 5. The natural environment



- **Community Amenity Contributions:** The developer voluntarily provides cash to a community to help pay for any current or future capital costs of the project (e.g. for fire halls and equipment, for the building of a library or perhaps the building of a playground).
 - **Density Bonusing:** This is a zoning bylaw which offers additional density if the proponent provides amenities such as affordable housing, special-need housing, public art, etc.
 - **Design Review:** Many local governments establish an advisory committee of local professionals to review the design of proposed developments.
 - **Covenants:** This is a legal contract that runs with the land and is used to restrict or control development/use on a parcel of land (e.g. to protect a public thoroughfare).
 - **Development Cost Charges:** Local governments may impose development cost charges on every person who either obtains approval of a subdivision or obtains a building permit. These charges contribute to the capital cost of new or expanded local infrastructure including libraries, arenas, roads, sewers and water systems.
 - **Temporary Use Permits (TUP):** Instead of trying to change the land use regulations, a developer may seek permission to set up a certain type of land use for a specific term. This type of tool is applicable to a First Nation that has a land code in place and is useful from an economic development perspective in that it allows for the applicant to try to set up a business without the potential risk of a lengthy land lease.
 - **Development Approvals Procedures Bylaws:** These bylaws outline how rezoning applications are processed and how permits get issued.
- As First Nations build their self-governance systems, many have borrowed from the field of municipal planning, especially those in an urban context or those seeking to harmonize with a neighbouring municipality. However, given the different jurisdictional, geographic and cultural contexts, many First Nations have used other tools for implementing their LUP that are better suited to their needs.

B. Understanding Zoning

Zoning land involves dividing up your planning area into smaller units, based on the type of use. For each planning unit or zone identified in your LUP, you can develop a set of laws or regulations of what is permitted or what is not permitted in that area.

Zoning your land is a way to:

- Manage what activities are permitted, where and how on your land
- Ensure there are areas available for different kinds of land uses (e.g. economic development, habitat protection, housing) and that these areas are compatible
- Put aside lands for future needs (e.g. new housing, future school, future cultural centre)
- Provide rules that help to inform future decisions about what can and cannot happen on your land
- Communicate to internal and external interests about land use choices that can be made

CONSIDERATIONS FOR DEVELOPING LAND USE PLANNING TOOLS

- **Administration:** Once the law, regulation or policy is approved for use, make sure there is a person and a system available to accept applications (e.g. ensure there is a Development Permit form that can be filled out, and a fee published for this service).
- **Enforcement:** Any law, regulation or policy you develop will need to be enforced. When developing tools, consider your capacity and resources to implement them. Also consider what rules are needed when dealing with conflict where someone doesn't agree with the law.
- **Jurisdiction:** Your land use governance scenario (see pages 38-41 in Context section for a detailed description of each scenario) will impact your ability to pass laws, policies or regulations.
- **Change management:** Introducing new laws, regulations and policies will mean a new way of doing things. Community members may feel like their individual rights are being threatened by these new tools, which reinforces the importance of ensuring community members have an active role in the process. When change is proposed, ensure all involved are aware of it in advance.
- **Resources:** Developing and implementing new laws, regulations or policies will take time, staff resources and money. You may need to involve external legal support. You will need to ensure understanding and support from staff, leadership and community members which will require extensive engagement and communications.

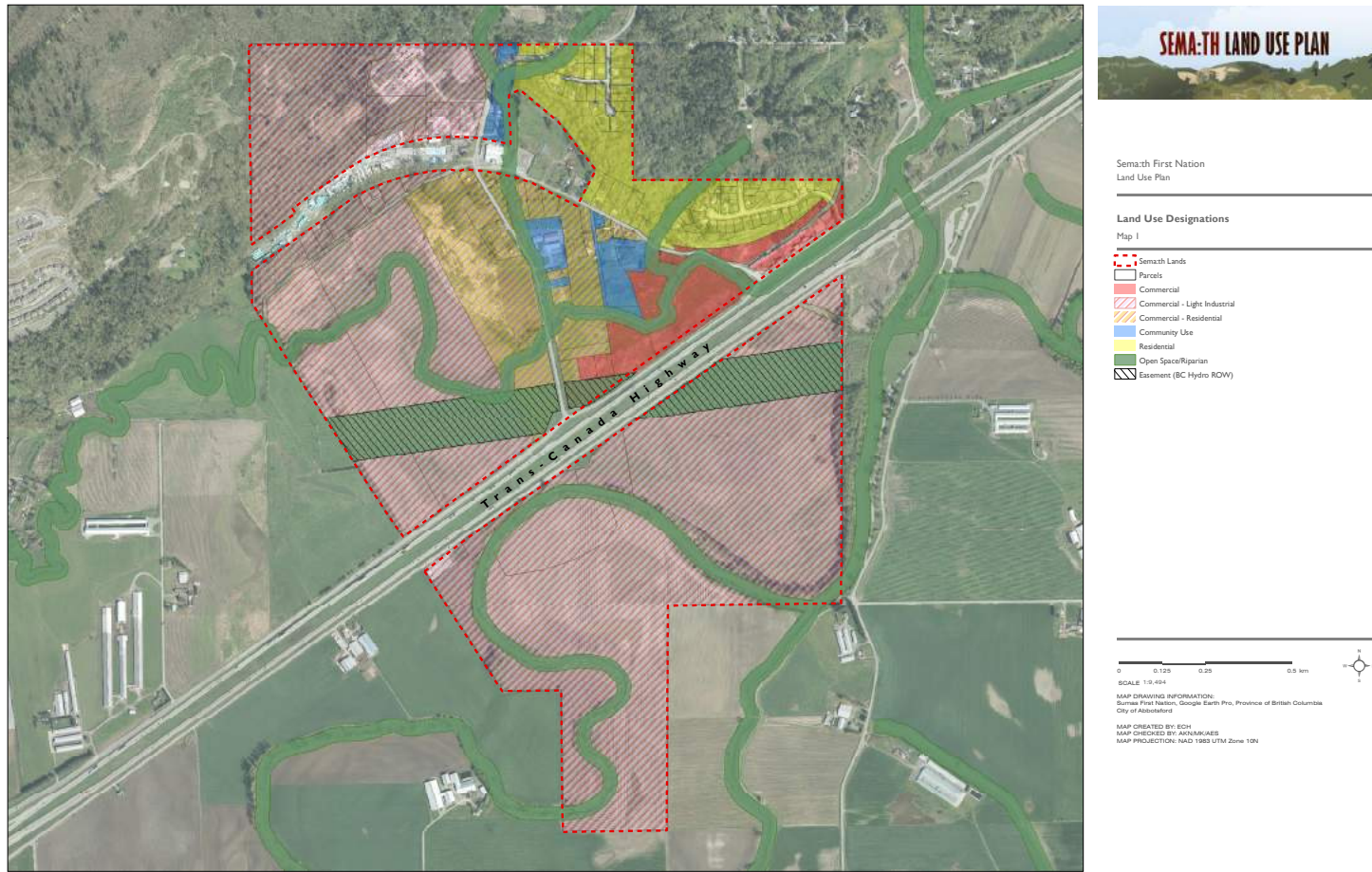


Figure 6-2. Sema:th First Nation Land Use Plan

LAND ZONING CLASSIFICATION

Establishing land zones and corresponding laws, regulations and policies associated with areas, ‘zones’ is a way to ensure that there is a place on your land for all of your desired current and future uses that work in harmony.

Zoning is often expressed by using different colours to identify different LUP zones on a map and showing the different classifications of land use zones with a legend (as seen in Figure 6-2 above).

What you name your land zoning classifications is up to you. Ideally, the

name of the zone provides some direction as to the intended use of that land. For example, a residential zone would be used for housing and a commercial zone for business.

See Toolkit Resources at the end of this step for a Sample Process to Create Land Use Zones and Guidelines.

LAND ZONING CLASSIFICATION (CONTINUED)

For each land use zone you establish, a short description should be provided of the intended activities in that land use zone.

For example:

Protected Cultural Zone – The intent of this land use zone is to acknowledge and protect sites that have cultural significance for uses such as traditional gatherings, ceremonies and education.

Economic Zone – The intent of this land use zone is to set enough land for current and future commercial development for proposed uses such a cultural tourism and recreation, retail, wind energy and food harvesting.

The text box below provides examples of possible land zoning classifications.



SAMPLE LAND ZONING CLASSIFICATIONS

- Agriculture
- Commercial
- Community Use
- Contaminated Site
- Cultural
- Economic Development
- Ecosystem Management
- Forest Management
- General
- Hazard
- Housing or Residential
- Industrial
- Institutional, Manufacturing, Storage
- Multi-Use
- Open Space or Natural
- Protected Water
- Recreation
- Sacred Site
- Sensitive Area
- Traditional Food
- Tourism
- Utilities

LAND USE ZONES VS LAND USE DESIGNATION UNDER THE *INDIAN ACT*

While a land use zone is a general term to describe dividing land by use and describing intended use of these zones, under the *Indian Act* (s.37) a land designation refers to a separate specific process. Section 37 only applies to non-Land Code First Nations, as this process allows non-members access to your land under a lease or permit system.

A land designation is used by ISC when someone outside of the Nation is seeking an interest in First Nations reserve land. Exclusive use of First Nations reserve land for industrial, commercial or residential purposes can be granted by a lease. Non-exclusive use can be granted by a license or permit.

A land designation requires a referendum where the majority of the electors agree with the designation. It also requires a Band Council Resolution.



C. Deciding on Land Use Zones

While there are many different ways to decide on land zones, it will likely involve looking at a combination of technical analysis (e.g. your land capacity analysis) and community knowledge and preferences (e.g. information on values and priorities gathered during community mapping).

Table 6-1 outlines considerations when deciding on land use zones.

Table 6-1. Technical Analysis

TECHNICAL ANALYSIS

Land Features: What features of the land make certain areas more suitable for certain uses than others?

- ▶ For example, you might pick the area with the most fertile soil as an agricultural zone

Constraints: What kinds of constraints have the physical features of the land or historical uses of this land created? Both surface and sub-surface issues should be reviewed.

- ▶ For example, is there contamination on your lands that make it unsuitable for certain uses (e.g. agricultural, habitat protection)?
- ▶ Drainage and/or floodplain concerns
- ▶ Identification of any potential hazards: landslides, avalanche areas, tsunami risk

Feasibility: What features of the land impact the potential for economic or infrastructure development?

- ▶ For example, you might consider how distance from the road might impact the suitability of an area of your land for a tourism venture

Specific Needs: Which land uses require specific conditions to succeed?

- ▶ For example, a fish hatchery will require very specific habitat conditions

Traditional Use: How have your ancestors used the land traditionally and what areas need to be protected for their cultural or spiritual significance?

- ▶ For example, a Traditional Use and Occupancy Study (TUOS) study might reveal the location of an ancient village site that you would like to protect

Natural Boundaries: What natural or man-made features create natural boundaries for your land use zones?

- ▶ For example, a road, a reserve boundary, a river or a mountain ridge may all provide natural boundaries to distinguish land use zones

COMMUNITY KNOWLEDGE AND PREFERENCES

Where on your land are community members currently doing certain activities?

- ▶ For example, is there an area where many community members are already hunting or fishing that is important to protect?

Where do community members envision future uses?

- ▶ Is there an area where many community members have the same vision for land use?

What areas do community members consider sacred, culturally or historically important?

- ▶ Are there certain areas that should be protected?

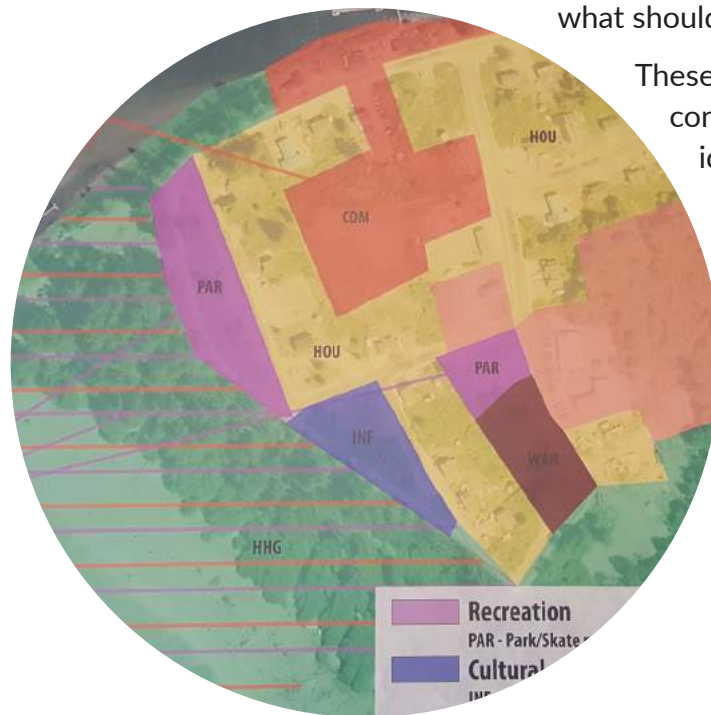
Where do community members perceive the heart of the community to be?

- ▶ What area is well suited for community amenities?

LINKING A COMMUNITY MAPPING PROCESS TO DECIDING ON LAND ZONES

A community mapping exercise will give you a sense of how the land was used in the past, how community members are using it now, and how they would like to use it in the future (refer to the community mapping section in Step 4). You may also ask community members to identify zones on their maps and suggest zone boundaries and names.

When compiling and analyzing the data from a community mapping exercise, you will want to look for areas where there appears to be consensus or strong agreement on what should happen in that area.



These preferences alongside the constraints and opportunities identified during technical analysis will guide you in deciding the zones and zone classifications for your lands.

D. Land Use Laws, Regulations or Policies

Once you have established where your land use zones will be throughout your planning area and what they will be called, the next step is to develop the laws, regulations or policies that can be used to describe and enforce what activities are and are not permitted in each of the land use zones.

See Sample Land Use Policies in Toolkit Resources at the end of this step for examples of permitted and non-permitted land uses and activities by land use zone.

DEFINITIONS OF LAW, REGULATION AND POLICY

Land use planning laws, regulations and policies are the tools that help a First Nation move towards a common community vision rather than reacting to events as they unfold. These tools work together to create a good land management system. Let's look at each one of them in detail:

Law: Laws are enacted by government bodies (First Nation, federal, provincial, territorial and municipal). Laws are a set of rules. They describe what can or cannot be done and they must be obeyed by everyone. Laws have a specific enactment procedure and are administered and enforceable through our system of courts. Enforcement officers under the land code can issue infraction tickets on any law violation created under the land code. Under the *Indian Act*, a First Nation may choose to enact bylaws under Section 81. Under a land code, a First Nation may enact a zoning law (and approximately 15 to 20 other related land laws), which define minimum lot sizes and what uses are allowable on specific lots. The zoning law states what the Certificate of Possession (CP) holders can legally do today on their lot. For example, if the landholder is interested in developing a gas station, the zoning law will state whether or not that use is allowed. Laws are black and white and are not open to interpretation. If the use is not identified in the law, it is not permitted. Changes can be made to the law, with approval from leadership.

Example Zoning Law: In the Light Industrial zone, the permitted uses may be: manufacturing, food processing, storage or warehousing, an automobile service station, an office or a garden nursery and/or a commercial greenhouse.



Regulation: Regulation is a legal document that defines in more detail the procedures to be followed to administer a law, which includes what should happen when laws are not followed. Regulations are specific to the laws that they relate to. A regulation can only be developed when the authority to make it is written into the law. Regulations are also black and white and not open to interpretation. They can be easier to change and amend than a law. Following the 'zoning' example, a regulation relating to the zoning law might lay out how a CP holder can apply for a permit to develop a gas station.

Example Regulation: An application for a development permit shall include two site plans prepared by a British Columbian land surveyor showing the setbacks to the boundary of any lake, swamp, pond or watercourse.

Policy: A policy is a less stringent set of rules or strategies set in place to improve standards. They are set in place to achieve certain objectives that are within the law or the LUP. Policies often address an issue more broadly and in more detail than what is written into law. Policies are relatively easy to change or amend and can be open to some interpretation. With the gas station example, following the regulation about how to apply for a development permit, a specific policy might outline the minimum allowable distance from a lake, swamp, pond or watercourse.

Example policy: All developments must be setback 15m from a lake, swamp, pond or watercourse.

Table 6-2 provides a simple example of the permitted and non-permitted uses under each sample land use zone along with corresponding policies.

LAND USE ZONE	PERMITTED USES	NON-PERMITTED USES	POLICIES
Economic Development	<ul style="list-style-type: none"> • Ecotourism • Forestry 	<ul style="list-style-type: none"> • Mining • Heavy industrial 	<ul style="list-style-type: none"> • All economic development projects in this zone shall be subject to our environmental assessment review process to ensure minimal harm to our lands and waterways
Traditional Food	<ul style="list-style-type: none"> • Hunting • Harvesting 	<ul style="list-style-type: none"> • Forestry • Tourism 	<ul style="list-style-type: none"> • We will not authorize any land use that physically disturbs the habitat of the following culturally important species: elk, bear, wolf
Residential	<ul style="list-style-type: none"> • Housing • Small commercial 	<ul style="list-style-type: none"> • Heavy industrial 	<ul style="list-style-type: none"> • All houses must be set back from the street a minimum of 8 feet (2.5 m)
Institutional	<ul style="list-style-type: none"> • Education (school) • Care facilities • Community centre • Governance office 	<ul style="list-style-type: none"> • Housing • Heavy industrial 	<ul style="list-style-type: none"> • All institutional buildings should be built with high environmental standards (e.g. LEED certification)

Table 6-2. Sample Land Use Zones and Policies

LANGUAGE AND POLICY WRITING

Notice that some policies use hard language like “must” or “shall” while other policies might use softer language such as “should”. The language you use relates directly to your enforcement capacity. Softer language might be used for policies that are intended to suggest preferred conduct while leaving some flexibility for exceptions. Hard language signals that there is enforcement capacity and that there will be consequences for not following the LUP policies.

E. Permitting

A permitting system involves setting up a process where individuals or organizations submit an application to the First Nations administration to obtain permission to conduct certain activities. Here are some examples of the types of permits that could be used to put your LUP into action.

Development permits: Permits are often tied to development. For example, if someone wants to develop something new on your land, they would need to apply for a development permit. A development permit can approve the location, size and use of a parcel of land as long as it conforms with the goals and guidelines set out by the LUP. Development permits might be designed to address environmental concerns, for example to ensure protection of ecosystems by promoting energy conservation, water conservation or the reduction of greenhouse gases. Development permits could also be used to regulate design, to address the form and character of the building or structure and to address landscaping issues.

See Toolkit Resources at the end of step for a Sample Development Approvals Flowchart.

Resource use permits: Permits can be tied to resource use. For example, you might ask non-community members to apply for a permit before hunting on your traditional territory.

Business permits: If a First Nation has a business licensing policy or law, they might require businesses that want to operate on their lands to apply for a business permit.

Building permits: Under a building law, a First Nation may require members who want to build a new building to apply for a building permit to control the standards to which the new building is built.

F. Referrals Process

The referral process in BC has developed as a result of court cases such as *Haida Nation v British Columbia* (2004) which found that the provincial and federal Crown had a legal duty to consult and accommodate First Nations when development activities were being carried out within their traditional territories. Anytime the Crown is making a decision which may impact Aboriginal rights, they must notify a First Nation and request information about any potential impacts of the decision on Aboriginal rights (see the Decision-making Checklist in Toolkit Resources at the end of this step for an example form Nations can use when assessing the potential impacts of a proposed activity). A referral is a common term used to describe the document from the Crown or a third party which notifies the First Nation of a proposal and requests information from the First Nation about

any potential impacts of the decision on Aboriginal Rights and Title.

First Nations Land Departments face the burden of engaging with many development projects that affect their interests. Organizing, prioritizing, analyzing and responding to referrals effectively is challenging for First Nations with limited staff or resources.

Many First Nations have put a referrals policy in place. Some First Nations ask for a referral fee from the Crown or third party to ensure that they have the resources to respond effectively. Some First Nations use referrals software to help manage information and ensure that the Nation has access to quality information and the resources to respond.

The LUP is an important tool that presents the needs, interests and rights of the First Nation. The LUP is an expression of the

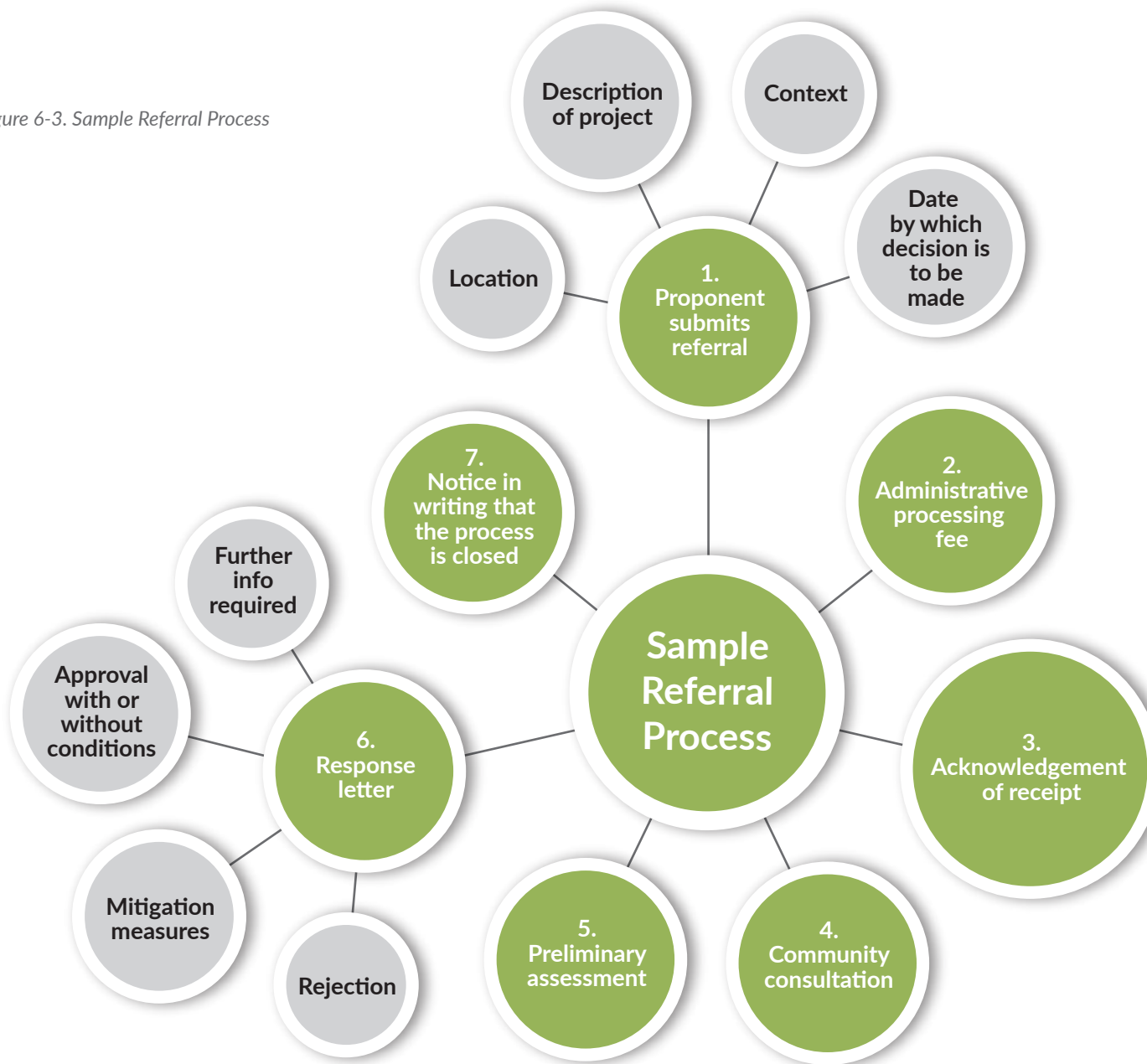
community's priorities and strategies for the development and protection of their lands and resources. When managing referrals, a LUP can be a helpful tool to:

- Identify which referrals are most important to respond to
- Assess and evaluate referrals
- Send a clear message to industry of the values and priorities of your First Nation

Figure 6-3 presents a sample referrals process . The criteria used to assess and evaluate referrals during Step 5 should be guided by the Vision, Principles, Directions, Strategies and priority Actions of your LUP. In addition, your LUP may have specific regulations, policies or permitting systems that will need to be addressed by proponents as part of the referral process .

See Toolkit Resources at the end of step for a sample Referrals Checklist.

Figure 6-3. Sample Referral Process



TOOLKIT RESOURCES:

- A. Sample Process to Create Land Use Zones and Guidelines
- B. Sample Land Use Policies
- C. Sample Development Approvals Flowchart
- D. Referrals Checklist
- E. Decision-Making Checklist

For more information check out:

LUP Tools

Eric Damian Kelly (2010) *Community Planning- An Introduction to the Comprehensive Plan, Second Edition*, Island Press

Union of British Columbia Municipalities (2008) *Local Government in British Columbia, Fourth Edition*. Retrieved at: <http://ubcm.ca/assets/Services/Documents/LGBC%20-%20ALL.pdf>

Michael A. Von Hausen (2013) *Dynamic Urban Design: A Handbook for Creating Sustainable Communities Worldwide*

Referrals

Ecotrust Canada (2017) *Referrals Software an analysis of options*. July 31, 2017

Kla-soms Kwuth Tooqen: A Toolbox for Responding to Crown Land Referrals, Native Maps, updated May 2012. <http://nativemaps.org/?q=taxonomy/term/186>

Lower Similkameen Indian Band (2014) *Referral Policy*. Retrieved at: <http://lsib.net/blog/wp-content/uploads/2011/07/Lower-Similkameen-Indian-Band-Referral-Policy2.pdf>

Centre for Indigenous Environmental Resources (CIER) (2007) *Consulting with the Crown: A Guide for First Nations*

STEP 7

Document Plan

How do we tell our LUP story?

Your Vision Framework is now supported by a set of LUP tools. Next comes the time to share your LUP story and document the results of your process and plan. This involves identifying the communications needs of your target audiences and choosing appropriate tools that meet those needs. There is an opportunity to document the results of your process and decisions in a user friendly and accessible way and bring your LUP story to life with visuals that reflect and respect your culture.

In this section, we explore:

- A. Understanding communications and documenting results
- B. Structuring the LUP
- C. Choosing tools for your audiences
- D. Cultural framing and metaphors
- E. Using visuals
- F. Maps



decide

“

Supporting documents such as zoning and building bylaws will enhance the LUP.”

LUP Workshop Participant (2017)

“

Data management and governance are the most important issues we face.”

LUP Workshop Participant (2016)



“

Return information to the community in a culturally relevant, easy to understand way.”

LUP Workshop Participant (2016)

“

Record your journey/ story: video, slides, photos, recordings, documentary.”

LUP Workshop Participant (2017)

A. Understanding Communications and Documenting Results

Communications: Communication is defined as the exchange of knowledge. In every communication, there is a sender and receiver of information and a process of interpreting information. A number of factors influence how knowledge and information is disseminated:

- Literacy levels
- Educational background
- Culture
- Relationship with communicator
- Past knowledge or experiences
- Ability to listen
- Learning styles, communication preferences
- Emotional state

As a communicator, when documenting your LUP, you have an opportunity to consider the characteristics of your target audience—the people you hope will read and use your LUP. There will likely be numerous audiences to consider.

Documentation: As covered in Step 3, communications throughout your LUP process is an opportunity to build a sense of connection, belonging, trust and unity. It is also an important way to ensure that everyone understands how the LUP was created, what is in the LUP and how the LUP will be put into action.

The final LUP report should be communicated in such a way that everyone understands what was decided and what needs to happen to implement the LUP.

Documenting the results of your LUP is an important way to:

- Tell your story
- Assert your Rights and Title
- Generate understanding
- Exercise your land use planning authority
- Share results broadly
- Build excitement about the LUP
- Make community members feel like their contributions are valued
- Build relationships and trust
- Help community members understand the LUP
- Ensure implementation of the LUP

B. Structuring the LUP

Communicating your LUP can take many different forms and formats. You have an opportunity to choose a format that meets your communications needs. Here are some considerations when trying to decide on the structure and format of your LUP:

- Who are the audiences? (e.g. industry, government, community members, staff)
- What are the communication needs and expectations of the target audience?
- What are your goals in creating this document? (e.g. to share technical information, to educate external organizations, to build community buy-in, unity and pride, to help staff)
- What is the communications budget?

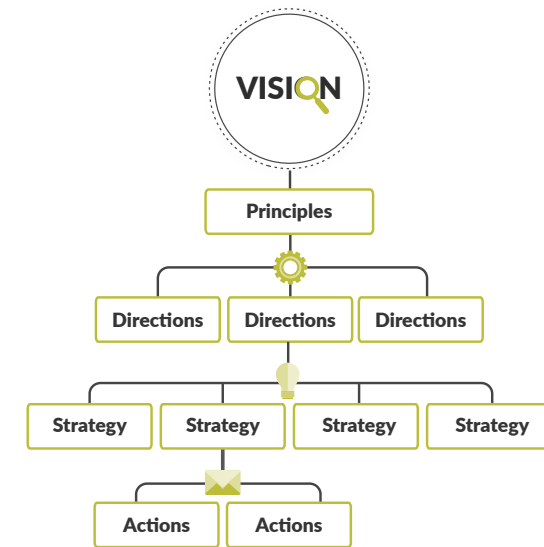
There is a huge variety in the look and feel of LUPs. You may want to flip through some other LUPs before deciding how you want to present yours.

When deciding what your LUP will look like, consider:

How you will acknowledge

contributions: An acknowledgements section provides an opportunity to publicly honour those who have contributed to the LUP process. You may want to make a special mention of those who have devoted their time to the process. If appropriate for your community, one option is to list the names of all of the community members who have participated in the LUP process.

Starting with a summary: If someone was only going to read the first three pages of your LUP, what would they need to know? Putting a summary in the front of your LUP is one way to make the document more accessible. The summary should express the core of what is in your LUP.



Using your LUP Vision Framework to organize the LUP: Your Vision Framework (Vision, Principles, Directions, Strategies, Actions) is the skeleton of your LUP. Use your Vision Framework in your summary and as a way to organize findings from your LUP process.

Describing your methodology:

A methodology describes the steps you took to create the LUP. By reading this section, readers should understand the steps you took and how decisions were made. Elements to consider include how the planning team was assembled, your engagement and communications strategy, and the overall steps of your LUP process.

Summarizing key strengths, issues and opportunities: A Situational Assessment, or a summary of your Situational Assessment should summarize for readers the key strengths, issues and opportunities the LUP responds to.

Including your implementation and monitoring and evaluation strategies: The LUP should give readers an indication of how it will be implemented, monitored and evaluated.

Navigation: Consider how readers will navigate the LUP. A table of contents is a standard navigational tool, but you may also use colours or symbols to distinguish sections of your report.

Using local symbols and metaphors: Your plan should reflect the uniqueness of your community. By using local symbols and metaphors to communicate results, readers can see your community reflected in the document.

Using photos and quotes: Community members like to see themselves in the plan. One way of doing this is to include lots of photos from your LUP process. Consider appointing a photographer who focuses on taking photos of the LUP process. Another way is to include lots of quotes from community members so that community members can literally see their own words featured in the LUP.

Summarizing key findings and putting analysis in the appendices: One strategy for making a potentially technical LUP more accessible is to feature key findings and points in the plan, and save more technical details and analysis for an appendices binder. You can refer to the appendices binder to guide readers if they would like more information. For example, you might include a summary of your community profile and situational assessment in your LUP but include the full community profile and situational assessment in the appendices.

Using visual tools: Visual tools such as maps, illustrations and pictures help bring the LUP to life. Using diagrams to summarize written content is one way to make your plan more accessible to community members who may prefer visual communication tools over text based tools.

See Toolkit Resources at the end of this step for a Sample LUP Table of Contents.

C. Choosing Tools for your Audiences

Your LUP can be more than a written report. A diversity of communication tools could help meet the needs of your different audiences.

The following are example communication tools that can help present the results of your LUP process:

1. **A LUP Report (long and short version):** This is the most widely known communication tool. A LUP report presents the results of the planning process (see below for description of potential elements of a LUP report). One strategy is to create different reports for different audiences. For example, you may have a longer, more technical report aimed at staff, leadership, external organizations and funders. For grassroots community members, you may create a shorter, accessible summary report.
2. **LUP summary brochure:** A summary brochure aims to distill the key elements of your LUP in a few pages. A summary brochure is typically a visual summary of what is in the LUP. It can be a helpful communication tool for quickly orienting community members or external organizations to what is in the LUP.
3. **LUP poster:** Much like the brochure, a summary poster aims to present the key elements of the LUP visually. A poster can be a handy tool for presentations. On the walls of the administration office, it can be a helpful tool to remind leadership and staff of the elements of the LUP and show visiting community members that the LUP is being used.
4. **Newsletters:** Throughout the LUP process you can update community members through LUP newsletters. At the end of the process, the newsletter becomes an important communications tool in telling the story of the LUP process. See Toolkit Resources at the end of this step for a Sample Newsletter Template.
5. **Video:** More and more communities are using video as a way to tell their LUP stories. A short video describing the contents of the LUP can be a powerful way to tell your LUP story and reach a broad audience.



Figure 7-1 considers which of the above communication tools are appropriate for different potential readers of your LUP.



Figure 7-1. Example Communication Tools

D. Cultural Framing and Metaphors

If strengthening culture is one of the goals of your LUP process, one key opportunity is drawing on cultural stories, symbols or art in the communication tools you use to present your LUP.

Some potential cultural elements to consider include:

- Does your community have any traditional stories that can be drawn upon?
- Do you have any traditional clan or family symbols?
- Are there any particular traditional activities that your community is known for? (e.g. fishing, weaving, drumming)
- Do you have any traditional art forms that could be used to decorate the plan?



The following are examples of how First Nations have used culture in the way they presented their planning reports:

1. **Use of a cultural metaphor to describe the planning process:** The Taku River Tlingit First Nation used the salmon cycle to describe their 5-step planning process for their Physical Development Plan (see Figure 2-4 on page 90).
2. **Illustrate your plan with art from your community or in a way that represents significant aspects of your culture:** Pikangikum First Nation used their clan symbols to mark each section of their health plan (see Figure 7-2 on the next page).
3. **Use of traditional language throughout the plan to teach and honour traditional language:** Taku River Tlingit First Nation used the traditional names of their village sites rather than ISC designated reserve names in their Physical Development Plan (see Figure 7-3 on page 228).

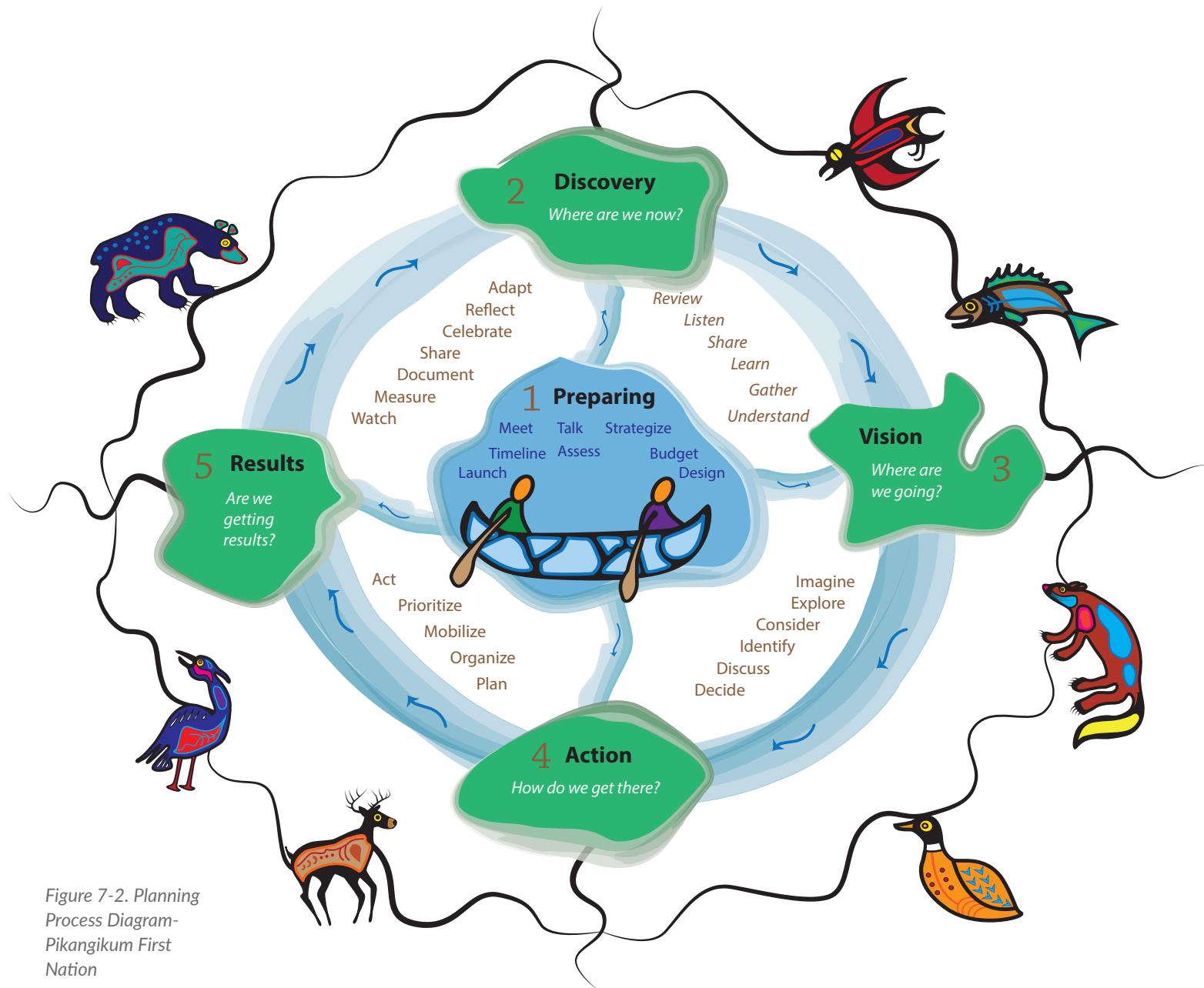


Figure 7-2. Planning Process Diagram- Pikangikum First Nation



● Live Off Reserve

E. Using Visuals

As mentioned earlier, a number of factors will influence how people interpret information. Communicating information visually is a key way to make your LUP communication products accessible to a wide array of readers. Communicating information visually often requires the support of someone with graphic design skills. If a visual document is important for the audience you are trying to target, you will need to budget for graphic design support. The following are some of the most commonly used visual tools in documenting a LUP.

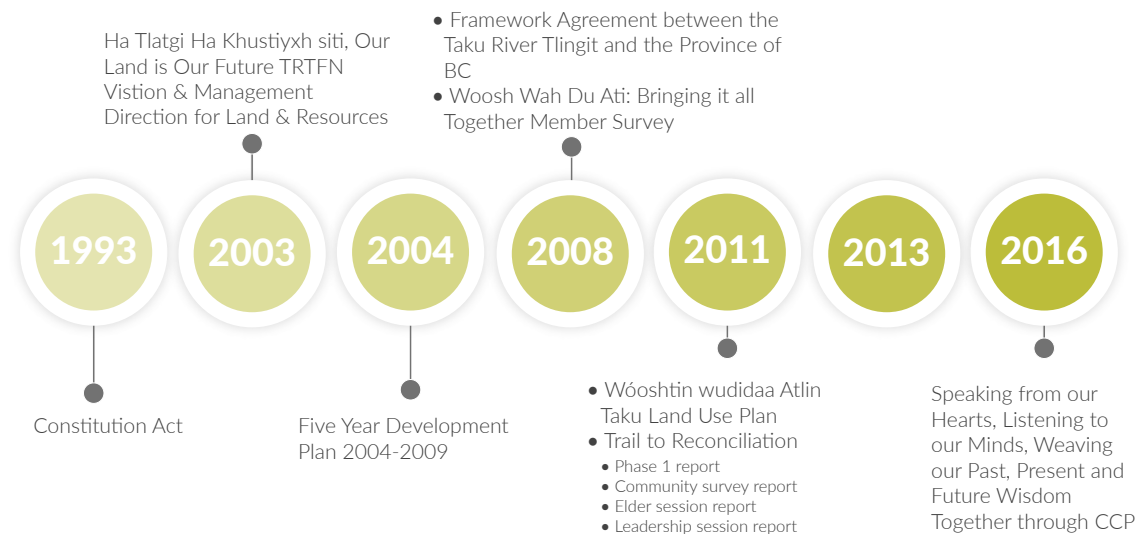
INFOGRAPHICS

An infographic is a visual image used to represent information in a visual way.

The above diagram attempts to show visually the following text: “83% of the community lives off-reserve”.

TIMELINES

Timelines are a specific infographic used to communicate a series of dates. They can be helpful in summarizing history, or to describe the events of the planning process (see below).





PHOTOGRAPHY

Photos of your community, your land, and your local animals and plants will help ground your LUP communication tools in place. Photography is also a great opportunity to document the LUP process. Community members will love to see themselves in the plan and see the activities of the process. Photos are also a great way to showcase the beauty of your lands. Consider hiring a community member (maybe a Youth) to take photos for the LUP, or launch a photo contest to encourage members to share their photos of the land.



ART

Many of our BC First Nations communities are rich in artists. Featuring art from your community is a key way to ground the LUP in your community, feature local artists and ensure that your culture is reflected.

Source: Homalco First Nation courtesy of Todd Peacey



Figure 7-3. Tiyati X A Jighe Land Use Map

F. Maps

There are many types of maps used for different purposes. Generally, a map is a picture or plan of an area as seen from above. In your LUP document, maps will play an important role in communicating information about your land.

Maps are used:

- To share information about what is on your land now or how your land was used historically
- To communicate and raise awareness on information about your land (features, geography, statistics)
- To define boundaries
- To describe how different parts of the land will be managed

Maps can be used as a tool to communicate a wide range of types of information about your lands including:

1. **Community boundaries or traditional territories:**
 - ▶ Features of the land
 - ▶ Use of the land
 - ▶ Land ownership
 - ▶ Roads and trails
 - ▶ Landmark
2. **Technical information:**
 - ▶ Hydrology (water and drainage)
 - ▶ Topography
 - ▶ Vegetation/wildlife
 - ▶ Natural disaster risks
 - ▶ Historical events
 - ▶ Place names
 - ▶ Transportation patterns
 - ▶ Statistics by location

Most often in a LUP, a map is used to show the location of different land use zones. Innovative and visually appealing, maps are a key tool to communicate information to readers. Consider using maps not only to show technical information, but also to use art, colours, and illustrations to bring spatial information to life.

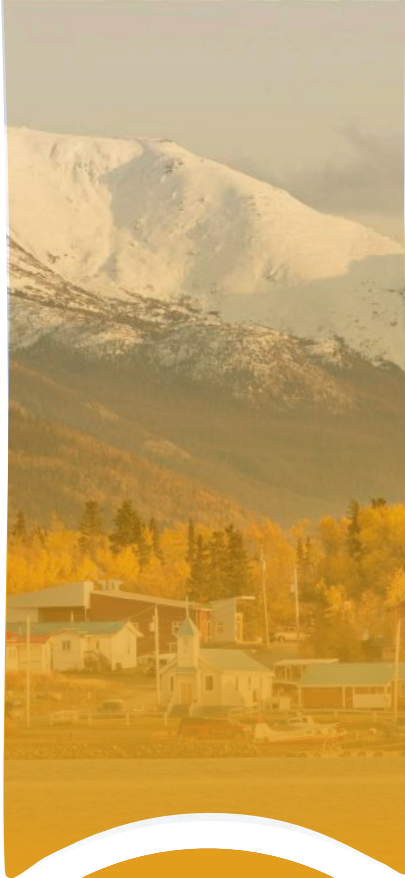
Figure 7-3 is a sample from TRTFN's physical development plan that shows not only land designations, but also illustrations that represent community members' Vision for future development.

TOOLKIT RESOURCES:

- A.** Sample LUP Table of Contents
- B.** Sample Newsletter Template

For more information:

INAC (2007) First Nations Communications Toolkit



STEP 8

Endorse and Celebrate

How do we endorse and celebrate our plan?

Our LUP story has been documented. The act of completing the LUP document is a natural place to endorse the LUP and celebrate the accomplishment. It is also a time of transition from planning to action. Now that this round of planning is complete, how do we mark this transition?

In this section, we explore:

- A. The importance of endorsement and celebration
- B. Community review of the LUP
- C. Teaching the LUP
- D. Good practices and options for plan endorsement
- E. Community celebration of LUP



act

“

This is my people (the LUP), this is how my people see the land, the way they talk is captured, the plan is what they feel and think."

John Ward

“

LUP is a fantastic tool."

LUP Workshop Participant (2016)



“

LUP can be fun."

LUP Workshop Participant (2017)

“

Planning for joy, planning like it's a party."

LUP Workshop Participant (2017)

A. The Importance of Endorsement and Celebration

In Step 8, we ensure that the transition from planning to action is marked in some way. Making this transition noticeable has many benefits including:

- Signaling the end of the current planning cycle
- Fulfilling the promise to keep community members informed
- Building community ownership of the LUP
- Showcasing and acknowledging community members' contributions
- Teaching the LUP (what it is, what it can be used for)
- Promoting public recognition that this LUP represents the voice of the community and will guide future decision-making
- Making planning a ceremony; an opportunity to bring in cultural practices around acknowledgement and transition



B. Community Review of the LUP

Before announcing that the LUP is final, it is important to build in time for a community review process. This is an important step in maintaining a community-driven approach and getting community members to validate their contributions. A community review process means that community members get a chance to see a draft LUP and make any suggestions for changes to the final plan.

Here are a few benefits of building in an opportunity for community review:

- ☑ Reflects a community-driven approach to planning
- ☑ Honours community members' contributions and knowledge
- ☑ Creates a chance to validate and verify results
- ☑ Troubleshoots any points of disagreement
- ☑ Builds more community buy-in
- ☑ Contributes to collective self-governance

There are many ways to conduct a community review process. Here are a few ideas on how to do this:

- **Option 1:** Circulate the draft LUP electronically or door to door and invite community members to contact the Planning Support Team with any suggestions or edits within a certain review period (e.g. two weeks)
- **Option 2:** Present and explain the draft LUP at a community meeting and then invite community members to submit comments on comment cards
- **Option 3:** Convene a group of community members for a workshop where the LUP is presented and explained and group members discuss possible revisions
- **Option 4:** Host a station-based workshop where community members are invited to review different sections of the LUP at different stations and provide suggestions for revisions

C. Teaching the LUP

Once the LUP is finalized, or as part of the review process, an important step is to create opportunities to teach the LUP to community members, staff, leadership and external interests.

Teaching the LUP means communicating why the LUP was needed, what is in the LUP, how it was created and how it can be used.

This can be accomplished in a number of different ways, for example:

- A series of workshops teaching the plan
- A large poster board summarizing the main elements of the plan
- A newsletter that summarizes the content of the plan
- A video describing the plan that is circulated online
- A series of sessions on community radio

These tools might be customized to the different audiences (e.g. community members, staff, leadership and external interests).



SAMPLE DESCRIPTION OF A LUP

Here is a sample of a quick overview aimed at teaching the Green River First Nation LUP.

What is a LUP?

Our LUP is a document that tells the story about the past, present and future state of our lands. Based on a process of coming together as a community to discuss how to use or not use the land in the future, our LUP identifies which lands to protect and develop based on our needs, values and priorities.

Why a LUP?

As we continue our journey towards self-governance, our LUP will be a powerful tool in negotiations with external interests. Our LUP will better position us for economic development opportunities and to better be able to respond strategically to municipal, provincial, federal and industry initiatives. Our LUP will allow us to identify and respond to environmental concerns and ensure that our land is protected and/or developed according to our needs and values.

How was our LUP created?

Over 150 community members participated in our community-driven LUP process with events on and off-reserve over the last two years. Our vision was to create an inclusive process where informed community members were meaningfully engaged to make wise decisions about our lands and resources. Led by a community-based Planning Team, our process invited community members to share their ideas through art, surveys, storytelling and discussion groups. Community members also helped narrow down ideas through dotmocracy and voting on scenarios. A group of community members reviewed our draft LUP to verify and validate results.

How will our LUP be used?

Our LUP will guide future decision-making relating to the future of our lands. Our leadership and staff will use the LUP to guide their work. Our LUP will serve to educate external interests of our values and needs and be used in negotiations.

D. Good Practices and Options for Plan Endorsement

Something needs to happen to signal the transition from planning to action. The need for a formal process will depend on your context and First Nation. For example, if leadership endorsement is important or required for your community, a formal resolution will be important (see a Sample Band Council Resolution Endorsing the LUP in the Toolkit Resources at the end of this step). If the tone of the process is that this is a community-driven LUP, the need for formal endorsement might be less important.

The benefits of approving a LUP, whether formally or informally, include:

- **Acknowledgement:** To acknowledge the hard work of community members who worked on the LUP
- **Support:** To obtain increased community support for the implementation of the LUP
- **Closure:** To give closure to this chapter of the LUP process as the community moves forward to implementing the LUP actions and projects
- **Unity:** To build community unity as people work together to achieve the LUP vision
- **Action:** To signal the start of the implementation of the LUP

Some options for approving and/or endorsing your LUP include:

- The Planning Team hosts a feast to celebrate the completion of the LUP
- Leadership writes a letter of endorsement as a forward to the LUP
- Leadership passes a Band Council Resolution formally adopting the LUP
- Leadership identifies and acknowledges all of the participants who participated to the LUP process



E. Community Celebration of LUP

A community celebration can bring closure to this step of the LUP process. This step is important because community members will want to see and hear how their input was incorporated into the LUP. The celebration could also serve to mark the end of the review process and acceptance of the LUP. The nature of the community celebration will depend on your community's preferences, budget, protocols and traditions. Elements to consider include:

- Hosting a feast and celebration
 - Sharing cultural activities or entertainment
 - Giving a presentation that teaches and explains the LUP
 - Including large maps of the LUP areas
 - Preparing a large poster that summarizes the contents of the LUP
 - Having members of the Planning Team on hand to answer questions and receive feedback
- Showcasing the hard work of the Planning Team
 - Having leadership speak to the importance and purpose of the LUP
 - Acknowledging specific contributions to the LUP process with prizes, awards or certificates
 - Having some fun and celebrating the accomplishment of completing the plan
 - Filming the experience or developing a photo library

TOOLKIT RESOURCES:

- A. [Sample Band Council Resolution Endorsing the LUP](#)



STEP 9

Carry Out Plan

How do we put our plan into action?

Congratulations! Your process has reached the end of a cycle, you have documented your LUP and have celebrated its completion. Now the hardest part begins, putting your LUP into action. Implementation is about making sure that your LUP comes alive and that you achieve the results and outcomes your community members said they wanted as expressed in your LUP Vision Framework.

In this section, we explore:

- A. Understanding implementation
- B. Value of implementation
- C. Implementation success factors
- D. Implementation tools
- E. Implementation challenges and strategies
- F. Step-by-step Implementation Strategy



act

“

Need to carry out LUP in steps – don't take on too much at once."

LUP Workshop Participant (2017)



“

Turn issues into goals and actions."

LUP Workshop Participant (2018)

A. Understanding Implementation

Implementation is the process of putting your LUP and related parts into action to meet your LUP Vision. Implementation is a time of transition from planning to action, which means organizing the resources (e.g. people, information, funding, time and tools) needed to carry out the change defined by the Vision Framework. This involves deciding who is going to do what, when and how, and what resources are needed to carry out the activities and priority Actions to realize the Vision for your land use (see Figure 9-1 below).

Implementing the LUP may require some changes in how things are done in the departments of your Government office. It helps to think of yourself as coordinating a period of transition to do things in a different way.

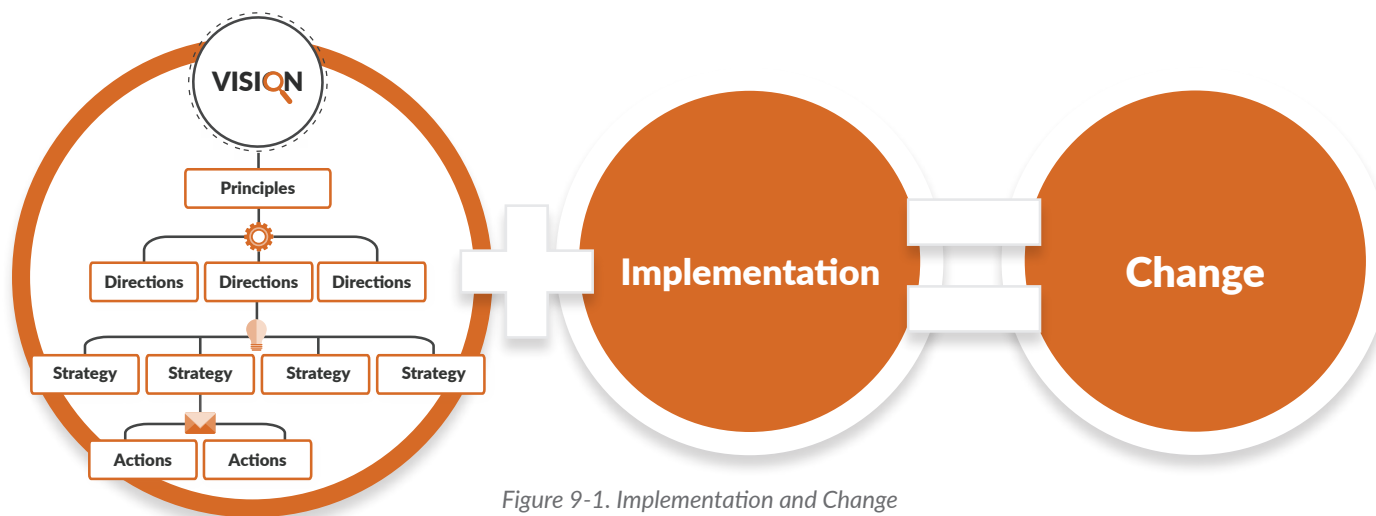


Figure 9-1. Implementation and Change



B. Value of Implementation

Ensuring that the LUP is implemented is important for the following reasons:

- **Exercise Rights and Title:** Your LUP is a way to show your connection to your land since time immemorial. This information can be used to advocate for your right to maintain and protect the resources within your lands.
- **Good Land Governance:** Your LUP is designed to ensure that your community's needs and values are driving land use decisions. Actively using your LUP to drive decision-making ensures that those needs and values are being honoured. It is an expression of community-driven self-governance.
- **Fulfilling Responsibility:** Leadership has a responsibility and commitment to ensure that the unified community-driven vision for land use expressed by community members is brought to life. It is part of the promise you make to community members and staff when you ask them to engage in the LUP process and they do their part by contributing.
- **Accountability and Building Trust:** Implementation is an opportunity to show community members they are being heard and their ideas are being validated and put into action.
- **Continued Engagement:** Actively using the LUP and sharing information about the LUP keeps community members updated and engaged.
- **Reducing Cynicism:** Chances are this is not the first time community members have engaged in a process that they believed would lead to change and were disappointed by a lack of action. Keeping the LUP alive, using your LUP and delivering on priority Actions helps reduce this cynicism.
- **Getting Results:** Ensure that desired changes and benefits happen as a result of LUP implementation.

IMPLEMENTATION CONSIDERATIONS

When considering implementing your LUP, the following list of questions can be discussed to help us answer the question “Are we ready to implement this Action?”

- How urgent is this Action? What is its level of priority?
- What specific skills or knowledge is needed to pull this Action off?
- How many people do we need to pull this Action off? Who is the right person to pull this off?
- How many salaried hours will be required to implement this Action? What are the project management costs? Do we have enough time?
- What external resources might we need to implement this Action?
- How much will implementing this Action cost? Is there enough in the budget to do it this year?
- What is the process to implement this Action?
- How long will implementing this Action take?
- What additional information do we need before implementing this Action (e.g. a feasibility study, a community survey or a business plan)?
- How will we evaluate the effectiveness or results of this Action?
- What are the risks in taking this Action on?

C. Implementation Success Factors

What does effective implementation depend on? Understanding this at the beginning of your LUP process (i.e. during the “Prepare” stage) can help ensure you create the success factors that will support implementation throughout your LUP process.

Consider these questions:

- **Leadership:** Does leadership recognize the value of the LUP in guiding decision-making?
- **Staff Buy-in:** Does staff buy in to the value of the LUP and does it guide day-to-day operations?
- **Shared Understanding:** Do community members, staff, directors and leadership have a shared understanding of the implementation process and what needs to happen first?
- **Funding:** Is there adequate funding to implement the responsibility and Actions proposed in the LUP?
- **Clear Roles and Responsibilities:** Does everyone understand their roles and responsibilities in implementing the LUP?
- **Capacity and Resources:** Do staff and the Implementation Committee (description on next page) have the capacity, time and resources needed to implement the Actions proposed in the LUP, including more project planning?
- **Good Project Management:** Is someone managing and/or leading the implementation of the LUP? Is this a dedicated position?
- **Enforcement Capacity:** Do you have the resources and jurisdiction to enforce the LUP policies established in the LUP?





Figure 9-2. Implementation Tools

E. Implementation Challenges and Strategies

In a perfect world, your LUP was created with implementation in mind. Even so, implementation is challenging. Table 9-1 summarizes some typical implementation challenges and strategies with corresponding tools.



POTENTIAL CHALLENGE	STRATEGY	TOOLS
<p>1. Not enough communication: Not enough information about the status of implementation, what has been accomplished, what has not, and why</p>	<ul style="list-style-type: none"> ☑ Develop a Communications Strategy: commit to providing community members with regular updates on how the LUP is being used, what has been accomplished, and why 	<ul style="list-style-type: none"> ☑ Communications Strategy
<p>2. Lack of coordination: Departments are operating in silos and are failing to coordinate their efforts to implement the LUP</p>	<ul style="list-style-type: none"> ☑ Implement the LUP incrementally: start by tackling small Actions to help build the momentum needed to work towards bigger goals ☑ Develop Work Plans for each department in which the LUP is integrated. ☑ Have regular interdepartmental meetings to report on LUP progress and celebrate accomplishments 	<ul style="list-style-type: none"> ☑ Work Plans (see a Sample Implementation Work Plan in Toolkit Resources at end of this step) ☑ Interdepartmental meetings

Table 9-1. Implementation Challenges and Strategies

POTENTIAL CHALLENGE	STRATEGY	TOOLS
<p>3. Lack of accountability: No clarity on where the LUP stands or on individual and departmental roles in implementing the LUP</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Develop Work Plans for each department with short and long-term goals and corresponding targets <input checked="" type="checkbox"/> Clarify roles and responsibilities by adapting job descriptions to include LUP implementation responsibilities <input checked="" type="checkbox"/> Integrate LUP with other plans by considering how sector plans (e.g. Health Plans or Education Plans) might be updated to align with the LUP <input checked="" type="checkbox"/> Monitor and evaluate progress and communicate results 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Work Plans <input checked="" type="checkbox"/> Job descriptions <input checked="" type="checkbox"/> Monitoring and Evaluation Strategy <input checked="" type="checkbox"/> Communications strategy
<p>4. Not enough community support: There is not enough community support and involvement in the implementation of the LUP</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Maintain continued community engagement. Keep the community involved in implementation, monitoring and evaluation <input checked="" type="checkbox"/> Develop a community-based Implementation Committee and allow its members to contribute their knowledge and skills 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Implementation Committee
<p>5. Lack of funding: There is no funding for the Actions we want to undertake</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Develop a Funding Strategy. Raise money, identify funding sources, and establish a proposal writing team 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Funding Strategy <input checked="" type="checkbox"/> Proposal writing team

POTENTIAL CHALLENGE	STRATEGY	TOOLS
<p>6. Lack of knowledge: There is a lack of understanding on how to implement the LUP</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Seek out the experience of other Nations that have implemented their LUP <input checked="" type="checkbox"/> Teach the LUP through community and staff workshops 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Workshops
<p>7. Doubt and pessimism: Individuals do not believe that things can change, or there is resistance to change</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Evaluate progress on an ongoing basis <input checked="" type="checkbox"/> Acknowledge and celebrate results <input checked="" type="checkbox"/> Have leadership endorse the LUP 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Monitoring and Evaluation Strategy
<p>8. Leadership disruptions and staff turnover: The LUP gets shelved when new leadership takes power or the key staff involved leave</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Teach the LUP through community and staff workshops to ensure that more than a few people understand the value and purpose of the LUP <input checked="" type="checkbox"/> Continue community engagement so that community members hold leadership and staff accountable for implementing the LUP 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Workshops <input checked="" type="checkbox"/> Community engagement events
<p>9. Meeting unrealistic community expectations: Community members do not understand the limits of what the LUP can do</p>	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Teach the LUP through community workshops to ensure that community members understand what is in the LUP and how it can be used 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Workshops



“

We have a commitment to engage community on regular basis to determine needs and priorities.”

Data Governance Workshop
Participant (December 2016)



F. Step-by-Step Implementation Strategy

Figure 9-3 serves as a general guide of how to create and deliver a LUP Implementation Strategy.

See the Toolkit Resources at the end of this step for a Sample Implementation Work Plan that outlines specific Actions associated with each of the 11 steps listed below, and also provides a detailed LUP Action/Project Work Plan.

1. **Hire a LUP implementation coordinator:** Identify and secure funding to hire a LUP implementation coordinator or, alternatively, appoint a lead from your existing staff team. This LUP implementation coordinator will oversee the delivery of your Implementation Strategy, including securing funding for implementation.
2. **Establish an Implementation Committee:** Assemble a team of community members and staff who will champion the LUP and who have specific skills needed for implementation success (e.g. project management, fundraising, leadership and communications).
3. **Create terms of reference for the Implementation Committee:** Agree on the group's mandate, tasks, timeline, roles and responsibilities, organizational structure, meeting schedule and decision-making process.
4. **Arrange LUP implementation training and/or workshops:** Take stock of the current skills of the Implementation Committee and invest in training to address any gaps in skills. Arrange for guest speakers from First Nations communities that have experience with LUP implementation.
5. **Develop a Communications Strategy:** Create a plan as to how and when implementation progress will be communicated with community members. Decide on what tools will be used to communicate results (e.g. newsletters, website, blog and events).
6. **Review and confirm Action priorities:** Review LUP Action priorities; confirm importance, sequencing and timing of Actions.
7. **Hire or appoint project champions:** For each Action priority, hire or appoint project champions.
8. **Complete additional project planning:** Undertake additional project planning and feasibility studies for larger Actions if necessary to ensure due diligence.
9. **Determine and secure project funding:** Build budgets for specific Actions. Hire a proposal writer or form a proposal writing team and create a Fundraising Strategy. Identify internal or external funding sources and submit funding proposals.
10. **Create Work Plans, establish roles and responsibilities:** Develop a Work Plan for the Implementation Committee, for project champions and/or for managers of each department. In each Work Plan, assign roles and responsibilities for each task and define the specifics in job descriptions.
11. **Implement projects and monitor and evaluate project completion and impacts:** Keep track of what Actions are being completed (compliance). Collect information and observations about the impacts of Actions, and evaluate whether the LUP is getting the results the community had hoped for (see Step 10 for more on monitoring and evaluation).

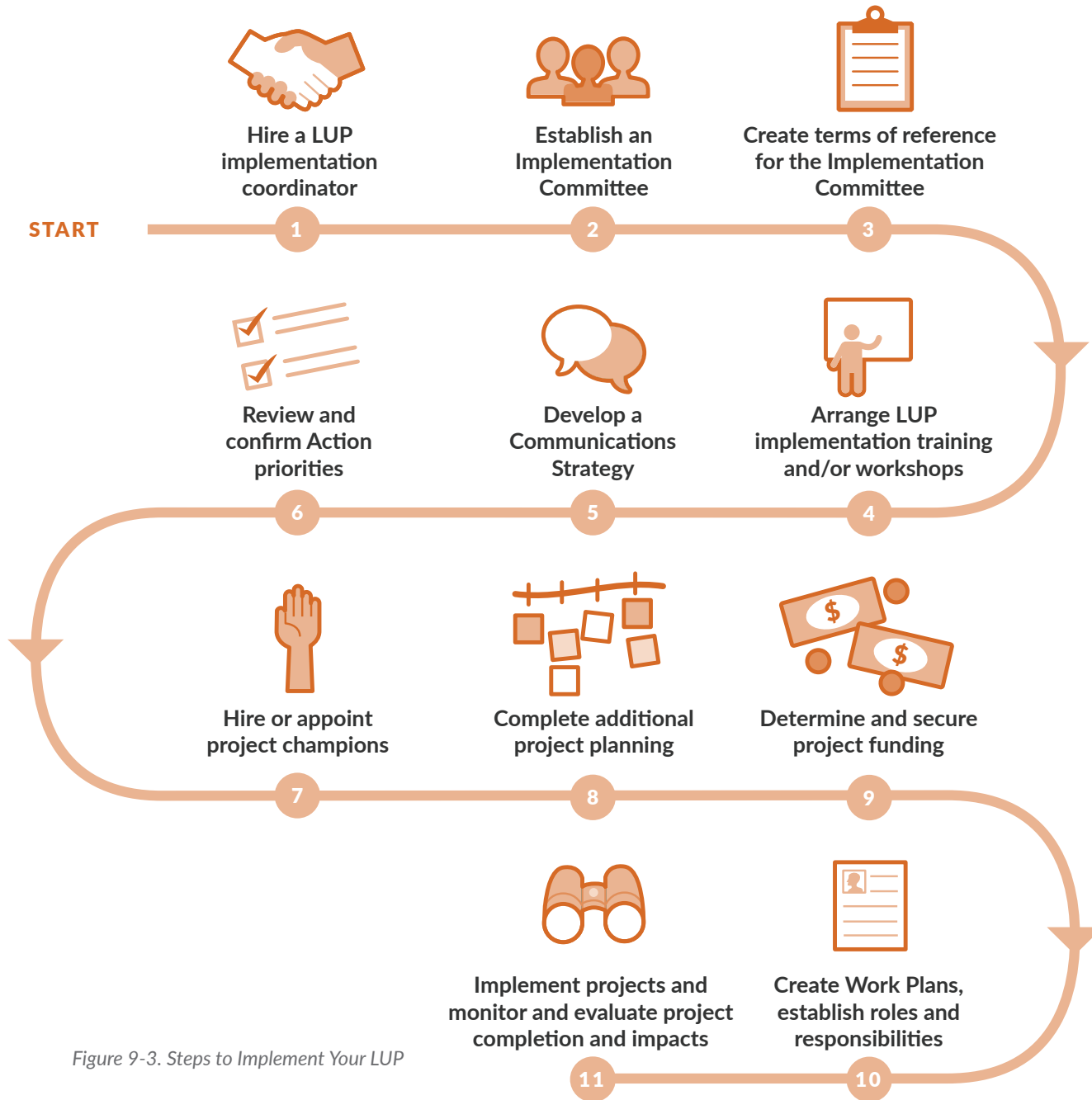


Figure 9-3. Steps to Implement Your LUP

IMPLEMENTATION TIPS

The following is a list of general tips to prepare for implementation of a LUP.

- ✓ **Build on your strengths:** Start by building on the programs, human resources and funding already in place and working well.
- ✓ **Invest in local skills:** While there may be a role for external support in getting some Actions off the ground, a long-term strategy of investing in local capacity will help ensure you have the long-term capacity to implement the LUP.
- ✓ **Promote collaboration:** Take the time to build trust and a culture of collaboration between departments.
- ✓ **Start small:** Identify small things you can do right now that can contribute to your overall effort. Quick start projects that can be implemented with existing resources can help build momentum and commitment to the LUP.
- ✓ **Evaluate and communicate progress as you go:** As you begin to implement your LUP, keep track of what is being accomplished and the impacts of your work and make sure to communicate progress as you go, for example, in a newsletter for community members.
- ✓ **Gather the community:** Bring the community together to talk about how the LUP is working.
- ✓ **Institutionalize the LUP:** Ensure buy-in and support from leadership and staff by having them review and endorse the LUP.
- ✓ **Share responsibilities:** It may seem like there is too much to do! Share roles and responsibilities by creating a Work Plan and assigning someone to coordinate implementation, such as an implementation coordinator or an Implementation Committee.
- ✓ **Create an implementation budget:** Cost out all of the Actions associated with implementing the plan, build them into yearly budgets, and develop a strategy to raise the money needed to deliver these Actions.
- ✓ **Phase and sequence Actions:** You cannot do everything at once. Ideally your LUP helps prioritize, phase and sequence your Actions so that you can tackle implementation one part at a time.
- ✓ **Teach the LUP:** You will need to continue the work of teaching community members and staff what the LUP is, why it is important, how to use it, and what the value of implementing the LUP is for the community.



TOOLKIT RESOURCES:

- A. Sample Implementation Work Plan

“

A LUP process requires a strong team to move forward.”

LUP Workshop Participant (2017)





STEP 10

Track Progress

How do we know we are on track?

You have begun implementing your LUP. Now is the time to assess whether or not your LUP is doing what you hoped it would. Are you implementing your LUP in the way you intended? Are you getting the results you want from your stated Vision, Directions, Strategies and Actions and land use Policies? Are you caring for the land in the way you want? This step is about putting a system in place to know whether or not your LUP, and LUP process, are working effectively for your community

In this section, we explore:

- A. Understanding monitoring and evaluation (M&E)
- B. The value of M&E
- C. Scales of M&E
- D. Types of M&E
- E. Tools to measure: Indicators, baseline data and targets
- F. M&E methods
- G. Developing a M&E Work Plan
- H. Communicating results
- I. M&E challenges and strategies
- J. M&E strategy step-by-step

reflect

“

Indigenous people have been observing, learning and adapting based on observation of the natural world since time immemorial.”

James Henderson (Sákéj) Youngblood
Aykpaci: Empowering Aboriginal
Thought. In Battiste, Marie. *Reclaiming
Indigenous Voice and Vision*, 2000.



“

Land use plans can inform and be used as a negotiating tool.”

LUP Workshop Participant (2017)

A. Understanding Monitoring and Evaluation (M&E)

Monitoring and evaluation (M&E) is something that most people do regularly in their everyday lives.

Indigenous communities have long traditions of observation and learning by experience on the land. A good M&E system builds on the practices already working in your community such as your existing understanding and observations of what is happening on your land.

As shown in Figure C-2. *First Nations Way of Life* (on page 30), ancestors observed a web of relationships between humans, animals, plants, natural forces, spirits and land forms. From these observations and Traditional Knowledge, they made decisions about where to live, when to move, which plants to harvest and when to hunt.

With each generation, people have made observations, compared their experiences with what they have been told by their Elders, made conclusions and exchanged their findings with others.

In a modern context, Indigenous

communities continue to learn through experience, sharing observations and listening to their Elders. These traditions have an important role to play in tracking the impact of your LUP.

Knowing what impact your LUP and all of its parts are having on strengthening your overall land governance system is important to your planning investment. For example, you might want to know if and how your LUP is being used, if it is easier to make decisions about the land because of the LUP, or if the LUP is succeeding at protecting salmon habitat, etc.

M&E is:

- Deciding what success looks like
- Choosing what is important to observe and what to measure
- Collecting information on impacts and outcomes
- Making observations
- Thinking and learning
- Making decisions and adapting Actions based on those observations



M&E is a process that tracks the results of decisions. *Monitoring* is the first stage of an M&E process. In this stage, you:

- Decide what you are going to monitor (e.g. health of our river)
- Decide the indicator you will use (e.g. salmon population)
- Collect information (e.g. number of salmon)
- Determine an evaluation method (e.g. salmon count by a fisheries technician)
- Record and store the information (e.g. in an Excel table)

Evaluation is the second stage.

During evaluation, you review all the information collected during the monitoring process to decide if you are getting the results and outcomes you wanted from a decision or Action you identified in your LUP. For example, if you started a salmon restoration program, you might evaluate whether or not it is succeeding at improving the health of the salmon population.

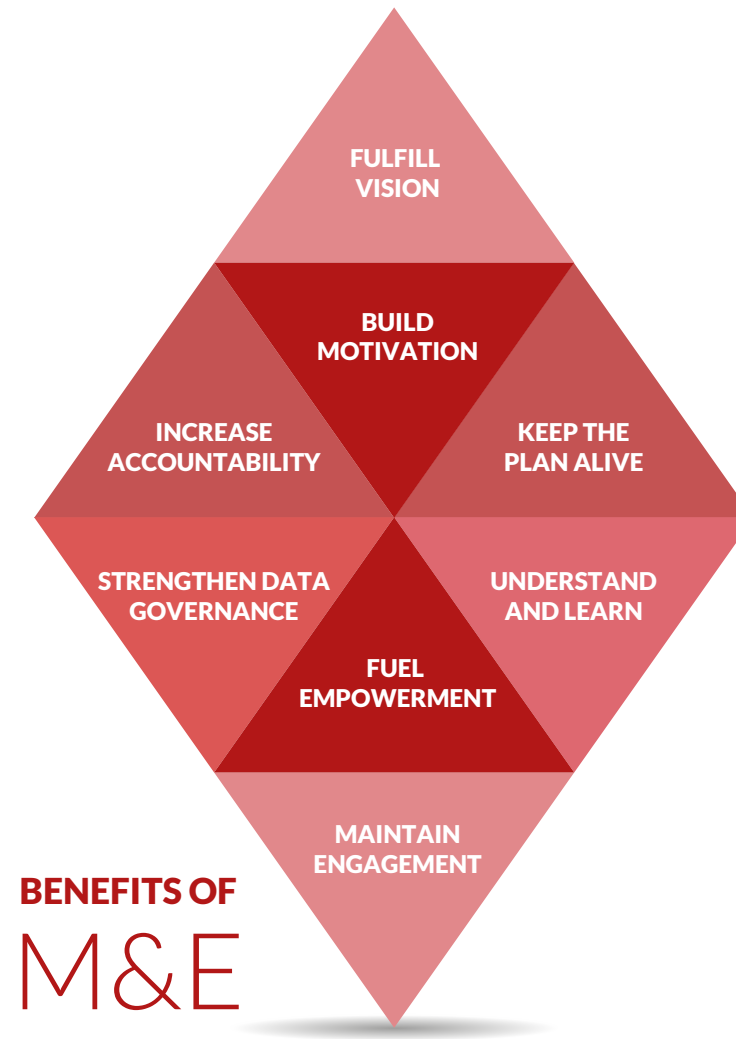


Figure 10-1. Benefits of M&E

B. The Value of M&E

Many see M&E as nothing more than a requirement of external funders. But what if M&E was driven by the First Nation to serve its own needs? There is an opportunity to take back control of M&E to ensure your First Nation is learning and benefiting based on what is most important to your community. A First Nation that promotes a culture of M&E is committed to collecting and using the information and understanding gained through evaluation to make strong decisions and document or celebrate change.

Definition

MONITORING: Collecting information, tracking results

EVALUATION: Using those results to make some conclusions and decisions about what is working and what needs to be changed

It takes effort and commitment to track how well your LUP is working or not working, but it is worth doing. Here are some benefits, as illustrated in Figure 10-1:

- **Fulfill Vision:** M&E lets you know if you are meeting your Directions and Strategies through the Actions you have prioritized.
- **Build motivation:** The process of reflecting on results motivates the community to continue planning, learning and adjusting. Community members feel heard and validated which builds ownership of the plan.
- **Increase accountability:** Sharing information helps other members of your team and your community better understand and develop trust in what your government is doing and the decisions being made. It allows you to show the results you are getting and own the responsibility.
- **Keep the plan alive:** M&E ensures that the LUP remains a living document with a process for adapting it when needed.
- **Strengthen data governance:** Gaining and controlling information and knowledge strengthens decision-making, demonstrates community self-governance and builds data sovereignty.
- **Fuel empowerment:** Taking back control with M&E increases self-determination in decision-making and a sense of responsibility for and pride in the community.
- **Understand and learn:** M&E enables you to learn what is working well and what is not, because you are tracking progress in an ongoing way. This helps your First Nation use resources wisely, change your LUP as needed and make better decisions including budgeting.
- **Maintain engagement:** M&E provides an opportunity to keep community members involved in and informed on the planning process/cycle.

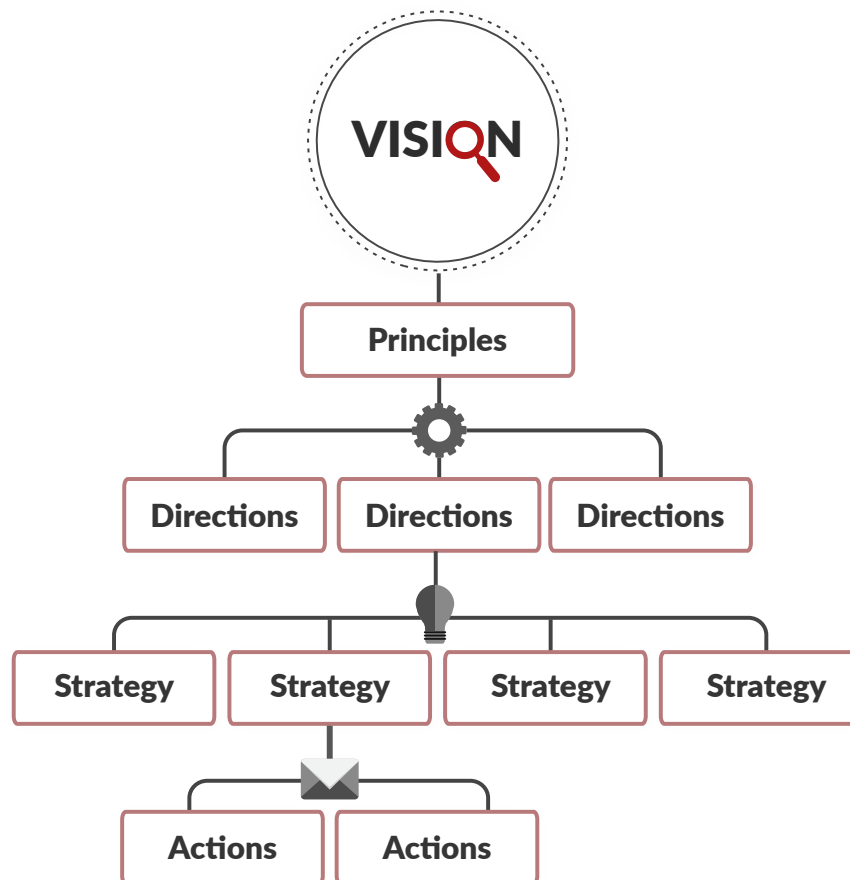


Figure 10-2. Vision Framework

C. Scales of M&E

There are many different ways to monitor or evaluate the LUP. Tracking how, when, and why the LUP is being used is one simple way to get started.

Another way to evaluate the LUP is to go back to the Vision Framework (Figure 10-2). It is possible to monitor and evaluate your LUP at each of the levels/scales of your Vision Framework (e.g. Vision, Principles, Directions, Strategies and Actions).

At what level you decide to undertake M&E depends on where you decide to focus your time and resources. In deciding where to focus, consider what appears to be impacting change the most (e.g. your Directions, Vision, or Actions?).

Table 10-1 helps to demonstrate what M&E at different levels might look like.

VISION FRAMEWORK LEVEL	EXAMPLE	SAMPLE EVALUATIVE QUESTIONS
Vision	“We will continue to manage all Heiltsuk seas, lands and resources according to customary laws, Traditional Knowledge and <i>nú.ym’</i> . (oral tradition)” (Heiltsuk First Nation)	In the last year, how many of our land use decisions were guided by our customary laws, Traditional Knowledge and oral traditions?
Principles	“Care of the land - focus on what to leave and then what to take” (Haida Gwaii LUP)	Are our land use decisions reflecting our Principle to care for the land?
Directions	“Promote and support healthy, strong families” (Sumas First Nation LUP)	How are our families getting stronger? In what ways?
Strategies	“Provide a structure for sound and consistent land use decision-making” (Sumas First Nation LUP)	Is our land use decision-making process sound and consistent?
Action	Fish hatchery	Have we built the fish hatchery? What is the impact of the fish hatchery?
Policy	No development 30m from the stream	Is there any development 30m from the stream? Is the quality of water improving?

Table 10-1. Sample Evaluative Questions by Vision Framework

D. Types of M&E

Compliance monitoring is the process of tracking if you are doing what you said you would do (e.g. tracking how many of your Actions have been completed over time). You may have identified, for example, in your LUP five priority Actions to implement over the next five years. Compliance monitoring allows you to track if those five Actions have been implemented within that timeframe.

Communities undertake compliance monitoring to:

- Help manage the implementation of the LUP
- Stay accountable to what was committed to in the LUP
- Keep track of what is being accomplished
- Report back to the community on the progress made on the LUP
- Adjust implementation of the LUP as needed

In the example captured in Table 10-2, you can see that compliance monitoring involves checking to see if an Action is completed, why or why not, when it was completed and noting any other observations (see the Toolkit Resources at the end of this step for an example of a more complete Compliance Monitoring Tool).

Tracking can be organized in a simple table as follows:

Table 10-2. Sample Compliance Monitoring Tool

ACTION	RESPONSIBILITY	COMPLETED? YES OR NO	WHY OR WHY NOT?	DATE	NOTES
Hire environmental protection officer	Manager of Lands and Resources	Partial	Have not found suitable candidate but have started the hiring process	October 2017	5 candidates have been interviewed to date
Conduct annual fish counts	Fisheries Technician	Yes	Fish were counted this fall and planned for next fall	October 2017	

Definition

COMPLIANCE MONITORING:
Tracking if we are doing what we set out to do, when and how

IMPACT MONITORING:
Tracking the impact of what we are doing or completed

Definition

INDICATOR: A measure to show how something is changing—whether something is getting better or worse

Figure 10-3. Sample Impact Monitoring and Evaluation Process

Impact monitoring and evaluation is the process of tracking the impacts or results of what you are doing. An impact is the big picture effects of our Actions. See below for an example.



E. Tools to Measure: Indicators, Baseline Data and Targets

Let's say you have decided to use your Directions as the scale at which you would like to monitor and evaluate. Now what? Many Directions are quite broad and describe complex things.

For example, how would you measure the following sample LUP Directions:

- Protect and Teach our Culture
- Build Unity and Collaboration
- Expand Care for our Lands and Water

An **indicator** is one tool that can be used to measure the impact of your LUP Actions/efforts on these example Directions. An indicator is a measure of how something is changing, which helps us understand if something on the



land or in the community is getting better or worse. The hope is that your Actions are improving some aspect of your land in a good way.

Back to our earlier example about the 'Back to the Land Program' where we are trying to measure the impact of the program on Youth. We have added to our earlier diagram two specific indicators (e.g. number of Youth who indicate getting out on the land, number of Youth who indicate pride in their culture) and a method with which to collect information (Youth survey).

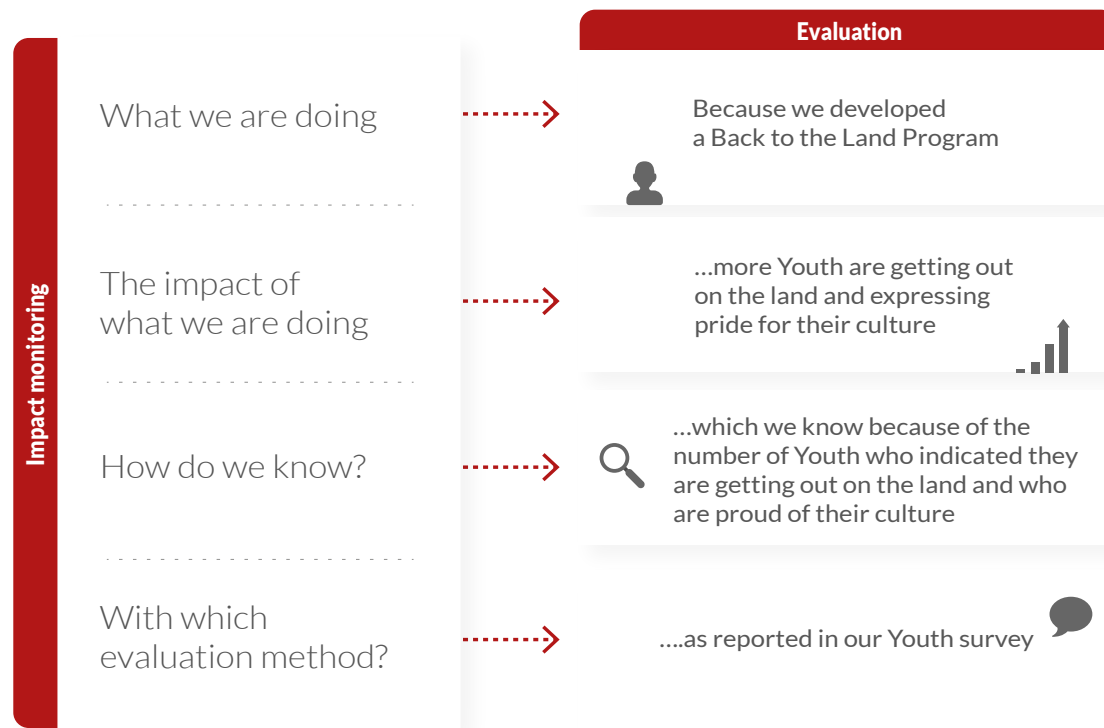


Figure 10-4. Sample Impact Monitoring and Evaluation Process with Indicators and Data Collection Method

Table 10-3. Sample Indicators by Direction

For example, when using your Directions to evaluate your LUP, you can pick a number of indicators for each Direction to help you answer the question “Are we achieving this Direction?” (compliance) or “How are our Actions fulfilling this Direction” (impact)?

Table 10-3 shows four sample LUP Directions and some sample indicators that could be used to measure progress on each of them. For each indicator, an example unit of measurement is proposed.

Note that the indicators provided in Table 10-3 are quantitative and therefore employ quantitative units of measurement. When measuring qualitative indicators (e.g. Youth *satisfaction with participation in the economy*), you could use a satisfaction scale (e.g. Youth identify high, medium or low levels of satisfaction).

DIRECTION	INDICATOR	UNIT OF MEASUREMENT
Protect and Teach our Culture and Land-Based Traditions	The level of change in traditional uses of land	# of traditional uses of land reported by members over a season
	Knowledge level of harvesting and preserving traditional medicines	# of traditional medicines programs offered through local college
	Youth involvement in cultural camp	# of Youth attending the cultural camp
	Health of the caribou population	# of caribou observed each fall
Maintain and Protect Natural Resources	Knowledge level of traditional food sources	# of traditional food sources that can be identified by community members
	Levels of contamination in the river	Milligrams per liter (mg/l) of pollutants in river (i.e. water pollutant concentration)
Build Economic Self-Reliance	Level of small business activity	# of small businesses
	Youth participation in the economy	# of work placement opportunities for Youth
	Level of social assistance support	# of members on social assistance
Strengthen our Land Governance	Effectiveness of our land use plan and governance system	# of times LUP is used in dealing with referrals
	Level of external encroachment	# of instances of poaching
	Land management capacity	# of land officers trained

TIPS FOR PICKING INDICATORS

As Table 10-3 demonstrates, there are many different indicators that can be used to measure impact on Directions. The indicators you decide to use may depend on a number of factors. Here are some general tips on how to pick which indicators to use in your M&E system.

- ☑ **Start with indicators you are already measuring:** What kind of information is your community already tracking? Every new indicator requires a system of who collects it, how, and where the information is stored. If there is information your community is already collecting that relates to the Direction you are trying to evaluate, start there. For example, if you are already counting the number of caribou sightings, it will be easier to use this information than to start collecting information on another species.
- ☑ **Consider human resources involved in measuring indicators:** Some things are easier to track than others. Some animals are very difficult to count (e.g. wolverines are hard to spot!). Some measurements require technical skills, such as water quality monitoring. Counting things (e.g. people, animals or contamination levels) is sometimes easier than assessing something like community knowledge or attitudes which will require a specific survey or interview tool where open-ended responses need to be analyzed.
- ☑ **Consider the cost of measuring the indicator:** Some indicators will be more expensive to measure than others. You may want to understand if new fencing is helping prevent cattle from contaminating the river. Measuring E.coli levels in the water will require a technical analysis that may involve outside resources. This will be more expensive than conducting a count of how many cattle are outside of the new fencing.
- ☑ **Consider what combination of indicators will tell you the full story:** Indicators only ever tell you one piece of a story, and ideally you are collecting information from a number of different indicators to better understand what is happening. Using the cattle example, knowing E.coli levels and how many cows are outside of the fence is more helpful than only knowing one of those things. Maybe E.coli levels are not being caused by the cattle but something else, so knowing only E.coli levels will not tell the full story. Or say you are trying to understand if people are getting out on the land more than before. To understand this, you could combine a few indicators, such as you may: 1) count how many people are attending hunting workshops; 2) track how many people are using the trails in your territory; and 3) ask people to rate their knowledge of the land on a scale of 1-5.



Definition

BASELINE DATA: A measure of the current situation to allow us to compare future results

TARGET: An expression of the desired change we would like to see within a specific period of time

BASELINE DATA AND TARGETS

To understand whether or not you are achieving your Direction to “Honour and teach our culture and traditions”, you might track the number of Youth attending cultural camp. The number of Youth attending becomes one of many possible indicators that you could use to track progress on this Direction.

Baseline data is a measure of how things are now, to allow you to compare how things are in the future. When tracking information on indicators, it is helpful to have baseline data and a **target**. If you do not know where you started from, it is hard to know how far you have come. Having a target gives you a goal to try to reach.

Some of your baseline information may have already been collected as part of your planning process (e.g. in your community profile) or as part of your lands capacity and constraints analysis. Other baseline information will not exist and you will need to start a new system of collecting it.

For example, you might want to know how many Youth are currently participating in the yearly culture camp. First you will need to know how many Youth are attending this year. Then you will need to set a target of how many Youth you aim to have participate five years from now. In five years, you can compare the actual number of Youth who attend with your target and see how close you have come to reaching it. You may have a series of targets that get higher with time. This is called an impact monitoring tool (see Figure 10-4 on the next page for an example).

INDICATOR	BASELINE DATA 2017	TARGET 2022	ACTUAL 2022	TARGET 2027	ACTUAL 2027
Number of Youth participating in yearly culture camp	10	20		30	
Number of salmon in Blue River each fall	200	250		300	

Table 10-4. Impact Monitoring Tool

Table 10-4 shows that the number of Youth participating in the cultural camp will be measured first in 2022 and again in 2027. The target grows from 20 in 2022 to 30 in 2027. A table like this can make monitoring easier to do.

See Toolkit Resources at the end of this step for a more complete sample of an Impact Monitoring Tool.



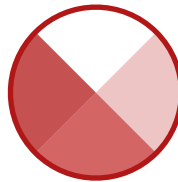
F. M&E Methods

As well as measuring progress by tracking indicators against baseline data and targets, you may also use some complementary tools that rely more on oral sharing and storytelling to help increase the depth of your understanding.

A lot of great work has been done to develop responsive, relationship-based monitoring and evaluation methods. Some of these have been developed specifically by Indigenous researchers to better meet the needs of Indigenous communities.

Here is a brief introduction to four evaluation methods or tools that are good at collecting more comprehensive information.

See the Toolkit Resources at the end of this step for a Medicine Wheel Evaluation Framework Template, Most Significant Change Template, and an Outcome Mapping Template.



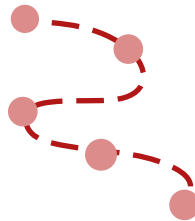
1. MEDICINE WHEEL EVALUATION METHOD

The medicine wheel framework uses the quadrant of mental, physical, emotional and spiritual to structure evaluation questions in an attempt to deepen understanding of the outcomes of the LUP through storytelling.



2. MOST SIGNIFICANT CHANGE

The most significant change process involves collecting stories from community members about how the LUP has impacted them. Next, an analysis of the themes noted in the stories is done by a panel of community members.



3. OUTCOME MAPPING

Outcome mapping is a process of keeping track of activities, Actions and relationships by journaling outcomes of the LUP and considering what is changing, why and lessons learned.



4. PARTICIPATORY EVALUATION

Participatory evaluation describes an approach to M&E where community members are actively involved in the M&E process, not just the lands department or leadership. This could be in the design of the M&E system (e.g. picking indicators for the LUP), in M&E information gathering (e.g. conducting surveys), or in the analysis of information (e.g. summarizing results).

THE IMPORTANCE OF OBSERVATION

An indicator can measure change with numbers, for example, how many Youth culture camps are held. It can also measure personal observations, feelings or thoughts, for example, how Youth describe their relationship to the land. Feelings, thoughts and attitudes can sometimes be turned into numbers, for example, by asking Youth to tell you “How would you rate your knowledge of the land on a scale of 1-5, 1 being poor and 5 being excellent”. However, not all types of information needs to be turned into numbers to be important. For example, you may learn a lot about how Elders perceive the change in how your community is taking care of the land by listening carefully to their stories.

A strong M&E system will rely on both information that can be expressed with numbers, and observations, feelings, thoughts and attitudes that are better expressed with words.

While indicators are helpful to understand specific changes in your community, they are also limited. Indicators remind us what to look for, but they cannot give us a complete picture of how well the plan is working. We must also observe and listen to what is going on around us in the community.

Using the Youth culture camp example, you might notice by tracking attendance rates at the culture camp that more Youth are participating and conclude that you are succeeding in the Direction to “honour and teach our culture and traditions”. However, you might then also talk to a few of the Youth participating and learn that the Youth do not feel like they have learned much about their land, culture and traditions. Tracking attendance on its own does not tell us anything about



the quality of the program. It is only in combining this information with information on Youth’s lived experience with the program that you can begin to speak to the effectiveness of the culture camp in meeting your Direction.

When you design indicators, you pick indicators and measurement tools that you think will give you a complete picture. In practice, you also observe what is going on to be able to tell the whole story.

This may lead you to adapt your indicators or pick new ones, or complement the information you are gathering from indicators with anecdotes, stories and descriptions of what is happening based on people’s lived experience.



reflect



“

M&E is applicable to many processes.”

LUP Workshop Participant (2017)



STORY 10: COMMUNITY STORY

Lower Similkameen Indian Band (LSIB) has completed a LUP. As part of the LUP, they developed a set of indicators to track and measure the success of their LUP. However, the M&E system they developed was not taken up by staff. As a result, LSIB's Planning Team, under the lead of Trudy Peterson, decided to dedicate more attention to the process of developing a M&E system. As part of the LUP process, they involved community members and staff in a station-based event where community members were asked to share their thoughts on the following:

Station 1: What can be learned from our ancestors, Elders and cultural advisors about results - doing and measuring? How did we historically accomplish things and how did we track and assess our efforts? Are there cultural terms and teachings that helped us adapt our ways, decisions and actions?

Station 2: Communicating Success through Art: Draw us a scene that captures what is different or what has changed. What tells you that change has taken place?

Station 3: How do we keep our plan alive and working successfully?

Station 4: What might get in the way of implementing our plan? What is a Strategy to meet this challenge?

Station 5: What is monitoring? What is evaluation? Why should we monitor and evaluate?

Station 6: Brainstorm indicators for each of our plan's Directions. Vote on your favourite ones.

Station 7: What information would be helpful to have in measuring and evaluating the impacts of our plan?

The content from this community event made up the bulk of LSIB's M&E Strategy. Specifically, the results of the ranking of indicators exercise were used to narrow down the list of potential indicators to use.

By involving the community in this conversation, the Planning Team:

- Grounded their M&E Strategy in their culture and teachings
- Drew on community members' wisdom on what changes would indicate a successful plan and what indicators would best demonstrate success by Direction
- Built a shared understanding of the meaning and value of M&E for LSIB
- Involved community members in trouble shooting potential implementation and M&E challenges
- Created awareness on information needs for M&E
- Built a sense of shared responsibility between community members and staff to undertake M&E

G. Developing a M&E Work Plan

Once a set of indicators has been established, the next step is to decide what, how, who, where and when information on that indicator will be gathered and stored. See the Toolkit Resources at the end of this step for a Sample M&E Framework (Table 10-5 below lists some examples).

An M&E Work Plan describes what information is needed to measure each indicator. It then sets out how that information is going to be gathered

(method), by who, where information will be stored and when information will be collected.

The information gathering and analysis methods you choose will depend on the resources you have available. Different information gathering methods (e.g. surveys, technical testing and interviews) and forms of data analysis (e.g. closed-ended and open-ended surveys) require different resources, time and expertise

Definition

M&E WORK PLAN: The indicators and targets selected to guide monitoring, data collection and evaluation

to complete. For example, open-ended surveys are easier to analyze than closed-ended surveys, and technical testing may be expensive, often requiring a trained technician.

DIRECTION	INDICATOR	UNIT OF MEASUREMENT	INFORMATION GATHERING METHOD	WHO?	WHERE WILL INFORMATION BE STORED?	WHEN?
HONOUR AND TEACH OUR CULTURE	Level of change in traditional uses of land	# of traditional land use activities taking place over a season	Survey asking members to report on traditional land use activities	Lands Manager	Lands Department Records (word file survey report)	Yearly
MAINTAIN AND PROTECT OUR NATURAL RESOURCES	Level of mine contaminants detected in the river	Mg/L of pollutants found in water each month	Water quality tests	Lands Officer	Lands Department Database (excel sheet)	Monthly
MAINTAIN AND PROTECT OUR NATURAL RESOURCES	Fish population in Blue River	# of fish counted in Blue River every fall	Fish count	Fisheries Technician	Fisheries Department Database (excel sheet)	Yearly

Table 10-5. Example M&E Work Plan

H. Communicating Results

It is important to think about when and how you will share the results of your M&E efforts. A M&E Communications Strategy will ensure that community members are kept up-to-date on the results of your compliance monitoring (what is getting done) and your impact monitoring (the impacts of what you are getting done). See Table 10-6 for a sample of a yearly indicator reporting tool.

Communicating results will help:

- Maintain ownership and excitement about the LUP
- Build trust that the LUP is being put into action
- Demonstrate understanding of results and impacts
- Inform community members of lessons learned
- Prepare community members for eventual revisions of the LUP based on these results
- Identify reasons for celebration!

Here are some opportunities and tools to share M&E results:



Compliance Monitoring Report Cards: A simple LUP Report Card that lists all of the Actions of your LUP and the status of each of those Actions can be a great communication tool to help show community members progress on your LUP Actions.



Specific Good News Stories:

On an as-needed basis, share stories of success! Perhaps you have a record year for the number of tourists who visit your visitor’s centre, or you receive some more funding for your conservation program. Seize every opportunity to share these successes as part of a newsletter, through social media, as a website post or as an email blast to all members.

Table 10-6. Sample Yearly Indicator Reporting Tool

INDICATOR	BASELINE DATA 2017	TARGET 2018	ACTUAL 2018	TARGET 2019	ACTUAL 2019	TARGET 2020	ACTUAL 2020	TARGET 2021	ACTUAL 2021	TARGET 2022	ACTUAL 2022
# of park permits issued	8	9	8	10	10	11	10	12	13	15	16



Impact Monitoring Indicators Tracking Tool:

Showing community members indicators, accompanied with baseline data, targets and actual data is a powerful way to show specific results on your LUP indicators year after year.



Evaluation : Once every year or two, consider sharing an evaluation of all of the compliance and impact monitoring data gathered. Based on your results, make a series of recommendations about what is working, what is not working, what should stay the same and what should be changed. You can produce a short version of this report and it's recommendations to share with community members. If resources allow, consider producing a short video on your experience with M&E. This would be a great contribution not only for your community but for other First Nations taking steps towards land use planning.

COMMUNICATIONS SCHEDULE

Creating a schedule for communicating results is important. This helps to get information ready, and lets the community know when to expect updates. Some organizations do this every quarter (e.g. 3-month period), twice a year, or in an annual report. When you set up your schedule, consider what will be achievable and what will fit best with your community. There may be times when you also want to share some great news when it is fresh and recent! See Table 10-7 for a sample communications scheduling table.

	COMPLIANCE MONITORING	IMPACT MONITORING	MEETING TO DISCUSS ONGOING OBSERVATION
Monthly	X		X
Yearly		X	
Every 5 Years		X	
As needed			X

Table 10-7. Scheduling M&E Communications

For example, imagine you are one year in to implementing your LUP. Throughout the year, you have sent out email blasts when key Actions were completed, such as the installation of new signage and the completion of the community smokehouse. Once a month, you have sent out a newsletter with a report card showing progress on the LUP’s priority Actions. Now, after a year of M&E, you are preparing an evaluation report that will present progress on the indicators you have been tracking against your baseline data and targets. You will also make some overall observations and recommendations as to what is working well and what needs to be improved. New decisions or changes to the LUP may be required. This evaluation report could be circulated electronically and summary results announced in a newsletter.

For each of the types of M&E results identified above, your Communications Strategy should identify a specific communication tool and time interval. See Table 10-8 for a sample Communications Strategy schedule.

TYPE OF RESULT	COMMUNICATION TOOL	WHEN?			
		AS NEEDED	EVERY MONTH	EVERY YEAR	EVERY 5 YEARS
Specific good news stories	Website post Newsletter Email Blast				
Compliance Monitoring	LUP Report Card in Newsletter				
Impact Monitoring	Indicator Tracking Tool Results				
Evaluation	Evaluation Report				
Plan Revision	LUP Review				

Table 10-8. Communications Strategy Schedule



reflect



“

Land use planning is always evolving and a living document.”

LUP Workshop Participant (2017)



I. M&E Challenges and Strategies

There is often resistance to M&E. There is often too much work to do and not enough time, capacity or resources. M&E can seem complex and requires commitment. Yet it is crucial to the success of your implementation. Figure 10-5 illustrates some common challenges and suggested strategies.

<p>Challenge: Indicators and tracking tools are expensive or difficult to understand and use</p>	<p>Solution: Honour what you already know based on your experience and observation</p>
	<p>Solution: Start by monitoring information you are already tracking</p>
	<p>Solution: Monitor data that is simple to collect</p>
<p>Challenge: Not enough staff time, resources, capacity, tools or training to conduct monitoring activities</p>	<p>Solution: Build M&E tasks into staff workplans</p>
	<p>Solution: Set up a series of regular meetings on monitoring and develop a routine of talking through results</p>
<p>Challenge: Difficulty accessing information from other agencies or across different departments</p>	<p>Solution: Develop a M&E framework that outlines roles and responsibilities across departments for who tracks what information and how</p>
	<p>Solution: Include other departments in regular M&E meetings</p>
	<p>Solution: Collaborate with other agencies to develop systems for information sharing</p>

Figure 10-5. M&E Challenges & Strategies

Challenge:

Trying to understand and monitor complex issues that do not easily fit into one indicator (e.g. How do you measure connection to the land? Cultural knowledge? Well-being?)

Solution: Observe and listen to community members

Solution: Journal unanticipated results

Challenge:

Trying to notice and document results from the LUP you did not anticipate or include in your indicators

Solution: Observe and listen to community members

Solution: Journal unanticipated results

Challenge:

Confronting resistance to monitoring activities based on a history of reporting to funders

Solution: Reframe M&E as a community-driven exercise in learning and controlling your own knowledge, instead of an exercise in satisfying someone else's information needs

Challenge:

Addressing concerns around confidentiality and use of community information

Solution: Adopt an official confidentiality policy on how data will be collected and used

Solution: Train staff in the confidentiality policy

Solution: Make community members aware of the policy





J. M&E Strategy Step-by-Step

One of the ways to mitigate the potential challenges with M&E is to develop a M&E Strategy. Figure 10-6 offers a set of eight steps to create a M&E Strategy.



Figure 10-6. Steps to Complete a M&E Strategy

Step 1: Agree on why M&E is important

- Decide internally if you want to invest time and resources for M&E
- Consider hosting a community event to explore: “What does M&E mean to you? How did your ancestors do M&E? What is the value of M&E?”

Step 2: Agree at what level of your LUP you will evaluate

- Decide what you want to monitor and evaluate specifically. Do you simply want to know if your LUP is getting used? Do you want to focus in on the impact of a specific Action? Do you want to evaluate progress on your Strategy of improving response time to referrals and measure that? Or do you want to track progress on your LUP's Directions, Principles or Goals?
- There is no right answer to these questions because it is your LUP. You can pick what is most important to measure for your purposes.

Step 3: Decide on the indicators that will be tracked

- Pick a set of indicators to start with based on your current resources
- Consider what information you are already collecting

Step 4: Make a plan for gathering information on each indicator

- For each indicator, work out what information you need, how you will collect that information, who will collect it and when that information will be collected
- In working through these details, you might discover that some indicators are too difficult or costly to track and decide to pick other ones instead
- Finalize which indicators you will start with

Step 5: Identify baseline data and set targets for each indicator

- For each indicator, check on whether baseline data exists or whether it needs to be collected
- Decide how to collect the baseline data that is missing
- Let go of any indicators for which baseline data is too hard to collect
- Collect baseline data
- Based on the baseline, set targets for defined time periods (e.g. every year, five years or ten years)

Step 6: Gather data

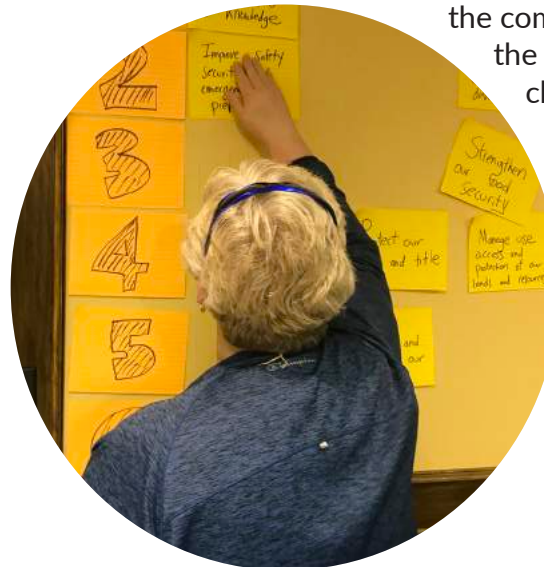
- During the monitoring stage of a M&E process, you collect information, record it and store it. These actions ensure that the information you need to complete an evaluation is available when you need it.
- During this stage, consider the following questions:
 - How will data be recorded?
 - Where will data be stored?
 - Who will have access to the data?
 - How will it be communicated?

Step 7: Analyze and evaluate data

- During evaluation, review all of the data you have collected in the monitoring phase to understand it
- You can use the following questions as a guide when you consider data:
 - What is working well?
 - What is not working?
 - What needs to be changed?
 - What needs to stay the same?
 - What needs to be celebrated?

Step 8: Communicate results

- Sharing the results of M&E keeps the conversation alive between community members, staff and leadership
- This is an opportunity to report on progress and celebrate results
- If you are considering changes to the LUP based on findings from the evaluation, this is an opportunity to communicate those findings and get the community involved in a discussion about those changes
- Ultimately, communicating results, continuing the conversation with the community and adapting the LUP to reflect changes needed are the ingredients needed to keep the LUP alive!





“

You need to make sure you have some kind of data so that you can say: this is how we are progressing on this policy and this goal. So you test each policy drafted with the questions: Is this measurable? Do we have data to measure? If not, either rewrite the policy or create a different policy. You need metrics and targets to report back to the community. Use the KISS principle – keep it super simple. If it's simple it will be more widely used.”

Jason Locke, Community Planning and Sustainability Manager, City of Kamloops

STORY 11: AN EVALUATION STORY

The following fictional story is about Green River First Nation's LUP M&E system. The intent is to demonstrate the 8 steps described in Figure 10-6 with a tangible story.

The Green River First Nation completed a LUP and then began thinking about how they would effectively track its progress. After a series of conversations around this topic, the LUP Planning Team hosted a community event in which the value of M&E was explored and discussed with community members. Driven by a mandate established by the community that M&E was important, the Lands and Fisheries Department staff had a number of meetings where they discussed the time and resources it would take to monitor and evaluate the plan and ultimately decided to invest the time necessary to get a LUP M&E system off the ground.

Based on these discussions, the staff decided to start by building their M&E system with a few key indicators to track progress on one of their LUP Directions "Maintain and Protect our Natural Resources". They began by identifying indicators for which they were already collecting information, such as water contamination levels and the number of hours spent on river remediation and habitat protection. They then considered what new indicators would do the best job of telling them if they were succeeding at maintaining and protecting natural resources. They decided that salmon were an important indicator species for their First Nation as their return to Green River each fall required a healthy, local habitat. Green River First Nation did not have reliable data on the number of salmon returning to Green River.



Next, the staff had to decide how they were going to collect that information, who was going to collect it, and when. Based on current research, they concluded that there were two ways to count salmon: visually or with underwater sonar. They decided to count visually as it did not require additional equipment. Within the Lands and Fisheries Department, there was a fisheries technician who was able to get training on how to count salmon visually. It was decided that the technician would first conduct a visual count of salmon every fall, recording the findings on a worksheet to bring out in the field. Next, the field data would be transferred and recorded into an excel sheet saved on a computer in the Lands and Fisheries Department office.

Because there was no baseline data on salmon counts, the technician's first count provided the Lands and Fisheries Department with a baseline which they could compare to future years. In this case, 200 salmon were counted in the first measurement.

Based on this baseline data, the staff decided on some targets with the hope that the habitat restoration work and river remediation projects being undertaken would result in an increase in returning salmon. They set a target for a 25% increase in the number of salmon in five years (250 salmon) and a 50% increase in ten years (300 salmon).

The Nation decided to complete yearly fish counts that were added to both the Green River excel database and the annual report. They also decided to complete an evaluation every five years, based on monitoring data. The fish count data was compared to the targets and analyzed for trends (is the number going up, down or fluctuating). Based on this information, the Lands and

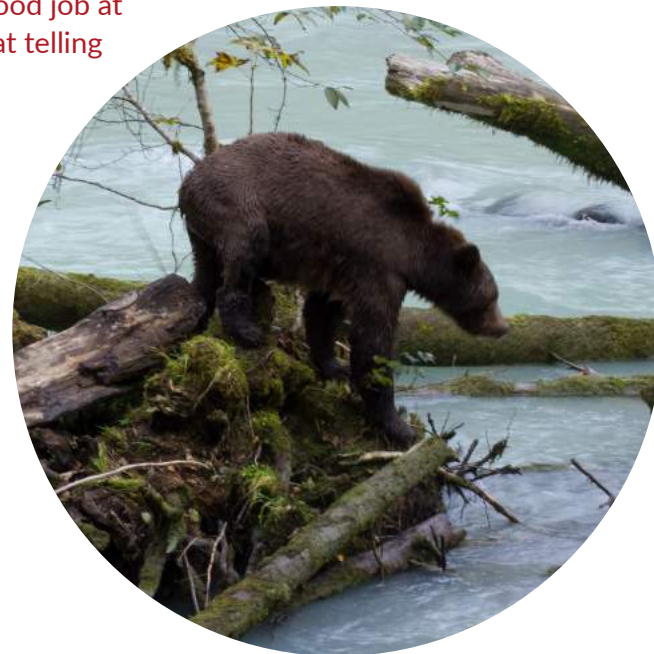


AN EVALUATION STORY (CONTINUED)

Fisheries Department made conclusions about whether the fish habitat and river restoration projects were successful in increasing the number of salmon that returned to Green River.

The salmon data was also compared to other indicators being tracked, such as water contamination levels and the number of hours spent on river remediation and habitat protection. Based on an understanding of the performance of all three of these indicators, the Lands and Fisheries Department staff made a series of recommendations on how to better meet the Direction of “Maintain and Protect our Natural Resources”. One thing they noticed was that the data they were collecting was doing a good job at understanding what was going on in the river, but not a great job at telling the full story of what was going on in other parts of the land.

One of the recommendations that came out of the first round of evaluations was that more information was needed to determine if the Nation was successful at preserving its natural resources. Based on the success of this first round of evaluation, the Lands and Fisheries Department decided they were ready to take on tracking some additional indicators that gave them an even more complete understanding of their successes. They decided to add elk to the list of indicator species they were tracking, while also tracking how many of their LUP policies were being implemented to help make the direct link between LUP Actions and increases in indicator species.



M&E TIPS

The following are tips for how to get your M&E Strategy off the ground:

- ✓ **Build M&E capacity:** M&E can take some time to learn and understand. Find an opportunity to conduct some M&E training for staff. Training can help build everyone's confidence and help them to share in the commitment needed to keep the monitoring and evaluation system alive.
- ✓ **Scale your M&E effort to match what is practical and affordable:** It is important that your M&E efforts match what your staff are capable of and can afford to do. While there are many ways to track progress on your LUP, you are often limited to the indicators that you have the time and the resources to track. Some indicators are harder to track than others. For each indicator you pick, you need to gather regular information, record it, analyze it and store it. A good place to start is by monitoring the data that is already being collected in your community. For example, is someone in your community already tracking bear sightings, language retention rates, diabetes rates, or housing repair needs? Potential indicators that would apply to one (or more) of your Directions are great ones to start with.
- ✓ **Start small, and build the system as you build more confidence:** As capacity can be a barrier, try starting with a small set of indicators until you are more confident in the process. As you gain more experience, you can add in more indicators.
- ✓ **Test out indicators, and try new ones if they are not working:** All indicators are a guess of what kinds of changes might indicate progress on your Goals. Often it is not until you start tracking them that you learn whether the indicator is showing you what you wanted to learn. In using your indicators, you might decide to adapt them or let them go based on what you are learning.

For example, say you are tracking the number of members attending your LUP meetings. You notice that the number of community members attending meetings is going up, yet you are also observing that community members leave as soon as the meal is over. You decide that, rather than just tracking attendance, you also need to know how many community members are participating in your LUP events. You then start tracking the number of completed worksheets or activities at events, rather than just the number of community members who showed up.

- ☑ **Track indicators and observe what else is going on:** Indicators, numbers and statistics are helpful to tell a story, but they never tell the whole story. There is a risk of relying too much on indicators to understand something. Keep observing and talking with community members to understand the big picture!
- ☑ **Involve the community:** M&E is an opportunity to keep community members engaged in the LUP process. Community members can help come up with potential indicators and help choose their favourites. They can participate in surveys, interviews or storytelling events or share their observations while they are out on the land. All of this information makes for a richer evaluation, and community members continue to feel involved in the process.

TOOLKIT RESOURCES:

- A. Compliance Monitoring Tool
- B. Impact Monitoring Tool
- C. Outcome Mapping Template
- D. Most Significant Change Template
- E. Medicine Wheel Evaluation Framework Template
- F. Sample M&E Framework



STEP 11

Update and Revise

How do we keep our LUP alive?

You create a LUP with the best information and knowledge you have at a particular moment. Then, through the experience of implementing, monitoring and evaluating the LUP, you learn much more. Or maybe something changes in your community that shifts priorities. It is helpful to view your LUP as a living document that will need to change and grow as your community does.

In this section, we explore:

- A. When to adapt your LUP
- B. Creating a revision process
- C. Communicating revisions

reflect



“

The Land Use Plan needs to be adapted based on community priorities. We can't assume that plans continue to reflect community priorities over time. Planning is about building community goals; it's dynamic, collaborative, driven by the Nation, a process that respects Traditional Knowledge and relationships to the land. It is NOT something that is government and industry driven. It should not sit on a shelf and get ignored.”

Steven DeRoy, The Firelight Group

“

The driving force in planning is the need for a change. When the community's priorities have changed, that can drive land use planning. The Land Use Plan should always change as the community changes.”

Ken Cossey, Principal at KWC Planning Services

A. When to Adapt Your LUP

Most likely, your LUP was produced with the best knowledge and resources available. However, one day you will look at your LUP and see that it is time for an update.

The life span of a LUP depends on your:

- **Implementation timeline:** Over how many years does the LUP project?
- **Your governance and planning culture:** Do you have any policies or common practices around how often a plan should be reviewed? If so they may require you to review and update your LUP every five years (for example)
- **M&E plan:** How often is your LUP being evaluated? If your plan is scheduled to be evaluated every year, you may find reasons to update your plan based on the results of the evaluation
- **Funding obligations:** The funding of your LUP may specify when you are eligible for funding to review the LUP
- **Results:** Is the LUP getting you the results and outcomes you intended?

The following circumstances or situations may require you to review and update the LUP:

- You reach a planned review cycle (e.g. you can establish in your LUP a planned time to review it, such as every five years)
- A new vision and priorities are emerging
- The legal context has changed
- New opportunities, issues or concerns have arisen on your lands that change the priorities
- Your M&E efforts are revealing that you are not getting the desired results or that you have achieved what you wanted and it's time to refocus
- New and innovative actions are available to secure strong benefits and outcomes

The pace of implementation success might implicate when you decide to revise and update your LUP. An update costs money and time, and this might impact how frequently revisions occur.

STORY 12: SEMA:TH FIRST NATION AND THE REVISION OF THEIR LUP

S'ólh Téméxw te íkw'élò. Xólhmet te mekw'stám ít kwelát – *“This is our land. We have to look after everything that belongs to us.”*

Sema:th LUP, 2013

Sema:th First Nation has 262 members and is part of the larger Stó:lĭ Nation, which includes 11 other Nations in the Fraser Valley of BC. Our traditional territory extends south across the (present-day) Canada-US border, and crosses the river northward into the Coastal Mountains. Today, most community members live on our main reserve.

In November 2011, Sema:th entered the First Nations Land Management regime and established our Land Code, which we had begun work on in 2008. In 2013, we completed our first LUP for our main reserve. Our LUP is up for review in 2018 and we are looking to apply some of the knowledge gained through implementation in our revised LUP.

Traditional Knowledge and traditional land ownership were not considered in our first LUP. As we prepare to update our 2013 LUP, we are reviewing all that has happened in our community in the last five years. This has been an opportunity to reflect on lessons learned and



goals for our next plan.

After introducing the Sema:th Land Use Plan in 2013, our Lands Department discovered the need to have a full land use inventory that included land possession information to meet our key goals. During our Wills and Estates Workshops, we discussed how many Elders were confused about who actually owns the house and land they occupy. Many Elders referenced verbal agreements made in previous generations. In some cases, people had discovered that they own their house but do not have possession of



the underlying land. Since we entered Land Code, people want to understand our new property laws and rights, and have begun to request their title deeds.

It has been challenging to follow where ownership began and ended in different parts of the Reserve, to determine who owns which parcel, and how traditional land is documented, transferred, or passed down through families. The lack of clarity around land ownership has been a challenge for land use planning, land governance, and community and economic development. These experiences convinced us to do as much as possible to complete our inventory before going into the next round of land use planning.

Our process is just beginning but so far it has involved:

- Interviewing members to understand their recollection of the traditional holdings system and document their claims to possession of land parcels,
- Developing a list of knowledgeable community members and witnesses to past agreements and gathering their testimonies to substantiate other members' claims,
- Reporting on the interviews and testimonies, and
- Capturing other information from this process to inform our LUP update.

Some of the challenges we have faced include:

- A fire in our Housing Department that destroyed records,
- Coordination and division of roles and responsibilities between the Housing Department and Lands Department, which previously worked separately, and
- Finding the capacity to complete the project, which is time consuming and labour intensive.

The inventory process has been an important way to engage the community in the implementation and enforcement of our Land Code and to prepare for reviewing our LUP in 2018. We are also starting to engage members through monthly Lands Luncheons. This is an opportunity for members to come by during lunch and chat with the Lands Department. We share any recent developments (also described in our newsletter) and give people an opportunity to share concerns and chat with us openly. Our numbers at these events are growing, and we are able to clarify our approaches to engagement and information-sharing as we get ready to plan again. We are also in the process of conducting Traditional Use and Occupancy Studies (TUOS) to capture our Traditional Knowledge. With these initiatives, we are in good shape to put greater emphasis on community engagement and the inclusion of Traditional Knowledge in our next LUP.

B. Creating a Revision Process

Once you decide why and when you want to review and update your plan, you need to create a process of how to make changes. Ideally, this revision process is outlined within your LUP. Having a set of steps in place to revise your LUP will ensure that it remains relevant and useful in guiding decision-making in your community (see Sample Revision Process in Toolkit Resources at the end of this step).

It also ensures that everyone understands the process for revising the LUP. Once you have a procedure for revising the LUP, it is important that it is clearly documented and publicly available. The procedure should say who can propose a revision, how to share their proposal (e.g. by completing an application), how their proposal will be reviewed and by whom, what the approval process is, and who has the authority to approve it.



EXAMPLE OF A REVISION PROCESS

In their 2010 Land Use Plan, the Tla'amin Nation set out a process for accepting policy revisions to the Plan to make sure that it remained responsive to new information or situations in the community. The process for amending policy is as follows:

1. The Tla'amin Planner (or equivalent) will guide the amendment process, presenting recommended revisions to the Tla'amin Council for review
2. Decisions on proposed revisions will be made by the Tla'amin Council
 - ▶ To ensure transparency, both the old copy and the new copy will remain attached to the Land Use Plan, with the date of amendment
 - ▶ Amendments will be published in the community newsletter and posted in the Band administration building for general community information

Source: Tla'amin Land Use Plan, March 2010. Section 6.2, p.47. Retrieved from: <http://tlaaminnation.com/tlaamin-land-use-plan-2010>

C. Communicating Revisions

Key to keeping the LUP alive is communicating revisions. When making revisions to your LUP, your communications should include:

- A description of the revision process
- A description of the revisions made
- An explanation of the reasons for the revisions
- Access to a published copy of the new version to help community members witness the change
- A record of the process of deciding change to maintain a community-based approach

Here are a few ideas of how you can communicate LUP revisions:

- Host a community feast where revisions are presented and explained
- Circulate a newsletter explaining revisions
- Post revised plan with revisions explained on website
- Create a poster summarizing changes to the LUP
- Host a workshop where the reasons for revisions are explored
- Create a short video explaining the revisions and post on website

TOOLKIT RESOURCES:

- A. Sample Revision Process



nskwátsitsa Kálhwá7al'ap Nsnekwúnúkwá7

Colleen Jacob is an elected Chief for the Xaxli'p community and a Research Manager for the St'át'imc Nation, where she manages land use and occupancy research and coordinates community and land use planning initiatives. Colleen believes that planning is very important to achieve the vision and range of goals of her people and meet their needs for the future. Colleen grounds her approach to community planning in the principle of *Nt'akmen Ihkalna* and in ecosystem-based management principles that recognize the carrying capacity of the region. To Colleen, sustainability is intertwined with maintaining the cultural way of life of the St'át'imc people. She loves documenting and mapping the Traditional Knowledge of Elders and knowledge keepers. Colleen has a Master of Arts from the School of Community and Regional Planning (SCARP) at UBC and a Bachelor of Arts with a joint major in Sociology and Anthropology. She also has a Native Studies Research Certificate and a Community Economic Development Post-Baccalaureate.



Pam Theodore is the Land Administrator for the Canim Lake Band or Tsq'escenemc, the People of Broken Rock. As a senior manager, she has thirty years of experience with the land development process and is skilled in negotiations, lease management, maintaining strong financial systems and fundraising for a wide range of projects. She has been instrumental in effectively managing a wide range of land use issues, including negotiating compensation to the community for historical land use. Pam is committed to mentoring the next generation of planners and leaders within her community and beyond. She is the Secretary of the First Nations Alliance for Land Management (FNA4LM), committed to sharing her knowledge and helping to strengthen a community of practice for First Nations Lands Managers in BC. She and her husband are proud supporters of their grandchildren who have been training hard to compete in the 2017 North American Indigenous Games (NAIG).

Bios

Advisory Committee Members



Josephine M Kelly is a member of Sumas First Nation (Sema:th), as well as the Lands & Resources Officer at Sema:th. Before taking on her role in 2015, she served on the Sema:th Lands Advisory Committee for seven years and was involved in creating the legal and policy framework for the transition into the Sema:th Land Code which was ratified in 2011. Since then, Josephine has been involved in the enforcement of Sema:th law and policies, such as the Land Use Plan, Environmental Management Plan, CP law, and soil deposit, removal and transport law, etc. Josephine's passion is working to bring out the voices of the community through engagement and education of the land, and to support and respond to shared concerns. As a community member herself, she understands and values strong opinions and their power for positive change. One of her dreams is to be able to be a part of the healthy change within the community and see the beautiful, healthier lands available to many generations to come.



Kwiić kwiić ata?aqsa

Tammy Dorward is an elected councillor for Tla-o-qui-aht First Nation (TFN) and is part of the planning team leading the Nation's first land use planning process. Deeply rooted in her people's laws, culture, spirituality and language, Tammy promotes an approach to regional development in Nuu-chah-nulth territory based on working together in the best interests of everyone. She is the representative for the Tla-o-qui-aht First Nation at the Clayoquot Biosphere Trust (co-chair), an endowment fund established in 2000 to support education and research that upholds the spirit and intent of the designation of Clayoquot Sound (within TFN territory) as a UNESCO Biosphere Reserve (CSUBR). Tammy has a Bachelor of Arts, and a Master of Arts in criminology from Simon Fraser University (SFU) with a focus on Aboriginal Justice. Her career in teaching, research, and policy development has taken her to several provinces in Canada. For Tammy, land and justice are important intersecting concerns. She currently sits on the TFN Community Safety Committee.



LUP Handbook

Appendices

Contents

APPENDIX 1: Handbook Methodology.....300

APPENDIX 2: Governance Scenarios and Land Use Planning.....305

APPENDIX 3: Land Use Planning Challenges and Strategies314

APPENDIX 4: Reasons First Nations Undertake a LUP.....320

APPENDIX 5: Community Mapping.....322

APPENDIX 1: Handbook Methodology

Our purpose in producing this Handbook was to co-create a guide to LUP with First Nations contributors to ensure that it is grounded in First Nations' knowledge and perspectives, contains meaningful content, and is accessible and culturally responsive.

We designed our methodology with five main objectives in mind:

1. To understand and respect First Nations perspectives on LUP
2. To understand practitioner needs and preferences for content and design
3. To empower community-led LUP processes
4. To celebrate strengths and showcase diverse approaches to LUP
5. To understand and reflect the diverse cultures, contexts and experiences of First Nations in BC

1. INDIGENOUS ADVISORY COMMITTEE

We convened and worked closely with an Indigenous Advisory Committee (IAC) to develop our approach to researching and producing the Handbook. The IAC assisted us in reaching out to a wide network of contributors and in reviewing draft Handbook material. Four Indigenous planners from four First Nations in BC (Canim Lake Band, Sema:th First Nation, Tla-o-qui-aht First Nation and Xaxli'p Band) who participated in the Naut'sa mawt LUP workshops sponsored by ISC from 2015 to 2018 became our IAC. We collaborated on four conference calls, at two interactive, in-person workshops and through ongoing email correspondence. See pages 296-297 for our IAC member bios.

2. ENGAGEMENT PRINCIPLES

We worked with the IAC to develop a set of 10 engagement principles to guide our approach (Figure A-1). These informed our approach and led to creative ways of envisioning and communicating the steps of the LUP process, including challenges and opportunities.

Asking permission: Through working with IAC members to tell their LUP stories, we co-created a process of dialogue, drafting, reviewing and finally approving a story text of various land use planning examples. Everything published in this Handbook was done with the consent of the participants we worked with. We also sought and obtained permission to publish the images in this Handbook.



Figure A-1. Engagement Principles

Respect culture in the highest way:

Based on feedback from the IAC, we honoured culture as the starting point for LUP. The LUP cycle begins with a 'Call to Gather', encouraging communities to draw strength and inspiration from their own cultures and long histories of LUP and governance.

Elevate and share community-based

knowledge: Recognizing that First Nations communities best understand how to plan for their land and communities, we prioritized reaching out to various practitioners to learn directly from their experiences and then featured these stories in the Handbook.

Build and strengthen networks:

Through sharing quotes and stories from the IAC and other First Nations land practitioners and featuring diverse approaches to LUP, we hope this Handbook helps readers to reach out and make their own LUP connections.

Share and discuss findings: Over a series of conference calls, two interactive workshops and a collaborative review of the draft Handbook, the IAC deliberated together on defining the distinguishing features of First Nations LUP.

Strengths-based approach: We offered a flexible LUP framework to encourage First Nations communities to design a process and LUP that builds on their knowledge and strengths. The practitioner stories are intended to show how various First Nations are approaching thoughtfully and innovatively their specific LUP strengths, needs and challenges.

Working together: Every step of the way from the planning stage to producing the Handbook, we approached the IAC and external peer reviewers for feedback and guidance.

Mutual recognition and learning: Working together to co-create this

Handbook was a great opportunity for IAC members to share and learn from each other on some of the challenging areas of LUP. Some of these discussions inspired the stories of practice that appear in the Handbook.

Inclusive and diverse participation:

This principle reflects the understanding that there is no one-size-fits-all for First Nations LUP in BC; that each First Nation's culture and community is unique and has different needs and drivers for LUP.

Collaborative design: We drew on community-based networks to identify and showcase Indigenous art and photography reflecting the diversity of First Nations in BC.

Overall, we aimed to model the elements of an inclusive and creative community engagement process in the research and design of this Handbook.

3. RESEARCH ACTIVITIES

The emphasis of our research was to engage directly with a diverse group of Indigenous land use practitioners to understand their needs and reflect their knowledge and experience in this Handbook. We used a variety of methods to conduct the following activities, listed here in the order they were undertaken:

Literature Reviews

We read and documented our analysis of LUP publications specific to First Nations in BC in 4 stages: 1) a review of industry how-to guidance, 2) a review of academic publications, 3) a trends analysis, and 4) a review of First Nations LUPs. We created a set of strong planning education practices and used these sources in the writing process.



Figure A-2. Research Activities

Indigenous Advisory Committee Workshops

We held two interactive in-person Advisory Committee workshops to gather ideas for content, structure and design to learn from their in-community experiences with LUP.

Survey

We conducted a needs assessment survey with 43 past participants of our LUP training workshops from 2015 to 2017.

ISC Workshop

We held an interactive workshop with 11 ISC staff from 5 Departments to gather their insights and experience around supporting First Nations LUP. The workshop confirmed that this Handbook

should be driven by BC First Nations' needs, knowledge and perspectives.

Key Informants

We interviewed Indigenous and non-Indigenous land use practitioners with extensive experience working with First Nations in LUP.

Call for Stories

We launched a community call for stories on a suggested set of topics through our networks, the IAC and Key Informants. In some cases, stories were written on the basis of interviews. Each story received a final review by the story contributor. Only those stories that received approval to publish from the contributor were included in the Handbook.

Review Process

The IAC-selected peer reviewers, Naut'sa mawt Tribal Council and ISC, were invited to provide comments on the final draft Handbook.

LUP Workshops

Much of the content for this Handbook was inspired by the hard work of participants from the LUP training workshops sponsored by ISC. Between 2015 and 2018 and over four rounds of training, 146 participants from 108 First Nations across BC shared their experiences with LUP.

APPENDIX 2: Governance Scenarios and Land Use Planning

Different governance and jurisdictional arrangements implicate First Nations' control over land governance. Within these arrangements, First Nations are undertaking LUP as an exercise in strengthening community self-governance and engaging community members to provide direction to leadership and staff based on community values, knowledge and needs.

The five jurisdictional contexts for First Nations LUP are as follows:

1. Traditional Governance
2. *Indian Act*
3. Delegated authority under the *Indian Act*
4. First Nations Lands Management Act
5. Comprehensive Governance Arrangements

1. TRADITIONAL LAND GOVERNANCE

Overview

Traditional governance respects First Nations laws, authorities and institutions that have existed since time immemorial. It applies to the land and people living on or moving across the land and varies depending on the First Nation and place. Traditional governance is often guided by teachings, stories, values and philosophies. These systems define the ability

to make, interpret and enforce 'laws' within a territory, the rules of political and social systems, including the roles and responsibilities of members and membership.

Canada's history of colonization has created obstacles in First Nations' capacity to make decisions around land use and development that align with a community's traditional governance values and systems. Despite many obstacles, First Nations continue to exercise their authority to make laws based on their Indigenous legal traditions and assertions of the inherent right to self-government and title to the land.

Implications for Land Use Planning

LUP can be an opportunity for a First Nation to articulate, document and assert their traditional laws and knowledge about their land. This process can strengthen internal planning and reduce the imposition of colonial models of land governance. Despite a lack of clarity as to whether or not the courts will enforce these laws, First Nations pursue LUP that draws on traditional governance models to bring attention to Indigenous legal traditions and the need for reformed governance and control over ancestral lands.¹

One method used to support LUP and decision-making related to lands and resources is a Traditional Use Study (TUS). Traditional Use Studies can shed light on the breadth of land use activities such as harvesting, hunting, trapping, and fishing and the spaces in which they take place. This information can

¹ Jodie Wilson Raybould and Tim Raybould. BC Assembly of First Nations. 2014. *Governance Toolkit: A Guide to Nation Building*.

be used to inform land and resource management in such a way that economic development does not compromise, and may even compliment, traditional activities. Drawing on traditional governance values and knowledge might also inform the establishment of protected sites and conservation areas and school curriculum development, for example.

2. INDIAN ACT

Overview

In 1755, the British Crown established the British Indian Department, and later passed the *Indian Act* in 1876 to centralize control over First Nations, facilitate assimilation and govern all aspect of their lives on Reserve.² Indian Reserves are portions of a First Nation's territory reserved for the 'Indian Band', with legal title held by the Crown for the use and benefit of the Band.³ Most 'Indian Band' Councils exercise delegated powers under the *Indian Act*.

Implications for Land Use Planning

Under the *Indian Act*, Reserves are subject to the land management policies of the Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), rather than First Nations government or its citizenship. The role of a Lands Manager is often to implement and apply ISC policies such as maintaining

2 Our Indian Reality. Retrieved on March 3rd, 2015 at <http://bcafn.ca/toolkit/documents/Tools1.2-OurIndianActReality-Handout.pdf>

3 Millette. 2011. Land Use Planning on Aboriginal Lands – Towards a New Model for Planning on Reserve Lands.

records of lease and permit agreements, and ensuring compliance with leasehold activities. Revenues from land rent are collected by ISC and permission has to be given by ISC to spend money.⁴ For example, s. 58 allows the Minister, with consent of Council, to grant agricultural leases.

Although the enforceability of LUPs developed under the *Indian Act* is limited, First Nations who enact by-laws under certain sections of the *Indian Act* such as s. 81(1)(g) can undertake basic land use planning. This section permits First Nations to create zoning by-laws and prohibit land use activities, buildings or businesses that are not in compliance with the zoning bylaw. In this scenario, First Nations law making powers are limited but LUP can still be a productive exercise in engaging members and creating a unified vision for the future. LUP can provide direction for decision-making and future community self-governance initiatives.

There are 34 other land-related sections (from 18 to 41) of the *Indian Act* that provide a weak land governance regime for First Nations. There is no legal mechanism under the *Indian Act* to adopt a LUP as a law or bylaw. However, ISC has introduced programs that provide land use management authority beyond the *Indian Act*, described in the next section.

4 First Nation Lands and Resource Management. *Indian Act* and Land Code. Retrieved March 7, 2015 at <http://georgegordonfirstnation.com/documents/Code-vs-Act.pdf>

3. DELEGATED AUTHORITY UNDER THE INDIAN ACT

Overview

In recent decades, ISC has introduced the **Delegated Lands Management Program**, which delegates greater land use planning and management authority to First Nations. The Delegated Lands Management Program is referred to as “53/60” (for s. 53 and s. 60 of the *Indian Act*) and provides First Nations with limited power to manage specific land transactions. Under s. 53, for example, the Minister may appoint a First Nation to manage or sell surrendered lands, and manage or lease designated lands for commercial, residential and recreational developments.⁵ Section 60 allows the Cabinet to authorize First Nations to manage their lands, including:

- Managing allotments
- Approving transfers, permits, transactions affecting designated labour
- Approving leases and administering permits
- Approving leases and licenses under the *Indian Act* regulations regarding water disposal and timber

In preparation for the **Delegated Lands Management Program**, ISC designed the Reserve Land and Environmental Management Program (RLEMP) in 2002. This program aims to build First Nations land management capacity and eventually

⁵ Justice Laws Website. *Indian Act*. Retrieved March 7, 2015 at <http://laws-lois.justice.gc.ca/eng/acts/i-5/>

reach delegated authority.⁶ The program trains First Nations to manage lands and resources on behalf of ISC through a three-stage certification program which allows certified land managers/officers to assume primary responsibility for Reserve lands and resource and environment management.⁷ Although First Nations participating in RLEMP are responsible for the administration of lands, the Minister of ISC is still liable for all transactions. First Nations must provide documentation such as a monthly expense plan and schedule of payment, and meet annual service delivery and reporting requirements.

Implications for Land Use Planning

One of the key functions of the RLEMP training is community-based LUP and lands, resources and environmental management. The program strengthens self-governance capacity and First Nations' ability to manage Reserve lands. Overall, the tools offered through RLEMP help to transition First Nations beyond the *Indian Act* into more comprehensive land management regimes with additional zoning bylaw powers.⁸

LUP under the Delegated Lands Management Program may require planning for an increase in funding and administrative

⁶ AANDC. Brochure – Reserve Land and Environment Management Program. Retrieved March 6, 2015 at <https://aadnc-aandc.gc.ca/eng/1399400428303/1399400494019>

⁷ UBC. Guest Column: First Nations Land Use and Resource Permitting. Retrieved March 17, 2015 at <http://ubcm.ca/EN/meta/news/news-archive/2014-archive/guest-column-first-nations-land-use-and-resource-permitting.html>

⁸ UBCM. Guest Column: First Nations Land Use and Resource Permitting. Retrieved March 17, 2015 at <http://ubcm.ca/EN/meta/news/news-archive/2014-archive/guest-column-first-nations-land-use-and-resource-permitting.html>

Other First Nations led sectoral governance initiatives that address land and resource management on-Reserve include:

- The First Nations Commercial and Industrial Development Act (FNCIDA, c.53).¹ FNCIDA came into force in 2006, and seeks to fill regulatory gaps in land management on Reserve under the *Indian Act* without requiring a First Nation to develop a Land Code or implement a system of land laws. FNCIDA removes the gaps in regulations for commercial and industrial development on Reserve to allow for economic development.
- The First Nations Oil and Gas and Moneys Management Act (FNOGMMA, c.48).² FNOGMMA came into force in 2005 - the result of an initiative led by First Nations with oil and gas interests on Reserve lands, mainly in Alberta. The act provides that a First Nation can make a code with respect to oil and gas and remove itself from the Indian Oil and Gas Act, the oil and gas equivalent of the *Indian Act*.

1 Jodie Wilson Raybould and Tim Raybould. British Columbia Assembly of First Nations. 2014. Governance Toolkit: A Guide to Nation Building.

2 Jodie Wilson Raybould and Tim Raybould. British Columbia Assembly of First Nations. 2014. Governance Toolkit: A Guide to Nation Building.

responsibilities, including: lands management such as leases or permits; environmental management such as environmental site assessment, natural resource management such as permits for natural resource extraction like fishing and logging; planning for zoning and designations; and compliance management such as promotion, monitoring and enforcement.

4. FNLMA AND SECTORAL GOVERNANCE ARRANGEMENTS

Overview

In 1990, a group of First Nations Chiefs approached ISC with a Framework Agreement proposing that First Nations opt out of 34 land related sections of the *Indian Act* (25%) and assume jurisdiction over lands and resources on Reserve, under the mechanism of a Land Code. Canada signed the Framework Agreement on the First Nations Land Management Act (FNLMA) with 14 First Nations in 1996 and it was brought into effect in 1999.⁹ As of January 2019, 153 First Nations in Canada had entered the FNLMA and were either developing or operating under their own land codes.¹⁰

The FNLMA is a way for First Nations to move beyond the *Indian Act* land governance regime to one of greater local control

9 Millette. 2011. Land Use Planning on Aboriginal Lands – Towards a New Model for Planning on Reserve Lands.

10 ISC. 2019. First Nations Land Management. Retrieved March 2019 at <https://aadnc-aandc.gc.ca/eng/1327090675492/1327090738973>

over Reserve lands and resources. The FNLMA recognizes the jurisdiction of participating First Nations to enact laws respecting “the development, conservation, protection, management, use and possession” of Reserve land, including laws respecting “the regulation, control or prohibition of land use and development including zoning and subdivision control”, in other words, land use and resource permitting processes.¹¹

Implications for Land Use Planning

First Nations that sign on to the FNLMA can plan for and manage their Reserve land through the creation of a Land Code, drafting a community ratification process and entering into an Individual Transfer Agreement with Canada. The Land Code typically includes general rules and procedures for land use and law making that reflect the unique needs and traditions of the community. A Land Code gives First Nations the ability to enact land and land-related laws over Reserve lands (see S.18.2(a) in the Framework Agreement) that include:¹²

- Zoning and land use
- Archaeological assessment and protection
- Protection of cultural, heritage and spiritual sites
- Environmental assessment and protection
- Regulation, control, authorization and prohibition of residency, access and occupation, development of land

- Setting aside protection and regulation of parks and parkland
- Setting aside lands for community purposes
- Management and protection of fish, wildlife and their habitat
- Subdivision of the land -works and services that are required
- Building regulation and inspections

First Nations are also able to conduct activities that fall under these laws such as granting interests and licenses, receiving and using revenue moneys, borrowing and investing money, being party to legal proceedings, and handling land disputes and matrimonial real property. The minister of CIRNAC is removed from the day-to-day land management decisions and the First Nation becomes the law and decision-maker in regards to their lands and resources. Still, while the land management authority is transferred to First Nations, lands under the First Nations Land Management Regime remain reserve lands and are inalienable except to the Crown.

As a legal framework, which most First Nations LUPs are not, FNLMA creates an opportunity for a LUP to become self-determining. In the FNLMA scenario, LUP is an important step in entering into this new governance agreement. It becomes an important policy document that guides land use and management decisions and laws. Developing a LUP can be a powerful way to translate your Land Code into a structured document that communicates choices about land and water use to the government and third parties, for example. The LUP can outline how the First Nation will establish their own regimes to manage

¹¹ First Nations Management Act. Statutes of Canada 1999, c. 24.

¹² UBC. Guest Column: First Nations Land Use and Resource Permitting. Retrieved March 17, 2015 at <http://ubcm.ca/EN/meta/news/news-archive/2014-archive/guest-column-first-nations-land-use-and-resource-permitting.html>

their lands and resources, providing for more decision-making at the local level. Additionally, the process of developing a Land Code may require important pre-planning steps that inform community LUPs such as an assessment of financial investments and economic development strategies. This includes sessions with Council and staff regarding the process and how to best involve community members.

Land management and jurisdictional authority over what happens on Reserve lands are important aspects of governance when moving from the *Indian Act* toward self-determination and economic self-sufficiency. While FNLMA requires that communities negotiate the difficult line between traditional and modern structures, it provides a valuable tool for building First Nations' capacity to do this on their own terms.

5. COMPREHENSIVE GOVERNANCE ARRANGEMENTS

Overview

Under comprehensive governance arrangements such as treaties, the *Indian Act* no longer applies at all.

Comprehensive governance arrangements can provide First Nations with clarity on rights to ownership, planning and use of lands and resources. First Nations can secure a package of rights and benefits, including self-governance, ownership of lands, fisheries and wildlife harvesting rights, participation in land and resource planning and management, and resource

revenue sharing, set in a constitutionally protected settlement agreement. Governance arrangements might include:

- **Independent Agreements:** First Nations that want the authority to make their own land use decisions on and off Reserve can form bilateral agreements with Canada. These agreements are a form of legislation that often recognize First Nations right to self-government, included under Canada's 1995 Aboriginal Self-Government Policy.¹³ This means Canada will recognize First Nations' jurisdiction and law-making authority on lands for which they negotiate this jurisdiction.
- **Treaties:** The Government of Canada and the courts define treaties between the Crown and Aboriginal people as agreements that set out promises, obligations and benefits for both parties.¹⁴ In Canada, 364 of 617 First Nations are Treaty First Nations (59%) and historic treaties are located in 9 provinces and 3 territories, covering nearly 50% of Canada's land mass.¹⁵ The Crown and First Nations have different interpretations of agreements, which creates challenges. In BC, new land governance regimes are being developed through the BC Treaty Process as First Nations

¹³ Indigenous and Northern Affairs Canada. Aboriginal Self-Government: The Government of Canada's Approach to Implementation of the Inherent Right and the Negotiation of Aboriginal Self-Government. Australian Indigenous Law Reporter, 1(2) (April 1996): 330-333

¹⁴ Indigenous and Northern Affairs Canada. Treaties with Aboriginal People in Canada. 2010. Retrieved June 10, 2017 at <http://publications.gc.ca/collections/Collection/R34-6-30-2000E.pdf>

¹⁵ Indigenous and Northern Affairs Canada. Pre-1975 Treaties and Treaty First Nations in Canada Interactive Infographic. 2013. Retrieved June 10, 2017 at <https://rcaanc-cirnac.gc.ca/eng/1380223988016/1544125243779>

negotiate the right to exercise more powers over land use planning on Reserves and treaty settlement lands.

- **Land Claim Agreements:**¹⁶ There are two types of “land claims” - comprehensive claims and specific claims. Comprehensive land claims agreements (CLCA) involve land and often arise when First Nations’ land rights have not been dealt with by treaty or through other legal means.¹⁷ Specific claims deal with past grievances related to Canada’s obligations under historic treaties or the way it managed First Nations’ funds and assets. This may or may not include land.
- **Modern Treaties:** Forward-looking agreements (also called “modern treaties”) are negotiated between a First Nation, Canada and province or territory and can include self-government provisions within a single final agreement or separate Self-Government Agreements. The planning authorities of the First Nation, Canada and other governments are set out to expand the rights of the First Nation. As of 2017, there are 24 CLCAs given Royal Assent and in effect, with one in BC.¹⁸
- **Strategic Engagement Agreements:** Crown and First Nations can create agreements on the governance of broader territories.¹⁹ First Nations can enter into co-

management or shared decision making arrangements with BC prior to or instead of treaty under Strategic Engagement Agreements (SEAs). For First Nations in the treaty process, SEAs can create decision making mechanisms once a treaty is reached. For other First Nations, SEAs can increase involvement in decision making on a government-to-government level and lay out rules for consultation and accommodation.

Implications for Land Use Planning

Under governance arrangements, LUP typically includes a larger region which represents a portion of traditional territory. Like the FNLMA, the CIRNAC minister is removed from day-to-day land use planning and management decisions and the First Nation becomes the law and decision-maker for their agreed lands and resources. In contrast to FNLMA, First Nations gain planning jurisdiction over settlement lands as opposed to just Reserve Lands.

Although there is no one size fits all agreement or treaty, comprehensive governance arrangements often address topics such as jurisdiction, zoning, land use, land ownership, taxation, administration and management of property owned by the First Nation, and control over natural resources and the environment.²⁰

¹⁶ AANDC. Comprehensive Claims. Retrieved March 5, 2015 at <https://aadnc-aandc.gc.ca/eng/1100100030577/1100100030578>

¹⁷ Indigenous and Northern Affairs Canada. Land Claims. Retrieved June 10, 2017 at <https://aadnc-aandc.gc.ca/eng/1100100030285/1100100030289>

¹⁸ Public Works and Government Services Canada. Comprehensive Land Claims Agreements in Effect. Retrieved June 10, 2017 at <https://buyandsell.gc.ca/policy-and-guidelines/supply-manual/section/9/35/5>

¹⁹ Jodie Wilson Raybould and Tim Raybould. British Columbia Assembly of First

Nations. 2014. Governance Toolkit: A Guide to Nation Building.

²⁰ Westbank First Nation. Self-Government Agreement. Retrieved March 5, 2015 at: <https://aadnc-aandc.gc.ca/eng/1100100031766/1100100031768>

Through treaty negotiation, First Nations can also negotiate provisions for a role in “off” treaty settlement lands and working with local governments on broader land use planning.²¹ Similarly, a SEA can help ensure that the First Nation has a firm commitment from the Province to implement their Land Use Plan and other arrangements.

Treaties and other governance arrangements often represent new opportunities for autonomy and decision making. LUPs are therefore an opportunity to establish a vision for land management and orient a First Nation’s future based on their unique governance arrangement and to determine laws for treaty settlement and ancestral lands and resources. A LUP can also be undertaken before a treaty or governance agreement to inform treaty settlement negotiations. Under certain comprehensive governance arrangements, a LUP might also become a legally binding policy document that the First Nation has jurisdiction to manage settlement lands.

21 Indigenous and Northern Affairs Canada. Pre-1975 Treaties and Treaty First Nations in Canada Interactive Infographic. 2013. Retrieved June 10, 2017 at <https://aadnc-aandc.gc.ca/eng/1100100028574/1100100028578>

THEME	SCENARIO				
	Indigenous Governance	Indian Act	Delegated Authority Under Indian Act	First Nations Land Management Act (FNLMA)	Comprehensive Governance Arrangements
Land Legislation	Constitutional Orders	<i>Indian Act</i>	<i>Indian Act</i>	First Nation land code	Treaty or Agreement
Final Authority	First Nation	The Minister of ISC administers land and resources	First Nation and the ISC Minister administer land and resources, the minister has final authority	First Nation administers land and resources	First Nation administers land and resources
Land to Plan	Traditional territory	Reserve lands	Reserve lands	Reserve lands	Reserve lands and traditional territory
Law Making Ability	First Nation can enact laws, often created and maintained by a constitutional order	First Nation can enact specific bylaws under the <i>Indian Act</i> with approval from the Minister	First Nation can enact bylaws through the delegated authorities under S.53 and 60 of the <i>Indian Act</i> with approval from the ISC Minister	Under land code, First Nations can make Land Use Laws on zoning, land use, subdivisions, environment, development, parks, revenue moneys, matrimonial property, and settlement of disputes	First Nation can make a Constitution and laws on land and resources as negotiated in an agreement, in respect to treaty, settlement lands and ancestral lands
Owners of Land	First Nation	Crown	Crown	Crown	First Nation
Dependance on Indian Act	0% of <i>Indian Act</i> applies	100% of <i>Indian Act</i> applies	100% of <i>Indian Act</i> Applies	75% of <i>Indian Act</i> applies	0% of <i>Indian Act</i> applies to treaty
The LUP Opportunity	Asserting rights and title Documenting Indigenous laws and customs Managing land-based on Indigenous laws Providing direction for decision-making	Enacting specific zoning bylaws Engaging members to create a unified vision Providing direction for decision-making Strengthening self-governance capacity	Enacting more zoning bylaws Engaging members to create a unified vision Providing direction for decision-making Building capacity and assuming responsibility for reserve land Strengthening self-governance capacity	A LUP is a step in entering into a new governance arrangement A LUP is a policy document to guide land governance under a land code	Legal policy document to guide land governance management and decision-making for settlement lands Engaging members to create a unified vision

Table A-1. Governance Scenarios

APPENDIX 3: Land Use Planning Challenges and Strategies

Many First Nations involved in LUP are dealing with similar challenges and have found creative ways to make the long journey of LUP manageable and worth it. The following table describes challenges, different strategies you could draw on to overcome these challenges and links to stories that reflect diverse approaches to some of these common challenges.

These stories are not one-size fits all, as our aim is not to present the answers to complicated LUP questions. Rather, we aim to showcase community planning strategies and actions that worked well. We have focused on stories where a LUP challenge has been overcome in a way that is valued by the community and/or has had a positive lasting impact.

Table A-2. LUP Challenges and Strategies

CHALLENGE	CONTEXT	STRATEGIES	LINK TO EXAMPLES
Unclear land ownership	<ul style="list-style-type: none"> Traditional land holdings remain un-surveyed and undocumented Some lands are difficult to verify as they have been transferred through oral agreements or between people who have passed away In some cases, CPs took away land without compensation that already belonged to families within the traditional system Land ownership is a source of internal conflict Treaty negotiation has resulted in lawsuits over overlapping boundaries 	<ul style="list-style-type: none"> Undertaking a lands inventory Interviewing members to understand their recollection of the traditional holdings system Documenting members' claims to possession of land parcels Gathering testimonies from knowledgeable members to substantiate other members' claims 	<p>Sema:th First Nation: creating a Land Inventory to support LUP implementation and review</p> <p>Tla'amin First Nation: Building a Shared Understanding of Community History through LUP</p>

CHALLENGE	CONTEXT	STRATEGIES	LINK TO EXAMPLES
<p>Getting members involved</p>	<ul style="list-style-type: none"> • A community-driven LUP requires engagement but members might be overwhelmed by the number of planning processes they are expected to participate in and can suffer fatigue or burn out. • Making the process fun and enticing might require additional resources to provide incentives such as honourariums, recognition or meals and celebrations • Challenge to involve, engage, and communicate with members who do not live on Reserve 	<ul style="list-style-type: none"> • Draw on community protocols • Build trust • Involve Youth as volunteers • Gain permission to gather and use information and uphold anonymity and confidentiality • Tell people how their voice is being heard and incorporated into the Plan • Making processes personally relevant • Making sure events are inviting and fun, not tedious • Teaching on the importance of planning and demonstrating concrete gains • Informal outreach to off-Reserve members • Using multiple communication channels and simple tools • Meeting outside on the land • Working with a LUP Committee to balance perspectives and representation • Developing a Community Engagement and Communications Strategy 	<p>Tsawwassen First Nation: planning with CP holders post treaty and meeting community need for social housing</p> <p>Klahoose First Nation: youth-led planning process that involved off-reserve members</p>

CHALLENGE	CONTEXT	STRATEGIES	LINK TO EXAMPLES
<p>Community divisions and trauma</p>	<ul style="list-style-type: none"> • Those leading the planning process might face resistance, criticism and division among individuals, families and colleagues. • The LUP process can unearth traumas related to land ownership, forced removal and feeling disconnected from land 	<ul style="list-style-type: none"> • Getting positive momentum going • Having a strong planning team to keep the process going in the face of conflict. • Having support persons available to work with those experiencing trauma 	
<p>Loss of cultural knowledge</p>	<ul style="list-style-type: none"> • Loss of cultural knowledge through colonization, Residential School, and Elders’ passing • Revitalizing traditional land governance and exploring traditions and culture as they have evolved over time can take considerable time, energy and resources. 	<ul style="list-style-type: none"> • Using the LUP process to restore connections to land and spending time on the land • LUP has a broad scope and is an opportunity to be distinct, integrate language, culture and traditional practices • Vehicle for expressing land and cultural loss and protecting cultural heritage (e.g. designations) 	<p>Musqueam Indian Band: Healing and Cultural Preservation - LUP Structure and Process</p> <p>Tla’amin Nation: Integrating language and cultural governance models into LUP; Inclusion of past plans in the planning process</p>
<p>Staff turnover</p>	<ul style="list-style-type: none"> • Transitioning leadership can stall land use planning • New leaders are often busy learning their new roles and responsibilities 	<ul style="list-style-type: none"> • LUP orientation package or meeting to provide background on land use planning taking place • Digitizing information to make it more accessible for new staff • Mentoring next generation of planners • Be proactive in preparing for Leadership and/ or staff changes 	

CHALLENGE	CONTEXT	STRATEGIES	LINK TO EXAMPLES
<p>Building capacity and resources</p>	<ul style="list-style-type: none"> • As First Nations move towards self-governance, they need more capacity to meet their goals and responsibilities • Many communities are small in size and have limited capacity • Own-source revenue and available funding for land use planning is often not enough to create the LUP needed • First Nations may have to stop planning for periods of time while they try to get piecemeal funding • It can be challenging to develop the secure long-term resources to hire one or more professional planners or, in the case of smaller communities, to have shared access to a planner to implement the LUP. • Moving at a pace that is manageable for the local planning team • Keeping up with day to day responsibilities while planning is happening 	<ul style="list-style-type: none"> • Exploring funding from than one source and breaking out planning into phases and seek funding for each • Partnerships with organizations that have shared interests and goals and can offer important financial and human resources. • Partnerships with universities, post-secondary institutions and non-governmental organizations that can provide access to technical resources and specialized knowledge and skills • Building a relationship with a reliable consulting firm that supports capacity building • Co-governance and co-management arrangements and service delivery agreements with other orders of government • Tailoring a LUP to the capacity of the community so that they can implement the plan they have created • Ensure that the process builds confidence and skills 	<p>Taku River Tlingit First Nation: How they partnered with Round River Conservation Society to prepare their own plan that positioned them to negotiate a joint LUP with BC</p>

CHALLENGE	CONTEXT	STRATEGIES	LINK TO EXAMPLES
<p>Working with neighbouring communities</p>	<ul style="list-style-type: none"> • Long history of exclusion and being planned for • First Nations have often been ignored and excluded from local and regional planning 	<ul style="list-style-type: none"> • Dedication to partnership • Clarifying roles, responsibilities, decision making and expectations 	<p>Tla-o-qui-aht First Nation: Advancing regional collaboration and upholding Indigenous jurisdiction through the Clayoquot Biosphere Trust and TFN Tribal Parks partnership</p> <p>Tsawwassen First Nation: taking a regional approach to support infrastructure and economic development</p>
<p>Overlapping boundaries</p>	<ul style="list-style-type: none"> • Many boundaries have been imposed on First Nations • Boundaries may not be representative of occupancy, land use, genealogy and/ or governance in an area • Court decisions have not produced a solid framework for reconciling issues related to overlapping claims of Aboriginal title and rights • Determining land to plan for can be challenging as boundaries may be contested or overlapping 	<ul style="list-style-type: none"> • Some First Nations are drawing on TUS studies to identify and map old markers (natural features on the land) around their proof of claim an area • Entering into shared use agreements with neighbours • Mapping can be a tool to inform decision making processes • Develop joint resource management board between communities to manage issues and disputes 	

CHALLENGE	CONTEXT	STRATEGIES	LINK TO EXAMPLES
<p>Information Management</p>	<ul style="list-style-type: none"> • LUP requires considerable human and financial resources and relies on good information. Collecting that information is time intensive and requires solid systems for storing information • It can be an overwhelming task to collect, synthesize and store community-based information • Monitoring and evaluating the LUP requires additional access to good information and a capacity to collect, store and analyze that information to make decisions about whether or not the LUP is achieving the results needed 	<ul style="list-style-type: none"> • Helpful to have Traditional Knowledge gathered, organized, and integrated within the LUP to inform objectives, organize land into planning units, and discuss what can and cannot be done in certain places. • Data sharing agreements with various government ministries to access data libraries not available publicly and to formalize a process for obtaining information • Create data library structures and standardized maps for organizing information, such as GIS data 	<p>Adams Lake Indian Band: integrating TUS information into the referrals process with support from community Knowledge Keeper software</p> <p>Fort Nelson First Nation: land use plan created to support referrals but not being used</p>

APPENDIX 4: Reasons First Nations Undertake a LUP

Some of the key reasons that a First Nation might undertake a LUP include:

1. **Assert Rights and Title:** Some First Nations are completing a LUP to help document traditional laws, put them in to practice and make a statement about continued occupation and use of their territory. LUPs can be a way to re-establish authority, exert ownership, and exercise Rights and Title.
2. **Establish a common Vision:** An important reason for undertaking a LUP could be to find common ground in your community, identify shared community values, priorities, needs and set out a long-term community vision to guide land management goals and objectives.
3. **Preserve and revitalize culture:** Some First Nations are embracing the LUP as an opportunity to honour, uphold and revitalize culture, language, and way of life on the land. This can be achieved through a LUP process that is driven by traditional protocols and values. The LUP itself may also provide the opportunity to record Traditional Knowledge and identify and protect cultural resources and sites.
4. **Care for the land:** Some First Nations embrace LUP as a way to actively practice their responsibility to care for the land. This might involve addressing environmental concerns and land management challenges and protecting sacred, cultural and significant ecological sites, including those under threat from external development, extraction and harvesting pressures. Through the LUP process, First Nations can ensure that land is protected and/or developed according to the needs and values of the community.
5. **Develop a new governance arrangement:** Sometimes a LUP is part of a process of developing a new governance arrangement. For example, a First Nation might complete a LUP as part of their Land Code process or as part of their treaty process. The purpose of the LUP might be to inform treaty negotiations, title cases, and land claims settlements.
6. **Strengthen community engagement and self-governance:** A First Nation may be using a LUP process as an opportunity to meaningfully engage community members in a conversation about the future of the community and lands. As a community-driven process, First Nations are embracing LUP as an opportunity to create a stronger line of communication between community members and Leadership, and give community members avenues to take important roles in the governance of their community.
7. **Explore economic development opportunities:** Some First Nations complete a LUP to help identify economic opportunities on their land and plan for future job creation and revenue. An LUP can help position a First Nation for

LUP AS A GOVERNANCE TOOL

- Establish authority
- Directing decision making
- Providing policy guidelines
- Managing existing and potential disputes
- Resolving pressures on land and infrastructure

economic development opportunities, help attract new economic opportunities, and provide certainty to outside organizations about economic activities that are compatible with the First Nation's priorities.

8. Guide referrals and development proposals: For some First Nations, a LUP responds to the need for a decision making tool to respond strategically to initiatives of municipal, provincial and federal government, and to guide responses to industry referrals and development proposals. Providing proponents with a copy of the LUP can help them respond to the First Nations needs and values rather than the First Nation always responding to requests.
9. Guide internal decision making and policies: A LUP can be used as a flexible tool to guide Chief and Council, and/ or staff in decision making, evaluating competing resource priorities or considering the effect of a particular activity on the land consistent with the community's values. A LUP can become a foundation for policy development, for operational day-to-day planning by Leadership and staff, and for developing detailed guidelines for the development of particular land parcels and traditional territory.
10. Respond to development pressures: Some First Nations are responding to development pressures in their territory. A LUP is a tool to articulate a future vision that can guide future development in the region.
11. Support relationship-building and coordination: A LUP process might involve relationship-building processes with neighbouring communities or coordinating with planning processes taking place in neighbouring communities, districts or regions. A First Nation may prepare a LUP in preparation for participation in a larger regional planning process, or in reaction to a planning process that the First Nation feels they were excluded from.
12. Provide certainty over shared territories: First Nations may develop LUPs to help provide certainty over jurisdiction and decision making on shared territories.
13. Complement and/or prepare for other planning processes: A LUP might complement other planning processes that are underway such as a Comprehensive Community Plan, or can be used to prepare for more specific sector-level planning. Examples include:
 - ▶ Housing
 - ▶ Community infrastructure (recreational, health, educational)
 - ▶ Infrastructure and servicing: sewage, clean drinking water, electricity, energy, etc.
 - ▶ Economic development
 - ▶ Food security: farms, fisheries, hunting and game, protection of traditional food sources
 - ▶ Health and Social: recreation, health resources, community programming
14. Support community health and healing: For some communities, LUP plays an important role in a broader effort to improve community health and healing. Strengthening the community's relationship to the land and responsibility to the land through LUP can be an opportunity for community healing. Planning to ensure future recreational, traditional and cultural uses of the land can help improve your community's health.

APPENDIX 5: Community Mapping

“First Nation peoples carry maps of their homelands in their heads. For most people, these mental images are embroidered with intricate detail and knowledge, based on the community’s oral history and the individual’s direct relationship to the traditional territory and its resources. Land use and occupancy mapping is about documenting those aspects of the individual’s experience that can be shown on a map. It is about telling the story of a person’s life on the land.”

Chief Kerry Moose in “A Guidebook to Land Use and Occupancy Mapping, Research Design and Data Collection (2000)

Maps are a symbolic and spatial representation of a particular area or theme. Maps often emphasize relationships between places and the ecosystem, showing boundaries, natural features and systems, roads, resources, networks, and patterns of use, for example. While many maps are depicted digitally or on paper, others can be dynamic and interactive.

Maps of a community can depict a variety of features and may include several types of maps, such as:

- **Physical map:** Displays the physical features of a place, including land and water features such as mountains and rivers
- **Topographic map:** Displays physical features, using contour and color to show changes in the landscape, such as elevation and slope

- **Road map:** Shows trails, roads and highways (transportation corridors), and can display various levels of detail including important natural and human sites
- **Climate map:** Displays information about climate conditions, such as temperature and precipitation
- **Political map:** Displays legal boundaries, important towns and cities, and bodies of waters; or land tenure and jurisdiction
- **Resource map:** Shows the arrangement of natural resources within a place such as which areas have a particular resource
- **Economic map:** Depicts economic activity within an area or site and can differentiate between types of economic activities taking place in one or combined areas
- **Infrastructure map:** Displays primary and secondary assets, including housing, buildings, energy, waste management, and social and gathering infrastructure
- **Land Use Maps:** Depicts areas designated by use with supporting guidelines and policies
- **Traditional Use Maps:** Shows past and present traditional uses such as sacred, cultural, food, harvesting and medicinal

Indigenous communities have mapped a variety of land use and occupancy information including:

- Places where animals are harvested for food, clothing, medicines, tools, and other purposes
- Places where plant materials are harvested for food, clothing, medicines, tools, shelter, fuel, and other purposes
- Places where water, rocks, minerals, and soils are used or

collected for making tools, conducting ceremonies, and other purposes

- Ecological knowledge of habitats and sites critical to the survival of important animal populations such as migration corridors or breeding grounds
- Habitation sites, such as settlements, trading posts, cabins, camps, and burial grounds.
- Spiritual or sacred places
- Places described in specific legends or accounts
- Travel and trade routes
- Indigenous place names

For additional information see “A Guidebook to Land Use and Occupancy Mapping, Research Design and Data Collection” by Chief Kerry Moose, Eco Trust (2000)

The use of maps has been linked to Indigenous political empowerment and resulting changes in legislation recognizing Indigenous rights to manage their natural resources and territories (Cronketon et al. 2010). Some uses of mapping by First Nations might include:

- Documenting Elders’ oral history
- Strengthening Indigenous land governance and management
- Determining shared use areas and boundaries between communities
- Providing evidence for court cases involving Rights and Title

- Settling treaty and claims under federal land claims processes
- Supporting compensation claims
- Negotiating co-management agreements
- Negotiating protective measures and benefits from industrial development
- Determining potential impacts of development
- Supporting injunctions to stop unwanted development
- Providing baseline data for long-term community planning and resource management
- Supporting administrative programs such as land use permitting
- Developing education and learning tools
- Supporting cultural revitalization

The mapping process is an opportunity to reflect on and analyze current land use and management practices. Hand-drawn maps and community learning opportunities such as workshops, outreach, walkabouts and land tours are a good way to start the community mapping process. Technology such as geographical information systems (GIS) can be used as a tool to improve the accuracy and detail of these mapping efforts and can accompany the community learning process.

Table A-3 (next page) highlights five common methods of community mapping, with sketch and scale maps being the easiest to begin with (adapted from Rambaldi et al. 2005 and Corbett 2005).

METHOD	DESCRIPTION	TOOLS REQUIRED	PROS	CONS	BEST USED TO
Sketch Maps	A map is drawn from observation or memory. It does not rely on exact measurements, such as having a consistent scale, or geo-referencing.	Paper Pens Sticky notes	Inclusive to all community members Does not require high technological understanding Flexible to allow display of various forms of knowledge and notes	Lacks accuracy and requires picture taking to be stored digitally	Display stories of traditional knowledge Represent sites of cultural, or ecological importance Build local capacity Map Product: Community Based Map
Scale Maps	Can be drawn over georeferenced Landsat satellite images or landscape best for resources and cultural features. A more sophisticated method of sketch mapping aimed at generating geo-referenced data to facilitate discussions and allow community members to develop maps.	Aerial Maps GIS Maps Topographical Maps Pens Sticky notes	More accurate than sketch maps Inclusive of all community members Can accommodate various forms of information by using different colored sticky notes and pens	Needs to be digitized after map has been made Not 100% accurate	Map sites of cultural importance Represent ecological sites such as nesting grounds, important hunting or fishing areas (e.g. important streams) Traditional land use and occupancy Display infrastructure that is currently existing or in need (e.g. roads, facilities)
GPS	Satellite-based positioning system that can be taken in the field to register exact location. Data used from GPS can also support and add accuracy to information depicted in sketch and scale maps.	GPS equipment Ability to access site to load GPS coordinates	Accurate and can store locations digitally	Sites may be difficult to access May require more time	Show demarcation of areas of land, boundaries or sites of importance Display sites of cultural or resource importance Highlight potential economic development sites Show biodiversity counts (plants or species of importance)

METHOD	DESCRIPTION	TOOLS REQUIRED	PROS	CONS	BEST USED TO
GIS	Computer based system that can design, collect, manage spatial information and data. The digital hyperlinked map of the communities' traditional lands consists of points, lines and polygons that could be clicked on to link the viewer to related multimedia and textual information.	GIS application Skilled GIS user PGIS Alternate technology: Geolive (an online interactive mapping interface)	Can formulate various map layers for different uses and development scenarios Accurate, detailed and already digitized. Easy to store and keep safe	Need to have GIS system and trained technological skill	Create detailed maps of land Incorporate various layers and store multimedia to specific locations Store various forms of information in one place Support claims for land tenure and legal battles
3D Modelling	Computer based system that can design, collect, manage spatial information and data. The digital hyperlinked map of the communities' traditional lands consists of points, lines and polygons that could be clicked on to link the viewer to related multimedia and textual information.	Sketch Up 3D modelling software	Can accurately represent various topographic features	Need to have software and trained technological skill	Model topography of interest (e.g. rivers, mountains, unique sites)

For sketch and scale mapping, it is important to encourage people to draw and write directly onto a base map or to make their own personal or collective mental maps. Using icons and numbering special sites with a legend that contains a longer description are easy ways to gather information and not clutter up the map.

It is recommended that information from community maps is digitized to prevent the information from being lost, and

for improving accuracy and strengthening decision-making. GPS, GIS, and 3D modelling require some technological understanding, but can be very useful in displaying various types of information and adding accuracy to sketch and scale maps.

See Step 4 Toolkit Resources for an Overview of Mapping Tools and Online Community Mapping: Approaches and Resources.



Sponsored by:



Authored by:



Funded by:



Indigenous Services
Canada

Services aux
Autochtones Canada