

Resource Planning Partnerships Workshop  
September 20-21, 2018

WORKSHOP SUMMARY



Prepared by:

Dovetail Consulting Group  
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**Disclaimer:** This independently produced report provides a summary of discussions at a workshop held on September 20-21, 2018. The views and opinions expressed in this report represent those of the individual workshop attendees and do not necessarily reflect the policy or position of the Government of British Columbia. This report is provided for information and discussion purposes only.

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## 1 Introduction & Workshop Goals

This document provides a summary of the Resource Planning Partnership Workshop held on September 20-21, 2018, in at the SFU Morris J Wosk Centre for Dialogue in Vancouver, which was convened by the ministries of Indigenous Relations and Reconciliation (MIRR) and Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD).

This document has been prepared by the workshop facilitation team for circulation among workshop participants and other interested parties.

### 1.1 Background

This event was designed to support British Columbia's efforts to modernize land use planning, in part, as a response to emerging challenges in the management of B.C. public lands and natural resources, and in keeping with a renewed commitment to partnerships between Indigenous governments and the Province. A modernized land-use planning program also holds opportunities for the Province and Indigenous Peoples to advance the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), consistent with the *Draft Principles That Guide the Province of British Columbia's Relationship with Indigenous Peoples*.<sup>1</sup>

In this context, the September 20-21, 2018, workshop brought together Indigenous and provincial representatives from throughout the province to share experiences from recent collaborative initiatives, identify best practices from resource planning partnerships at various scales, and develop joint recommendations related to modernizing land use planning in British Columbia.

### 1.2 Workshop Goals

Specific goals of the September 20-21, 2018, workshop were to:

- Identify lessons learned from recent resource planning partnerships between the Province and Indigenous Peoples, drawing on selected examples and case studies.
- Clarify opportunities for modernizing land use planning in B.C. in the context of UNDRIP and renewed commitments to reconciliation.
- Ensure all participants are familiar with the evolution of land use planning in B.C.
- Highlight potential best practices to inform future land use planning initiatives.
- Identify potential recommendations for modernizing land use planning in B.C.

### 1.3 Contact Information

For information related to this workshop, please contact:

- Luigi Sposato, Executive Director, Land Use Planning, MIRR  
[Luigi.Sposato@gov.bc.ca](mailto:Luigi.Sposato@gov.bc.ca)
- Matt LeRoy, Director, Resource Planning and Assessment, FLNRORD,  
[Matthew.LeRoy@gov.bc.ca](mailto:Matthew.LeRoy@gov.bc.ca)

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<sup>1</sup> [https://news.gov.bc.ca/files/6118\\_Reconciliation\\_Ten\\_Principles\\_Final\\_Draft.pdf?platform=hootsuite](https://news.gov.bc.ca/files/6118_Reconciliation_Ten_Principles_Final_Draft.pdf?platform=hootsuite)

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## 2 Workshop Outcomes

### 2.1 Day 1 Welcome and Orientation

Wade Grant from the Musqueam First Nation welcomed participants and oriented people to the long history of Musqueam, Squamish and Tsleil-Waututh Peoples on the land where the Wosk Centre is located. He spoke to the desire to build the strength of all our communities and the importance of the reconciliation work we are embarking on.

Luigi Sposato, Executive Director, Land Use Planning and Major Initiatives, MIRR, welcomed participants and spoke to the importance of creating a collaborative learning space within the workshop. He stressed that this was a preliminary discussion of what modernized land use planning should look like, not a 'consultation,' and that he felt privileged to part of this discussion.

### 2.2 Keynote Presentation

#### **Keynote: Dallas Smith, Nanwakolas Council**

Dallas Smith is the President of Nanwakolas Council, and has land use planning experience on the Central Coast dating back to 1997.

Dallas highlighted the gradual evolution of approaches for land use planning, dating back to the early days of the Commission on Resources and Environment and Land and Resource Management Planning, when Indigenous people were not always involved.

Dallas spoke to the more than 20 years of investment in the government-to-government relationship between the Crown and Indigenous people on the Coast, at the political, bureaucratic and technical levels, leading to the conclusion of a wide range of ambitious agreements that are currently being implemented, with many lessons learned along the way. He commented that he is "proud of being part of that process, but embarrassed that it took 20 years....the ability to do productive and efficient land use planning with First Nations is now upon us."

Dallas stressed the importance of relationships and trust in these long processes and noted that "the courts made us work together but it was relationships that kept us working together."

Dallas commented that one of biggest challenges is how to work together and make decisions on a day-to-day basis, and flagged that the Crown and Indigenous people need to talk more about revenue sharing and capacity building as we move forward, as "the ability of Nations to engage at the political, bureaucratic and technical levels is critical."

He concluded by commenting that we "have to extract the lessons learned. Thanks to collaborative land use planning, the big issues don't scare me anymore. We have the processes in place now to figure things out. This is a really good discussion. Very forward-thinking to be having this conversation now, in a safe place."

#### **Keynote: Derek Thompson, former Deputy Minister**

Derek Thompson is a former Deputy Minister who served over 30 years with the Government of British Columbia in protected areas and land use planning, including helping to establish the Land Use Co-ordination Office and serving as Chair of the Haida Gwaii Management Committee among other roles.

Derek presented on *Land Use Planning in B.C.: Lessons & Perspectives*. He noted that land use planning has gone through many stages and numerous 'ups and downs.' In that

context, current efforts to 'modernize' land use planning may in fact be the start of the fourth phase of land use planning in B.C. following more than 12 years of hiatus and after a long period of comprehensive regional land use planning in 1990s and early 2000s. He commented that we are on the cusp of a new era in land use planning in B.C. that deeply involves Indigenous people. He felt that it is a "complex challenge but a fabulous opportunity."

Derek noted that the B.C. model for working with Indigenous communities is seen as the best model in the world for collaborative engagement, but there is plenty of work to do, including addressing issues such as climate change, ensuring meaningful government-to-government engagement, improving rural community sustainability, and others. He noted that none of these issues can be solved in the short term and will possibly take generations.

Derek highlighted several key lessons learned from his career in this field:

- *Alignment & Relevance:* If governments from top to bottom are not internally fully aligned (in a policy, legislative and organizational way) then this process becomes irrelevant and battles will inevitably degrade to the lowest common denominator at a site-by-site level.
- *Vision & Objectives:* It is important for government to have a clear and internally-consistent vision and set of objectives that establishes clear direction and consistent action from the Premier on down.
- *Synergy:* You have to find a way to ensure that the various initiatives now in play synergize with each other to produce a sum effect greater than their parts. If not, they will compete and destroy each other within government.
- *Leadership & Inclusivity:* Earlier periods of land use planning effort were fortunate to have several Premiers 'on side' with the vision. Now, both the Province and First Nations governments need to come together on a common vision.
- *Invest in Governance & Capacity:* It is critically important to invest in building and sustaining the governance systems and capacity to undertake the work, both within the Province and First Nations.
- *Technical Proficiency & Institutional Architecture:* It is important that technical professionals understand their role—which is not to set policy, but to provide all the tools so that leaders can make informed decisions. Institutions have to be well organized and accountable in delivery.
- *Legacy in the Long Game of Trust Building:* This is where failures occurred in the past. Not enough was done to leave an enduring legacy of internal organizational memory and ongoing processes that would be self-renewing.
- *Don't forget communities:* Communities are key—without them onboard, you will be frustrated in your efforts and experience delays and setbacks.
- *Benefits for all:* Everyone needs to see how they will benefit from land use planning—it cannot only benefit a few interests. Everyone needs something.
- *Common information:* You need a solid base of data that everyone can trust, so that the discussions are about interpretation of the data, not its validity.
- *Preparation:* Be ready. Do the advance, pre-planning work so that you can engage effectively when you get the opportunity.
- *Time is not your enemy.* Recognize that planning processes take time, but use it wisely.
- *Risk and reward:* Sometimes you have to take risks to make gains. There were times when government planning staff had no one behind us, but we had the vision and 'went for it.'



- *Hot spots*: Be aware of the 'hotspots' in your planning region. Do hot spots analysis of the specific places or issues that drive the big picture planning.
- *Immediate action*: It's OK to take advantage of low-hanging fruit or easy wins in land use planning, but be careful of one-offs setting precedents that may not be helpful.
- *Be Pragmatic*: Do not overcomplicate things! Try to keep it simple and focus on pragmatic solutions.

Derek concluded by speaking to the effectiveness of the team that was assembled in the heyday of land use planning—a small strategic group of 'change agents' who managed to achieve a lot, by focusing on a single information system, holding the reins, and providing solid recommendations to government.

Derek's final message to workshop participants was to remember the adage of politicians: "I know the problems, give me the solutions." Second, he urged participants to remember that planning is just the beginning. "Just get started and don't sweat it too much!"

### Questions & Answers

Q: Dallas, kleko, kleko for all that you have done and the relationships you have built. The work that I do is on the shoulders of the work you have done on the Coast.

A (Dallas): "It's only plagiarism in college"; after that it's learning and adapting. I look forward to working with you on the old growth issues on the Coast.

Q: How should communities include non-First Nation communities, and industry in these processes?

A (Dallas): I see reconciliation as a process that must include the interests of local non-Aboriginal communities, for example, through regional and local governments. We need to have better processes to communicate and engage with them as institutions that represent the local communities. Local communities are integral to making this work. The problem on the Coast was that environmental non-government organizations and industry led the conversation; that's why it's so important for B.C. and Indigenous governments to co-lead so there isn't chaos.

Q: How do you handle turnover in staff? We see a lot of it in our area, which can be problematic on both sides.

A (Dallas): Turnover was a huge challenge. We had changeover, but we were able to retain our capacity. Great Bear Rainforest was a bit of a gravy train for consultants, so they didn't leave until they made a big mistake! (I can say that now!) At the end of the day, you just have to be pragmatic and grapple with how to address turnover. We had to deal with two or three Premiers, multiple Assistant Deputy Ministers, and countless turnover in councils within the First Nations.

A (Derek): We didn't pay enough attention within government to the legacy issue. Senior folks have to think all the time about how to bring on new people, challenge them. The average term of an Assistant Deputy Minister is 1.5 years.

Q: Can you say more about being careful about one-offs? For example, the Haida Gwaii Management Committee was a one-off. It wasn't done quickly, but it was unique.

A (Derek): One-offs can set precedents and become the model. What I mean is to be calculating. If you don't, you may presuppose something that you may regret at the larger table or later on. You only have so many cards to play. It's really about the long game. One-offs should fit into the long game, the long view. Ask yourself: does the one-off you are contemplating contribute to the long-term vision of where you want to go?

A (Dallas): One-offs can derail you and have impacts on a much larger scale than intended. One-offs are scary when we are bound by the whole gamut of provincial policy.

Q: How do you make decisions?

A: (Dallas): I don't make decisions, and my community doesn't yet either. We just work together with B.C. on those issues we generally agree on. The Province likes to talk about joint decision-making, but doesn't actually like to do it. We have to engage on where and how decisions are really made. We have to work with the Nations who have Aboriginal rights and title in the area, and determine how joint decision-making will work.

A: (Derek): We could spend all day on this question! The Haida Agreement is fascinating because it is truly joint decision making. The Haida Gwaii Management Council recently made a decision on the allowable annual cut. The fact that we could reach this decision is witness to the power of clear objectives, high-quality information and analysis, and good intent and trust. The process allowed the four members who come from very different backgrounds to reach agreement and enabled the two Haida Nation members to say they supported the decision, even though their Nation does not.

## 2.3 Current Context

### Presentation: Modernizing Land Use Planning in B.C.

Allan Lidstone, Director, Resource Planning and Assessment, FLNRORD, spoke to the evolving context for land use planning in B.C. and lessons learned:

- The government wants to move to a systematic, structured approach to land use planning, working with Indigenous people to co-design the program. This initiative flows from Minister Donaldson's mandate letter<sup>2</sup>, a commitment to implement the principles in United Nations Declaration on the Rights of Indigenous Peoples,<sup>3</sup> as well as consideration of the Calls to Action from the Truth and Reconciliation Commission.<sup>4</sup>
- There are numerous pressing issues and challenges that need to be addressed through a modernized land use planning program, including climate change, socio-economic stability for rural communities, and water sustainability to mention a few. There also needs to be an efficient and effective approach for meaningful input from stakeholders and local communities.
- Modernizing land use planning represents an evolution of approaches. True partnership with Indigenous governments means co-design, co-development, joint approval and joint implementation. Planning also needs to incorporate Indigenous knowledge systems and incorporate new tools and techniques, such as cumulative effects assessment. We also need to build on our existing systems to ensure we have high-capability information management and data analysis.
- A small leadership team has been established by B.C. to move this initiative forward. Work to-date includes: convening this workshop; initial meetings with Indigenous people and stakeholder groups; and, the set-up of an inter-agency committee. Work is on-going to identify those topics needing guidance and to document promising opportunities. Initial outreach was undertaken during the summer of 2018. The co-design phase will continue through fall 2018 with new modernized land use planning projects to be initiated in early 2019.

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<sup>2</sup> See <https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/premier-cabinet/mlas/minister-letter/donaldson-mandate.pdf>

<sup>3</sup> <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

<sup>4</sup> <http://www.trc.ca/websites/trcinstitution/index.php?p=905>

- B.C.'s commitment to modernized land use planning places a new emphasis on this activity, to be undertaken with partnerships with Indigenous people at its core. Some observers have suggested that this also represents a shift of focus from the protected areas strategy to reconciliation, and a broadening of the focus to include economic opportunity. It is also recognized that capacity support is a significant issue to be addressed.

### Questions & Answers

Q: Who are your priority First Nations to engage?

A: We don't have a priority list at this point. We have been developing an inventory of potential projects and current planning processes underway, but not prioritizing specific Nations to engage with. A couple of new projects have emerged as part of a broader agreement with a couple of individual First Peoples.

A: Are there substantive differences in the macro goals of this government versus past government. I assume UNDRIP is substantive, but are there others?

A: Partnership from the get-go is not so much a new approach as an evolution in thinking on how to do this. Government is keen to bring land use planning back on the table, which is new. UNDRIP is significant. We also think the social and economic fabric piece is important. Also, an openness to explore with Indigenous people what the concept of what land use planning will look like is a key component. This is a just a door opening to creativity about what this should be. The message I am hearing is "bring us your ideas." The last real version of land use planning was the protected area strategy in mid 90s. This modernization process is fundamentally about reconciliation, which is a major change in perspective.

Q: As you build these partnerships, the common thing they all need is funding of capacity support. I would like to see someone take the federal government to task for all the things they want to do with Indigenous Peoples, but which they aren't funding! It's doubtful we will do a Great Bear Rainforest initiative again—and maybe we shouldn't. But we do have issues, for example, with funding of the Marine Plan Partnership process, which is facing a funding shortfall to implement this important work. It will be interesting to see how far B.C. will go to support the need for capacity funding.

Q: Has the mandate of the dirt ministries changed in the past two years?

A: Yes, our mandates direct us to modernize land use planning, address climate change, improve wildlife management, and bring in species-at-risk legislation among other priorities.

Q: I have a concern with the "business case" approach to rationalizing planning. It's always short-term rather than the long-term thinking. I come from a part of the province where there won't be much timber left in 20 years, and we haven't done a good job of taking care of the land for future generations.

A: B.C. is definitely looking at how to address some of these issues of community sustainability. Land use planning is one tool—and we think there needs to be a short-, medium- and long-term approach to these issues, with a focus on long-term sustainability with meaningful cumulative effects assessment. We need to know trend information over time. We need to find more ways and better ways to track how we are doing and the health of the land and communities.

All ministers have consistency with UNDRIP as a requirement. Different ministries might be taking different approaches, but I believe they all have similar instructions. For example, the Ministry of Energy, Mines and Petroleum Resources is working closely with FLNRORD to try and understand how to use the tools such as modernized land use planning that are being developed.

## 2.4 Key Themes for Discussion

Following Allan's presentation, Bryan Evans gave an overview of the key themes from the *Resource Planning Partnerships Workshop: Case Study Backgrounder*, circulated in advance, which included the following:

- Affirming vision & purpose for modernizing planning;
- Links to other planning & resource initiatives;
- Securing supportive mandates;
- Building trust & sustaining relationships;
- Enabling governance capacity & community engagement;
- Supporting planning & technical capacity & capability;
- Providing technical analysis & data support;
- Advancing models for shared decision making;
- Ensuring effective program design;
- Addressing shared areas;
- Involving stakeholders & the public; and,
- Supporting effective implementation

## 2.5 Case Study Presentations

A series of case studies were presented, highlighting selected experiences with collaborative resource planning partnerships in different areas of the province. Additional information on each case study is available in the *Workshop Backgrounder*.

### Moose & Watershed Stewardship Pilot Project

Rob Purdy and Mike Anderson presented on the Moose and Watershed Stewardship Pilot Project in Secwepemc Traditional Territory, northwest of Kamloops. Rob and Mike noted key challenges and lessons learned from this collaborative planning process:

- *Keeping the plan alive is difficult:* Recommendations from the plan largely depend on the goodwill of forest licensees to ensure ongoing implementation and an 'annual refresh' meeting to maintain dialogue and reporting on progress. Plans can 'sit on the shelf' and get sidelined by other priorities like drought and fire when there are no clear legislative or regulatory mechanisms to ensure compliance.
- *Process support helps:* The parties benefitted from having independent third-party facilitation by the Fraser Basin Council. It allowed us to focus on substantive issues instead of process.
- *Protecting the government-to-government relationship:* It's important that the rights holders have standing in a government-to-government process, separate from the influence of stakeholders. As a tripartite process involving industry, Secwepemc interests were not always met, for example, securing adequate protection for higher-order streams. An effective stakeholder engagement plan needs to be in place.
- *Importance of a high-quality, common information base:* More than half of the process was spent just understanding the common information base—with data provided from government, industry and Secwepemc traditional ecological knowledge. Having a high-quality, trusted information base at the outset is key to an efficient process.

## Questions & Answers

- Q: Curious how both governments managed the information that was brought together from such disparate sources. How did you work through that?
- A: The facilitator did a good job of building respect. The Secwepemc talked a lot about “walking on two legs and seeing with two eyes”—in other words, using more than just western science to understand the world around us and our relationship to it. The First Nation also has capable biologists, foresters as well, but we need to honour both knowledge systems as they contribute to better decisions.
- Q: How do we create a database that incorporates western and Indigenous knowledge? What databases were you using?
- A: We were mostly using B.C. geomatics folks to manage the data and brought into the process for all to see and use. The only difference between traditional ecological knowledge and western science is the timeframe. Traditional ecological knowledge has developed over many thousands of years and is observational; western science is largely based on data collected over short time frames, for example, not more than 200 years.
- Q: Reminds me a lot of Clayoquot Sound Scientific Panel, and developing the watershed plans.<sup>5</sup> I'd be curious to know if the Clayoquot Sound Watershed Plans were looked at? And second, was there a timeline for how long you are looking into the future with your cumulative effects assessment? For us, watershed plans are seen by some as “done deals” but we believe there needs to be ability to evolve, revisit and adapt these plans.
- A: No, we didn't reference the Clayoquot Sound Watershed Plans specifically. We expected that the ‘annual refresh’ meeting would be our cycle for revisiting assumptions, outcomes, etc. but it has been challenging. It's very difficult in the current context to look at more than a five-year timeline. Have asked B.C. Timber Sales what their 20-year plan is for timber, but they tell us they can't plan timber supply out that far.

## Gitanyow Recognition & Reconciliation Agreement

Linda Robertson presented on the Gitanyow Agreement, on behalf of Eamon O'Donoghue, Assistant Deputy Minister for FLNRORD and Glen Williams, Simogyet Malii, President, of the Gitanyow Hereditary Chiefs. Linda noted key challenges and lessons learned from this collaborative planning process:

- *Lack of policy direction hindered progress:* At the outset, there was resistance to advance collaborative planning without clear policy direction. It required strong local champions and an advisor trusted by both parties to push through that resistance.
- *Boundary issues:* It took considerable time to reconcile B.C. administrative planning boundaries with Gitanyow Wilp boundaries.
- *Land use planning collaboration eases consultation:* Forestry consultations are relatively smooth now—Gitanyow and B.C. share the same ‘lens’ when making operational decisions as a result of the learning and the relationship building that happened through the process, and the direction in the plan.
- *Create shared language and understandings:* A formalized land use plan developed through a meaningful collaborative process can create a shared language that supports efficient shared decision making.
- *Lead & take risks:* Lead and take calculated risks ahead of policy direction when local relationships require it—just do it, otherwise it may not happen!

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<sup>5</sup> <https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/land-use/land-use-plans-objectives/west-coast-region/clayoquot-sound-watershed-plans>

- *Reflect on implementation efficiencies:* The process to legalize the Gitanyow Lax'yip Land Use Plan was long, resource-intensive and challenging to relationships, but necessary to ensure implementation beyond voluntary compliance. Could there be a better way?
- *Adapting to new resource pressures:* Increasingly, non-forestry operational decisions are bumping up against strategic issues related to implementation of title. Challenging economics and new resource drivers are issues the Gitanyow Lax'yip Land Use Plan didn't consider. How do we address these emerging issues?
- *Climate change and need for adaptive approaches:* An adaptive management regime and mindset is needed to address the effects of climate change on ecosystem distribution and composition. We can't take a static view of these resources.
- *Expanded toolkit:* We need an expanded toolkit for implementing UNDRIP and recognizing title in decision making. There aren't enough tools yet.

Linda outlined some ideas for improving collaborative planning from the Gitanyow experience:

- Build off successes like Gitanyow Lax'yip Land Use Plan and Environment Stewardship Initiative, we're learning to speak the same language—i.e. traditional knowledge being incorporated into decision making databases and joint monitoring & assessment processes.
- Blunt legal instruments (e.g., blanket conservancies) may be too constraining and take too long to effect in some cases. We need other more flexible tools.
- Need to supplement with adaptive approaches and analytical tools that allow for development of proactive management approaches to different development scenarios within each Wilp.
- Enable & support local solutions and allow for relationships to build from the ground up.
- Land use plans should not be fixed and inflexible. They need to adapt to address increasing change and complexities over time.

### Questions & Answers

Q: Intent is to work in a collaborative fashion, and implement together, but we always hit conflict points, so it's important to have dispute resolution mechanisms to work through those. Curious if you had a formalized dispute resolution mechanism in your process and agreement.

A: Within the agreement, we have a dispute resolution mechanism. The government-to-government forum is the venue where disputes finally end up, but there is also a technical working group that does all the work to clarify perspectives and differences. Sometimes we don't resolve issues and the Province makes its statutory decision, but at least the process is documented. We are getting to the point where there are legal challenges and head-butting at a higher level, but the local level government-to-government relationship has saved us—we have a means to still talk and resolve issues together from a place of trust.

Q: Interested in whether the existing processes are robust enough to deal with Aboriginal rights and title issues?

A: From a forestry point of view, I imagine Glen would say that the agreement deals with the operational forestry context well, but beyond that, not so much, for example with mining and other developments. The mining conversation is more about 'where' and 'if' rather than 'whether' and 'how.'

Q: Does the agreement allow it to grow in scope?



A: I think so—lots of focus on Wilp sustainability.

Q: Was there a role in your government-to-government relationship to engage with Nisga'a?

A: FLNRORD engaged with Nisga'a separately, not jointly with Gitanyow.

Q: To what extent do you think the personality of the individuals—and their willingness to take risks and earn trust—was key to the success of your process?

A: I think it was absolutely critical.

## Halfway River Government-to-Government Agreement

Roslyn Notseta, Halfway River First Nation, and Meghan Buckham, MIRR, presented on the Halfway River agreement and collaborative planning process, specifically with respect to the protection of the Old Man Lily cultural site.

Roslyn and Meghan noted key challenges and lessons learned from this collaborative planning process:

- *Legislative tools:* Identifying the scope of legislative tools available to meet the project objectives is important. A lot of time was spent on this step.
- *Dedicated staff time:* Establishing mechanisms to undertake this kind of collaborative planning is key, such as through the government-to-government agreement. Dedicating adequate staff time and resources to complete the work effectively is also essential for success.
- *Overall project management and change management role:* Roslyn noted that the management plan relies heavily on the comprehensive traditional use of information compiled by the Halfway River First Nation and commented on the importance of “switching the conversation to be part of the change we want to see takes time.”

Ideas for improving collaborative planning from the Halfway River experience include:

- *Compendium of tools and approaches:* A compendium of tools and approaches to support planners engaged in collaborative planning would be helpful.
- *Space/Recognition/Approaches:* Creating the space for respectful recognition of Indigenous worldviews, interests and perspectives in collaborative planning processes is very important. It takes time and an open mind to change the nature of the conversation.
- *Integration across planning initiatives:* Integrating across various planning initiatives is key so there is not duplication of effort and cumulative impacts can be considered and addressed.

## Questions & Answers

Q: What is the decision-making process under your agreement?

A: The government-to-government body makes recommendations, and the Province makes the statutory decision under provincial statutes and regulations.

Q: How did you get the co-operation from industry?

A: Finding creative, solutions-oriented people to work with helps. They panic at first when they hear about gravesites. They are fearful of digging up graves and want to work with us to ensure that doesn't happen.

Q: A number of provincial acts need amendment to address our interests. In terms of planning, there are various approaches. In my view, key is having a level playing field. From my experience, everything flows from title and rights. From the provincial side,

everything flows from legislative and regulation. We came close under Premier Campbell to getting recognition of title.

Q: You mentioned integration across initiatives. Seems like your process was driven by traditional ecological knowledge. Do you have that traditional ecological knowledge across larger areas?

A: Yes, we have hunting, gravesite, camps, and connectivity along river corridors, for example. When we did the forest review, we made sure all the rivers and creeks got special attention. We have to weigh economic and community development. We are wanting to focus on the whole territory. We have other agreements that protect specific areas and are looking at connections between these special places.

A: I think that government should be looking at some incentive for private property landowners for conserving values of importance to Indigenous people, for example, reduced property tax. There are more tools we could use.

As part of this discussion, Peter Stone provided a reference to “Reconsidering the B.C. Treaty Process” by James Tully. pps 3-17 in Law Commission of Canada & B.C. Treaty Commission. Speaking Truth to Power: A Treaty Forum. Ministry of Public Works and Government Services Canada 2001.

## Klappan Strategic Planning Initiative

Nalaine Morin presented on the Klappan strategic planning initiative and highlighted the following key challenges and lessons learned from this collaborative planning process:

- Tahltan traditional knowledge has been fundamental to the planning and the design of the Klappan Plan. Guidance and time spent with the Elders has been key. “Sometimes I have been told to spend more time at home, rather than in meetings in Vancouver!”
- It is important that communities ‘own’ the plan to make it work. We did community engagement throughout the process. In hindsight, I would have done a lot more. Now, we have a community working group specifically related to the Klappan.
- Strong relationships play a key role. The relationships developed with key individuals in Smithers and elsewhere have been invaluable to working through issues and crafting solutions.
- We need to ensure that all parties understand and recognize that there are two governments coming together. If there was stakeholder engagement, we did that jointly.
- Transparency is so important. Delays in getting approvals within government were never made clear. If we had known about such delays in advance, we would have done things differently.

## Questions & Answers

Q: What method did you use for community engagement?

A: We had a website and used social media. A lot of Tahltan members use Facebook. We also recorded video of meetings and made those available. We also did community surveys, workshops and field trips to the area.

Q: Can you tell us more about the management board and its evolution and role? And, secondly, the wildlife regulation changes; what was your role in that?

A: The Klappan Management Board is specifically related to the Klappan Plan. The reason we have two documents—a technical report and the plan itself—is that a lot of the specific details on management direction come from the technical report. On the wildlife issue, the issue extends well beyond just Klappan and includes the territories of the



three nations (Tahltan, Kaska, Tlingit). The wildlife recommendations were one part of the submission that was made by the three parties, working collaboratively with B.C.

## Great Bear Rainforest Agreements

Eamon O'Donoghue and Dan Cardinal presented the Great Bear Rainforest case study and highlighted the following key challenges:

- *Guidance: Province's Legislation & General Policy:* Provincial legislation is cumbersome and ineffective at implementing agreements. The *Forest and Range Practices Act* ended up being the only legal instrument available to support implementation, but it is narrowly focused on forest management. First Nations spend years negotiating these agreements—seven years of hard work on the Coast—only to discover that they then have to negotiate with every forest company on forest stewardship plans, and then negotiate yet again with government on operational permits and authorizations. As a result, eight years later, First Nations are still negotiating in operational battles with companies what they thought they had secured in strategic agreements.
- *Financial and Technical Capacity:* It remains an ongoing challenge to find and retain adequate technical capacity to support implementation of agreements.
- *Communications: Between Regional and Nation/District:* Communication between planning and operational staff within government remains a challenge.
- *Information: Traditional Use & Occupancy:* Developing and maintaining adequate traditional use and occupancy information to support planning remains a challenge for most communities.

Four key lessons learned were also highlighted from the Great Bear Rainforest experience:

1. Need clear, supporting legislation & policy direction;
2. Get out in front of capacity development;
3. Need reconciliation between government systems; and,
4. Need to focus on tangible outcomes at the community level

Suggestions for improving government-to-government planning, based on the Great Bear Rainforest experience, include the following:

- *Full Transition to Government-to-Government Process:* A new policy framework needs to be in place to support modernized land use planning; the framework should be co-developed with First Nations, building off ecosystem-based management or some other framework. Stakeholders should be engaged via advisory bodies and public consultation during the policy development phase.
- *Stronger/Flexible Implementation Tools:* New legislative tools need to be developed to support agreement implementation, including new legislation enabling Indigenous protected areas. Existing tools, such as section 93.1 and 93.3 of the *Land Act* should be better utilized to provide supporting guidance.
- *Stronger Shared Operational Decision Making:* There is a need to strengthen shared operational decision making, for example, by requiring statutory decision makers to implement consensus recommendations from government-to-government agreements and forums.
- *Better First Nation Information Support:* First Nations need financial and technical support to complete their traditional use and occupancy studies to support their meaningful participation in resource planning and stewardship.
- *Joint Compliance Monitoring:* There should be a formal role for First Nations in compliance monitoring, for example, through Guardian Programs and stewardship staff.

- *Supporting Fiscal Framework:* Advancing all of the above will be costly. There should be a supporting fiscal framework in place to ensure that Nations have a sustainable source of revenue to support their collaborative involvement in resource planning and stewardship.

### Questions & Answers

Q: What are your views on technical capacity needed in communities to be involved in this co-design process?

A: We were fortunate in Great Bear Rainforest because each Nation has its own stewardship department. All have executive directors and supporting technical and administrative staff. They generally have the marine expertise, but often have to import expertise on the land side. You can find qualified people, but it's hard to sustain land-oriented technical capacity in remote communities. For the Great Bear Rainforest, we aggregate a lot of the technical work at the regional level, so that helps pool capacity and creates efficiencies.

A: When we take about 'technical staff,' we need to dis-aggregate that a bit. A lot of what Dan did was actually senior policy and technical work grounded in his particular expertise. We need this senior policy expertise engaged and need to be able to stay current on policy and legislation to be able to co-design a modernized land use planning approach. It was a real issue to find the right people to engage in these discussions. Nanwakolas and Coastal First Nations were natural entities to have these complex conversations about land use orders, and other implementation tools. If we had tried to do that with 20 different Nations, we would not have got there.

Q: How important was it to have the continuity of personnel?

A: It is important. There was always a turnover and a training period while we oriented new agency staff. Capacity has been more stable on the First Nation side.

### Marine Planning Partnership

Russ Jones, Haida Nation and Charlie Short, FLNRORD, presented on the marine planning process, highlighting the following key challenges and lessons learned:

#### Governance

- Ensure there is a mandate and funding in place prior to any engagement.
- Develop governance arrangements early—and keep them as simple as possible, ideally building off what is already in place.
- Jurisdictional clarity avoids controversy. Issues or resources that are clearly outside the scope of the jurisdiction of the parties should be left to other processes. When the federal government withdrew, it left some jurisdiction gaps, such as marine harvest and shipping. In the end, we put those issues aside to be dealt through another process.

#### Scope of Effort

- Match scope with existing capacity & budget. Staff and stakeholders will get burned out if the pace is too rapid or scope too complex.
- Think about implementation actions early. Is this doable? Can we sustain this?
- Plan for the unexpected. Ensure that the process and end-products are adaptable, nimble and resilient.

## Stakeholder/Internal Engagement

- It took significant budget and staff to meaningfully engage. Consider developing a stakeholder support fund to enable their participation.
- Don't assume anyone knows what you are talking about. Ditch the jargon. Know your audience; put yourself in their shoes. Identify key validators and ensure they are engaged.
- Build communication/data visualization tools early. Foster an understanding of the issues and the process. This will build trust and buy-in to the process and outcomes.

Russ and Charlie concluded their presentation with thoughts on how to improve collaborative planning:

- Provincial policy for working with Indigenous people needs to be flexible, adaptable and nimble. Fixed policy positions for complex, collaborative planning initiatives are challenging. Products and structures need to be built so they can evolve.
- Indigenous people expect changes in the way decisions are made and implemented on the ground. Government should expect to be creative and find solutions in this space. Decision-making needs to align with Indigenous people's bottom-up governance structures.
- Successful processes need sufficient resources for pre-planning, planning, stakeholder engagement and implementation. Many plans lack sufficient resources for implementation, e.g. land use plans, and protected area management planning.
- There are substantial opportunities and value in non-traditional partnerships—innovation and taking risks is important (e.g., non-government organization funding, carbon credit funding, etc.)
- Shared accountability is important. Everyone needs to own the outcomes and their implications.

## Question and Answers

Q: When will the federal government come to the table?

A: The Canada – B.C. Marine Protected Area Network planning process is underway. There are also bilateral fishing reconciliation negotiations underway.

Q: Did you consider the link between terrestrial plans and marine planning?

A: We did, but not as much as we would have liked to. We did do some adjacency planning with upland areas. We shared the same ecosystem-based management framework and core principles, so have a seamless resource management philosophy which is helpful, but there is more work to be done in that area. In Haida Gwaii, work is underway to develop an integrated plan out to 10 miles.

Q: How were all the First Nations representatives managed within the governance structure?

A: First Nations partners largely self-organized to decide what their co-ordinated position would be on specific issues. We had a marine policy committee that worked through a lot of the policy and technical issues and brought forward issues and recommendations to the representatives.

## 2.6 Presentation: B.C. First Nations Perspectives on Land Use Planning

Gwen Bridge presented on two topics: (i) her work, completed on behalf of the New Relationship Trust, to update a B.C. First Nations land use planning effective practices guidebook<sup>6</sup>; and, (ii) her work with the University of Northern British Columbia to evaluate numerous B.C. resource management plans for their effectiveness from a First Nations perspective.<sup>7</sup>

Gwen highlighted select best practices in First Nations land use planning, which include:

- First Nation community-based vision and plans are needed to enable equitable dialogue with governments and to translate key concepts into applied actions.
- Concepts such as ethical space<sup>8</sup> will require that the Indigenous side be prepared through land use visioning, governance development, and strategy.
- Funding for independent First Nation land use planning & clear, ongoing decision making processes need to be negotiated and supported.
- Conservation areas are viewed as clearest positive outcomes, but need co-management goals, stewardship plans and effective monitoring.
- Multi-use area management is ineffective and source of ongoing divergence of land uses and land use plans. Communication is lacking, and clarity is missing. Controlling management prescriptions are required for legacy implementation;
- Land use plans can and need to support revitalizing Indigenous culture, language, and knowledge-base.
- Implementation & monitoring plan effectiveness needs a higher bar.
- Community wealth increases and diversifies with invention and opportunity.

Gwen noted that a common theme in evolving policy is that relationships between First Nations and governments will be continuously built through negotiation of solutions which are consistent with the intent of UNDRIP and other policy statements, such as the Indigenous Circle of Experts report, the National Advisory Panel, and B.C. mandate letters. She emphasized that First Nations will need to articulate how they define these relationships and describe the tools that are most useful to their unique interpretation and circumstances. Her key recommendations were to:

- Bring forward land laws and articulate land governance protocols to create an equitable playing field for ethical space;
- Include language and cultural knowledge-based information; and,
- Ensure socio-economic benefits and tangible wealth is increased in communities through planning.

### Questions & Answers

Q: Where did the criteria for the evaluation of First Nation land use plans come from?

A: Developed by Gwen based on her professional expertise.

Q: There are several references to 'conservation areas.' What do we mean by this?

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<sup>6</sup> see <http://www.newrelationshiptrust.ca/news/best-practices-reports/> for existing best practices reports. The updated LUP best practices report will be published in fall 2018.

<sup>7</sup> A report is currently under development and will be published in fall 2018.

<sup>8</sup> See: <https://jps.library.utoronto.ca/index.php/ij/article/view/27669/20400>

- A: This term generally refers to Indigenous Protected and Conserved Areas as defined by International Union for Conservation of Nature. There are multiple definitions from various forums—it is largely up to the First Nations to decide.
- Q: Love the idea of ethical space. Grappling with the capacity challenges, many nations need to occupy this ethical space.
- A: It is an extreme challenge. The conventional approach is to bring in consultants and have them mentor in the community until there is the capacity to sustain the space internally.
- Q: Don't consultants bring their own perspectives and biases etc.?
- A: Yes, they do and we need to be aware of this.
- Q: How would you work towards that collaborative involvement?
- A: We have to look at co-design. We also have to look at the traditional governance and protocols that guide how a Nation manages its affairs, and begin to build from that base of governance that is unique to each Nation.
- Q: The First Nations Fisheries Council has done some work to develop a common set of principles. Not sure there is something similar to that on the land side?
- A: Part of the discussion here is does it make sense to have First Nations articulate a common set of principles. It will take work for sure.
- Q: This is quite an all-encompassing piece of work you have done. It puts the picture together. I don't know how much opportunity you had to speak to Yukon Indigenous groups, but through the Yukon Land Claims Settlement Act, but there is a chapter under the Umbrella Final Agreement that address land use planning. It enables a land use plan to be put together by all three parties. For a number of years, parties worked on the Peel Watershed Plan. However, as many of you know, a new government came in, took the plan, and made unilateral changes to it. The Yukon First Nations litigated to protect the integrity of the original plan, which has created some important precedents for the exercise of Crown discretion in cases where it retains its authority to make decisions relative to recommendations from a government-to-government body.

## 2.7 Working Group Discussions: Lessons & Insights, Best Practices & Recommendations

Following the presentations, participants broke into smaller working groups to further discuss insights and lessons derived from the case study presentations and their own experience. Key outcomes from the small group discussions are organized by theme below and are presented in no particular order of priority.

*It should be noted that the following material represents suggestions from individuals and small groups but does not reflect formal agreement from workshop participants as a whole.*

Dovetail Consulting Group

### Box 1: Lessons, Insights, Best Practices and Recommendations – Key Themes

- Vision & Commitment
- Mandates
- Indigenous Knowledge and Legal Systems
- Community-driven process and Readiness
- Co-ordination and Integration Across Agencies and Initiatives
- Co-ordination of Compliance and Enforcement
- Information Management
- Regional Considerations
- Program Design Considerations
- Funding/Resources
- Building Capacity
- Shared Territories
- Timelines and Expectations
- Effective Monitoring
- New Legislation and Policy Tools
- Implementation
- Stakeholder Engagement and Public Education
- Community Resilience and Sustainability
- Interim Measures

## Mandates & Accountability

- It is important to consider what it would take to compel government, in a sustained way, to change. This could be achieved, for example, through some kind of independent assessment of progress towards the UNDRIP principles.
- It is important for all parties to know who they are working with, who each party represents, and what their authorities are. Neither the provincial government nor Indigenous people are singular entities.

## Vision and Commitment

- The Great Bear Rainforest process included a high-level commitment to ecological and community well-being, which provided a valuable mental framework for collaboration. The desire for deep reconciliation across environmental, cultural and socio-economic spheres is a compelling vision. Healing Indigenous relations to land is also a key and compelling idea.
- Consideration should be given to reframing this program as 'land use governance' rather 'modernizing land use planning' Land use planning is a narrower vision and implies a 'do and stop' mindset, whereas designing a land use governance program implies long-term relationship building with First Nations, including the development of governance capacity and institutional arrangements.
- Four organizing pillars should be used when approaching the revitalization of land use planning—ecological, economic, social, and cultural.
- It is important to move to a proactive approach rather than be reactive to development pressures or hot issues.
- Recognizing cultural and ecological variation throughout the province is critical. Neither the issues or the likely solutions will be same throughout the province.
- Land use planning is subject to politically driven cycles. This function needs to be seen as a core service of government to ensure continuity.
- Collaboration is key and needs to be embraced throughout.
- The scope of land use planning needs to be defined—jointly—by Indigenous Peoples and B.C. Each Indigenous Peoples have a unique territory. In that context, priorities for land use planning need to be set jointly, and nothing should be 'off the table' at the front end. (B.C. has its own existing approach for setting priorities, first at the provincial scale and then within each region, but this needs to be adjusted to engage Indigenous people more directly).
- Cumulative effects monitoring should be foundational for a new approach to land use planning. This should include joint information gathering and joint analysis. Consideration should be given to a 'no-net-loss-plus' approach in which mitigation should be required that matches or exceeds the values impacted.
- Is there a mandate to implement? Does this include legal implementation? There needs to be clarity on the breadth of the mandate for modernizing land use planning, which may include, for example: advancing reconciliation, achieving equity in the context of UNDRIP, environmental and economic sustainability, and achieving certainty. All parties also need to be aware of the political landscape. The economic benefit of land use planning for Indigenous people also needs to be clear, particularly in terms of jobs and economic development for rural communities.
- This work requires a paradigm shift in the relationship between Indigenous people and B.C. and new mandates based on ethical principles of respect and relationship building. We need a policy framework that is grounded in the principles of collaboration. We can learn from the social innovation and system design work to enable a paradigm shift at



the structural level. This can be achieved with a renewed mandate and implemented through a policy framework that is collaborative and that has room for adaptation.

- Keep focused on the big picture of long-term reconciliation.
- We need a provincial commitment to a long-term, holistic, ecosystem and community sustainability vision.
- Government-to-government agreements with a land use vision and goals embedded are foundational documents.
- Don't use land use planning as the end point. It is step in the larger conversation on reconciliation.

## **Governance/Decision Making**

- All parties need to be comfortable with sharing power and with the delegation of authorities.
- Modernizing land use planning must be undertaken on the basis of a meaningful government-to-government relationship. B.C. needs to move beyond the 'fortress mentality', in which minor concessions are made incrementally.
- Land use planning should embrace joint decision-making. This is particularly challenging in shared territorial areas, but is a problem that can be overcome through meaningful engagement with the affected rights holders.
- At present, the 'high water mark' for joint decision-making is the Haida Gwaii Management Council (and the Archipelago Management Board). However, in the context of Aboriginal title, the nature of joint decision-making may evolve, and might include arenas in which Indigenous people exercise sole decision-making authority (as is currently the case with food, social and ceremonial fisheries). The challenge of 'fettering' statutory decision makers under provincial legislation also needs to be addressed.
- Successful projects have a governance model understood upfront. Keep it simple and non-threatening. Be careful with terminology—don't call it 'governance' when you actually mean 'co-ordination' of consultation.
- The approach to governance of processes and outcomes needs to align with community leadership and governance systems and has to fit the context of the specific Nation.

## **Building Capacity**

- It is important to look, constantly, for opportunities to build capacity, such as through procurement agreements with commitments for First Nation staffing, secondment of agency staff to support First Nation planning and capacity building, and intentional mentorship.
- Making land use planning a core service would help to retain more capacity.
- Opportunities for sharing capacity between partners and supporters should be examined, for example, among universities and across ministries, and through mentoring and job shadowing. Capacity can be built at a regional level to support local planning collaborations.
- Developing adequate capacity is key—both within Indigenous governments and also within agencies tasked with developing and implementing land use agreements.
- The Province needs capacity as well (e.g., in data management). There needs to be adequate staff and resources allocated to support implementation. Both the federal and B.C. governments lack resources to engage bilaterally at the current time.

- There has to be a strong commitment to building and sustaining capacity for land use planning and resource stewardship, at multiple scales, within both B.C. agencies and Indigenous governments, otherwise we are setting up for failure.

## Indigenous Knowledge and Legal Systems

- Documenting traditional land use and occupancy and Indigenous knowledge to support decision-making is key. The context for such data includes the conservation of dynamic ecosystems, not just artifacts.
- Indigenous people need the time to bring their own knowledge and Indigenous law together, and compile it in a form that is practically useful for land use planning. This body of knowledge should not be seen simply as a 'data set' but instead represents knowledge of place, spiritual attachment to land, and stewardship approaches. This information should be valued and given appropriate recognition, potentially in a legal form (e.g., intellectual property rights). It will be up to each Indigenous government to define their own body of knowledge and Indigenous law. (The UVic/RELAW project is underway in several Indigenous people's territories in B.C.).
- There needs to be recognition of the equity of western science and traditional knowledge. Both are needed to inform management. The provincial government should consider a formal acknowledgment of the value of traditional knowledge.
- Documentation of Indigenous governance and legal knowledge is central to enabling 'ethical space'. Work is needed to confirm fundamental governance documents (i.e., constitutions, protocols between hereditary leaders and Chiefs and council, etc.).
- Systematic documentation of the governance authorities and structures for each Nation is needed, so that there is a common understanding of where authorities lie, and how decisions are made.
- Land use planning should address Indigenous people's traditional practices, such as controlled burns.

## Information Management

- It is important to have a good understanding of how data will be accessed and shared between B.C. and First Nation partners, so that both can benefit from investments made to collect data, while also respecting the privacy of sensitive data.
- It will be important to establish baseline information and trends among key ecological and cultural values of importance. Clear baselines are needed, informed by western science and traditional knowledge.
- Indigenous people need reliable baseline information for land use planning. Government has a role in providing this information.

## Community-driven Process and Readiness

- Community buy-in and engagement with Indigenous people is critical to success. A bottom-up, community-driven approach is essential.
- Clarity is needed on when you would enter into land use planning—and when you would not. The criteria should be shared and co-designed. Indigenous governments may also need to undertake a readiness assessment.
- Pre-planning in Indigenous communities is essential. Nations need the space to have the internal conversation first, then engage with stakeholders, through jointly-hosted government-to-government meetings.
- It is important to make sure there is time for internal planning with Indigenous communities, supported with funding and technical resources. It's part of the 'ethical



space' concept—ensuring Indigenous communities have the resources to be prepared to engage.

## Stakeholder Engagement and Public Education

- Engagement with communities/stakeholders and industry needs to follow from government-to-government discussions. Parties need to be clear on what engagement means, and share a joint commitment to undertake the necessary engagement to support enduring agreements.
- Industry engagement is challenging but is essential. Voluntary engagement by industry is good, but legal requirements may also be needed. Like all British Columbians, industry is affected by the same colonial-settle mindset that we are currently operating within. In this context, government has a responsibility to explain how the world is changing and what are the 'new rules of the game.' Government needs to be brave and set the stage.
- A key design principle is engagement with stakeholders through advisory groups that respect the government-to-government relationship both at the local and senior policy levels. Engagement by stakeholders at all levels needs to be through a government-to-government arrangement. There cannot be lobby groups 'going around' this process.
- Integration and cultural orientation with stakeholder advisory groups will help them to "see with Indigenous eyes."

## Regional Considerations

- Regional level, overarching objectives & goals are needed, as well as co-ordination to assist local-level planning and collaborations with Indigenous people. Capacity needs to be built for all to participate at the local and regional level.
- Regional government-to-government management boards should be considered as a potential governance arrangement.
- Mechanisms should be available that allow for agreements to be signed off for sub-regional areas, with refinements as needed with each Indigenous government.
- Consideration should be given to co-developing regional risks and priorities, to guide prioritizing and investment in collaborative plans.
- Regional discussions are needed. B.C. is too diverse to undertake the modernization of land use planning at a provincial level.
- Further analysis is needed to identify the pros and cons of regionalization among Indigenous people, so that they that can capitalize on potential benefits (i.e., efficiencies; pooling of administrative, management and technical capacity) while respecting the authorities and autonomy of each individual Nation involved. Regionalization needs to emerge organically from Indigenous people and cannot be imposed from the outside.
- Indigenous people would definitely benefit from the provincial government doing regional meetings to further develop this concept.

## Program Design Considerations

- It is important that the philosophical approach to this work be principled, focusing on the attributes of good process (i.e., consistency and commitment, relationship building and trust, progress over perfection, be reflective, respectful and adaptive). This, in turn, requires a philosophical shift for government, away from program design based on firm mandates, prescribed processes and defined outcomes. Outcomes will ultimately flow from the investments made in developing the ethical space and deeper understanding of the parties.

- Knowledge exchanges are valuable. Cross-community sharing of knowledge, expertise and ideas should be fostered and encouraged.
- It is ok that land use planning means different things to different people. There needs to be flexibility regarding policy and approaches, to allow for collaboration to be shaped in a way that meets the needs of Indigenous people and the Province.
- Information about all collaborations underway, models and approaches needs to be shared.
- Land use plans should be embraced and respected by all resource sectors. In the design phase, this means land use planning should not be constrained by narrow, single-discipline resource management perspectives, but instead should adopt an integrated approach. In the implementation phase, co-ordination may require adoption of a 'one window' or 'one land manager' model, whereby multiple agencies can be accessed through a single point of engagement.
- Identifying values of shared interest and building a common information base is key. There also needs to be a commitment to co-design. It is also going to take time to do this right!
- There is regional uniqueness but there are also major overlaps/similarities on common issues. The parties should also not have pre-conceived notions of plan units. (There will not be hard lines for all territories).
- Develop a working group to assist land use planning teams to adhere to principles of UNDRIP and the Truth and Reconciliation Commission's Calls to Action.

## **Sustainable Funding**

- Indigenous people are central to compliance and monitoring of plan implementation, but this requires sustainable funding.
- A funding framework and adequate level of resourcing to support effective planning over the necessary timeline is critical.
- There needs to be sufficient budget up-front to support planning, including the pre-planning phase.
- The parties involved in land use planning need to look for external funding to support specific needs (e.g., gathering data).
- Philanthropic/non-government organizations' financial resources can be important. However, there needs to be clear terms of reference to guide use of external funding support, especially where there are trust issues between parties.
- It will be necessary to leverage '4P' partnerships—private, public and philanthropic partnerships—that would be supportive of this work.

## **Shared Territories**

- It will be important to invest the necessary time to understand and develop practical solutions to shared territory issues.

## **Timelines and Expectations**

- Systemic change will take time. In the meantime, an approach should be designed that is incremental, with opportunities to learn and adapt as the process moves along.

## **New Legislative and Policy Tools**

- There is a range of tools, with strengths and weaknesses and gaps. Parties engaged in land use planning need to be innovative when making use of existing tools, and should

support training and the development of new tools (i.e., policies, procedures, specific direction to decision makers, monitoring programs, etc.).

- To be fully effective, land use plans may need to be given ‘teeth’ through legal mechanisms.

### **Land Presence/Guardian Programs**

- Work is needed so that land use planning is intimately connected to territorial patrols and people on the land.
- Everyone involved needs to get out on the land more!

### **Community Resilience and Sustainability**

- The conventional approach to planning and resource management involves the removal of wealth from northern or rural areas to the south and to urban areas, or even overseas. A different approach is needed that emphasizes regional resilience, and focuses on building healthy, vibrant communities.
- In the context of dynamic ecosystems—that are affected by climate change, drought, etc.—land use planning should not result in products that are static (e.g., fixed reserves). Instead, there should be greater emphasis on increasing resilience, which may involve more conservative landscape design (e.g., wider riparian buffers) or the use of cumulative effects models and adaptive management.

### **Co-ordination of Compliance and Enforcement**

- Consideration should be given to how to integrate compliance, enforcement and cumulative effects assessment with Indigenous people. It is important to know that what is happening on the land is consistent with agreements. There may be opportunities for create more legal mechanisms to support compliance and enforcement, co-ordinated locally with Indigenous people and B.C. partners.

### **Interim Measures**

- Various approaches for interim measures should be available for land use planning, including economic accommodation (e.g., tenure transfers), efforts to engage industry through impact benefit agreements or other mechanisms, and temporary restrictions on resource extraction or harvesting (e.g., a suspension of moose harvesting, restrictions on the allocation of water rights, no staking reserves).
- Further efforts are needed to understand the range and utility of tools available to support interim measures, under existing statutes and regulations, such as Land Act S16/17 set-asides.

### **Implementation**

- Implementation of land use agreements is recognized as an area of weakness. At the front end of planning processes, it is important to build in the requirements for systematic review of plan outcomes. What will be measured? How will it measured? What will trigger actions to adapt and modify decisions in light of the ongoing learning?
- There needs to be solid legislation/policy to provide support for implementation across agencies. Mechanisms are also needed to ensure long-term relationships to support implementation, including ‘keeping bums in seats.’ Good record keeping is needed for consistency at the table. There also needs to be a clear knowledge management plan, system and tools.

- Ensure local implementers and decision makers are involved. We need them later for the initiative to be successful.
- Stronger legislation is needed to support operational, long-term landscape planning. Other legal mechanisms also need to be developed, and a structure of nested plans, so that lower-level plans (e.g. forest stewardship plans) are required to comply with higher-level reconciliation agreements.
- Land use plans are living documents. Mechanisms should be built-in for review and for constant adaptation as circumstances change.
- We need a realistic conversation on what is needed to support implementation.

### **Policy Framework**

- A policy framework to guide this co-design process going forward is needed to support individual planning partnerships.

### **Effective Monitoring**

- Effective monitoring that includes reporting on compliance of permits with negotiated agreements is an important part of meaningful collaboration (such as with the Marine Plan Partnership).
- Monitoring of land use planning implementation is viewed as being largely ineffective to date. There is a potential role for guardian programs to assist in monitoring, but such programs need to be adequately resourced. Further efforts are needed to support networking among guardian programs provincially and beyond.
- The role of Indigenous people in monitoring needs to be clarified, for example through guardian programs. There is an opportunity to build capacity through on-the-ground monitoring, compliance and enforcement.

### **Co-ordination and Integration Across Agencies and Initiatives**

- The requirement to seek free, prior and informed consent from Indigenous people can be a catalyst for bringing agencies together, integrating programs, policies and initiatives, and stepping out of the silos of individual agencies.
- Land use planning should also clarify linkages to other processes underway, such as the modernization of environmental assessment. A regional environmental assessment model might need to be considered.
- It will be important to clarify how regional environmental assessments align with this work. It will also be important to determine how modernizing land use planning fits with the treaty process.

## **2.8 Plenary Discussion: Lessons & Insights, Best Practices and Recommendations**

Following small group presentations, the following points were raised in plenary discussion:

- What is it that land use planning can actually deliver? (What convinces senior decision makers, whether provincial or within Indigenous governments, that this is worth doing?) It is important to inform a decision maker's strategic choice.
- There are many principles of systemic change work that can be drawn upon, for example, related to long-term strategies for dialogue. There is also considerable experience from elsewhere to inform this effort. However, it is difficult to know how to draw upon this experience without further clarity about next steps in the modernization

process—how those who are missing will be engaged, whether there will be any public dialogue, etc.

- At the same time, there is considerable pressure to advance this initiative, with the expectation that modernized forms of land use planning might get underway as early as April 2019.
- Modernizing land use planning should embrace a continuous improvement approach. Consideration may also be given to the establishment of an ‘advisory group’ or similar; the intent is to ‘work nimbly but effectively.’
- Government agencies are responding to a suite of mandate letters. However, one observer has suggested that there are as many as 27 current initiatives underway, all of which are different and are led by different agencies. Indigenous people are struggling with whether and how to engage in some or all of these initiatives, given limited time and resources. To help Indigenous people make decisions about how to move forward, it would be helpful if B.C. could be clear about the space available to do things differently; for example, can legislation or policy be changed, and can there be a new kind of fiscal relationship established?
- There may be opportunities to examine and draw insight from the experience of the three regions in which the Environmental Stewardship Initiative is underway, as these represent experiments in implementation of multiple new models and approaches (e.g., species-at-risk, reconciliation, climate change).
- It will be important to clarify, at some point, whether modernizing land use planning can re-examine provincial parks, many of which were established without Indigenous people’s consent or involvement.
- A new framework for land use planning is needed, based on true partnership. Some of the components to be included in that framework are well defined: traditional knowledge, for example, has been legally defined under UNDRIP.

## 2.9 Day 2 Introductory Comments

Luigi Sposato reviewed the overnight summary and highlighted selected themes that had emerged from the discussion, particularly the importance of trust and relationship building in collaborative processes. He also flagged (a) the importance of alignment between not just the parties, but all the many initiatives underway throughout the province, (b) the need for a clear vision, and (c) the evolution of land use planning and how we are entering a co-design phase. Other topics highlighted included monitoring and implementation, the idea of “ethical space” (including the ability to move forward with a framework, but be open to change and adaptation) and a need to construct that with equal voice and opportunity, and managing expectations (in terms of what modernizing land use planning can deliver, and what will it not address).

Other participants offered the following comments:

- Government has to have a clear mandate to implement this or it won’t go anywhere – plus clear objectives.
- Struck by the degree of a common culture among people here and how you are focused on improvement. It’s a wonderful foundation for the work ahead.
- The mandate you are looking for needs to be constructed collaboratively with Indigenous People as partners.

## 2.10 Elements of a Vision & Co-Design

Participants self-organized into three groups for a final small group exercise to identify key elements of a modernized land use planning program and next steps in co-design. This

was followed by a closing circle to share their final thoughts. The following represents a summary of the results from this exercise, organized under a suite of thematic headings.

## MANDATES

### Mandate Clarity and Conviction

- We have to understand what B.C. needs. We need to get to the point where there is a more specific mandate request to supplement the mandate direction to the Minister. A mandate for land use planning needs to be encompassing of all deputy ministers and Treasury Board, and the Attorney General, otherwise this will be a stumbling block. In order to do that, it needs to be clear what land use planning is going to deliver. The rationale or the 'case' for land use planning needs to be articulated in a way that resonates with senior leadership, both within the Province and Indigenous communities.
- A better understanding of what is possible is needed: How far is government willing to go? What precedents have already been set? Both levels of government need a mandate to proceed.
- It is important to be clear about whether this is about just land use planning or whether it truly includes governance.

## PROGRAM DESIGN

### Shared Governance, Healthy Lands and Waters, Human Well-being

- The modernized land use planning program needs to contribute to fundamental reconciliation at its core, through a vision of shared governance and an acceptance and recognition of Indigenous governance grounded in the principles of self-determination and inherent rights. From this flows a joint commitment to a healthy environment and human well-being based on shared benefits.
- The vision for any given land use plan should be an outcome of the early engagement phase and should emerge in place, in a manner that is specific to that context and collaboration. It will also be important for the parties to articulate jointly what the end goals are: What does the land look like 30-50 years into the future?
- Land use planning is a fundamental element of reconciliation; not an end in itself. It is a tool for broader reconciliation.
- The overall vision for modernizing land use planning needs to describe what land use planning needs to deliver (i.e. fully implement UNDRIP). It also needs to address climate change, and economic and community sustainability.
- Community and ecosystem resilience should be core principles of the vision for this program—the ability to withstand impacts and be adaptable to change.
- It will also be important to articulate high-level outcomes as part of the overarching vision for reconciliation, i.e. resilient communities, healthy environment, conservation of important cultural, social and economic values. UNDRIP principles provide a foundation.
- The health of communities and their connection to land and culture is a key organizing principle. Agencies need to orient around these core principles or goals, rather than communities orienting themselves around fragmented programs and projects.
- Community health and well-being need to be at the core of this planning and should inform the vision.
- Modernizing land use planning needs to deliver real benefits to communities as part of the process. There have to be incentives for communities to engage in this process.



- The vision for modernizing land use planning needs to recognize the importance of reconnecting and renewing Aboriginal people's relationship to land and the value of Indigenous knowledge.

## Institutional Arrangements and Scale

Various options were identified in terms of institutional arrangements to support modernizing land use planning:

- The First Nations Fisheries Council should be examined as a potential template for moving forward collaboratively. An action plan was developed, through a broad Tier 1 engagement event, co-ordinated by policy staff from the First Nations Summit. Ultimately, the First Nations Fisheries Council itself was developed to implement the action plan.
- Caution is needed, however, to avoid any assumption that a provincial body can represent First Nation's interests. Such a body can also be seen as another level of bureaucracy; a provincial First Nations land use body would not be well received by many Indigenous communities. This is different, however, from provincial mechanisms or forums for sharing information. Regional approaches should be considered as well.
- Another option for the collaborative development and implementation of modernizing land use planning might draw on the 'multi-stream' process used for the recent environmental assessment review, which included: an advisory council, supported by two secretariats (from B.C. and from the First Nations Leadership Council); bilateral engagements with individual Nations; and, sector engagement. In six weeks, with amazing co-chairs, that advisory council was able to produce a report with recommendations.
- This land use planning process could help with creating an umbrella over the many agency specialists that are already hounding Indigenous people.

## Co-design as an Incremental, Exploratory Process

- Part of the vision for modernizing land use planning is that this is all co-designed, with joint goals and objectives (i.e. certainty, protection for land base), equity between governments, and with adequate resources, so that it is implemented in an ongoing and collaborative way.
- Modernizing land use planning needs to be *incremental*: "Don't come to the communities with a boiler plate process!"
- Modernizing land use planning needs to be framed as an "exploratory discussion," to explore what might be possible, rather than as a proposal to develop a provincial body. This program needs to enable a province wide discussion for shared learning, but not be set up as a vehicle for centralizing authority.
- The Province needs to think about the fact there are over 200 First Nations communities, and we know that larger bodies don't speak for us. We have a form of governance that is bottom up, so this requires devolution of centralized decision-making power down to regions and districts, at a bioregional level.
- After initial outreach, 'co-design' will mean different things for different people. It will be important to be adaptable in terms of co-designing the process in different regions or contexts. Government has to resist the temptation to have one model.

## Integration & Linkages to Other Initiatives

- Land use planning does not exist in a vacuum—it should be 'embedded' and must work collaboratively with other initiatives. Land and people are the core. Mechanisms are

needed so that all the relevant initiatives—environmental assessment, cumulative effects, etc.—are coming to one place.

- Land and resource management plans are done and implemented at the operational level, but may not be relevant in the current context of UNDRIP etc. There is a need to revisit these plans. What do we do about existing, outdated plans where they do not work for Indigenous people but are driving forest stewardship plans and operational decisions? Land use plans need to be on the table for review.
- It will require resources and commitment to overcome provincial structural obstacles to integration across many initiatives.

### **Integrity of Government-to-Government Relationship**

- The integrity of the bilateral government-to-government relationship needs to be included as a core element of the vision for modernizing land use planning.

### **Knowledge & Language Systems**

- There should be recognition and respect for all science—both western and traditional. They are both important ways of knowing that contribute to solutions.
- Language reflects worldview and ways of knowing. With this in mind, it will be important to think about how we respect and be reflective of Indigenous language. Perhaps the vision for modernizing land use planning should be expressed in Indigenous language or languages first, and then translated into English?
- It is important to recognize two perspectives, and the different languages, etc. that are being brought to the table. Forcing Indigenous people to fit a provincial approach and framework requires special capacity and translation and causes challenges. A common platform is needed that includes traditional knowledge and western science as part of the 'ethical space' dialogue.
- In general, we need to respect alternative ways of knowing.

### **Benchmarking**

- It is important that the Province document models and best practices, particularly with respect to shared governance: What works? What doesn't?
- A literature review of other models from other jurisdictions would be useful. (Allan Lidstone committed to doing this work, and invited participants in the room to contact Luigi or Allan to be part of this exercise).

### **Adaptation and Flexibility**

- The vision for land use planning has to recognize that there is a need to be adaptive; so much change is happening. Plans cannot have a fixed view, but instead need to be flexible to emerging issues and circumstances.

### **Tentative Policy Framework**

- Engagement needs to bring forward what Nations want to see in the design. However, there has to be an initial discussion framework that has some structure.
- "There has to be something put out there for people to react too; something collaboratively developed." It is important not to 'get too far out ahead of people,' but



there is a need for a prototype for them to react to. This approach creates useful tension.

- There are concerns about an approach that involves a whole bunch of bilateral engagements on draft common principles. Who is doing that? This cannot be the Province doing consultation.
- Perhaps there could be a common policy framework (i.e. 'action plan' or 'guiding principles') that serve as foundational documents for broader engagement on co-design, and that can evolve iteratively. (Such an approach does not presuppose establishing a provincial body).
- There is a need to create—with Indigenous people—a provincial policy framework on how to modernize land use planning and secure a collective mandate to proceed. It will be important that there is provincial-level staff driving and leading the change, not just regional staff. Risk management and an aversion to change at higher levels needs to be overcome by a joint partnership with Indigenous people.
- Provincial representatives need to articulate a high-level concept of what this program could be and test those assumptions with further engagement.
- The structure for moving forward with modernizing land use planning may be a broad provincial framework, refined at the regional level, and then applied to specific circumstances through further refinement with individual Nations to meet their specific needs.
- There needs to be a provincial commitment to a process. What are the goal posts?
- A 'principles and process document' is needed. The Province and Indigenous people must build that together for modernizing land use planning. That in turn requires engagement at both a political and at the technical level.
- It would be useful to have a draft policy framework developed to create some 'ditches on the road,' and then go back out and engage regionally with that straw dog and see if we are heading in a good direction.
- It was suggested that a draft policy framework be shared with this group of workshop participants, recognizing that it has no formal standing. The planning team would look for your feedback and we can then take that back to our executive and seek sufficient mandates to take that out to a larger co-design/engagement. (There was general support for this approach from among workshop participants.)
- I am concerned about a draft policy framework being circulated very widely. Perhaps it would be better to circulate a draft to a smaller group initially, recognizing that it will be distributed somewhat more widely, to inform a second draft policy framework that can be used for broader engagement with Indigenous people.

## **PRE-PLANNING, INTERIM MEASURES AND READINESS**

### **Documenting Aboriginal Laws**

- One key piece for modernizing land use planning would be funding and support for Nations to document and develop their own laws, so that they can occupy the ethical space along with the Crown government.

### **Realistic Timelines & Urgency**

- There needs to be adequate time and space to create all of this! We tend to underestimate how long things take. It could take a year or more to just outline the program.

- Adequate time is needed to build trust about major issues, like pipelines, and corridors. Trust levels are 'all over the map around the province.' Where trust level is low, time is needed to build up that trust and relationships.
- Modernizing land use planning should not have legislated or prescribed timelines attached to it. A joint vision might be developed quickly in some areas, but will take longer in other areas, with more investment required in the early engagement phase.
- There has to be a recognition that the parties do not have unlimited time to figure this out; resources are being extracted from the land and Indigenous people's territories are impacted all the time. "We can't talk and log!" The vision for land use planning needs to address the need to protect the space while processes are underway and while trust is being developed.
- We are facing significant demands to embark on modernizing land use planning. B.C. is proposing that implementation should begin by spring 2019. There is a risk that this will be 'implementation on the fly,' without having the full policy in place. B.C. needs to share that prototype, and legal tools and options open to Indigenous people. In terms of timelines, we expect that by April 2019, we would have a joint policy fleshed out and some key tools to support planning (i.e., tools for characterizing values, data management, cumulative effects assessment, etc.). Hopefully can advance some solid work by early next year.

### **Interim Measures/Protecting the Space**

- How does the status quo (e.g., ongoing issuance of permits and authorizations) fit into modernizing land use planning? It will be important to look at interim measures and other tools to protect the space while this program is being developed and land use planning is being done.
- What happens when new collaborative planning leads to conflicts with existing permits and authorizations. How will that be addressed?

### **Capacity and Resourcing**

- There has to be capacity for communities to build their own vision and plan as a precursor to engaging in government-to-government land use planning.
- When contracting, capacity building of communities is essential. Contractors need to be part of implementation.

## **PLANNING TOOLS & INFORMATION MANAGEMENT**

### **New Zoning Tools**

- New tools for achieving conservation and other outcomes are needed, for example an Order in Council with specific objectives to be met versus protected area.

### **Information Management & Technical Tools**

- What is the role of this group to support technical tool development? That won't happen at once, but would be good to have an incremental approach to technical tool development, perhaps with a parallel technical group?
- Through the Environmental assessment review, a more decentralized approach was considered, whereby, for example, sustainability or reconciliation offices can be established where data can be housed. It will be important to have people in place to have these kinds of conversations.

- For the Marine Plan Partnership, we did a lot of literature review of technical materials. Technical material is not online but can be shared. We need to be careful about investing in comprehensive literature reviews; can generate little new knowledge.
- I am curious about how to share information as we move forward. It would be good to be thinking about that in advance—perhaps some kind of portal or mechanism. (Dropbox works well for sharing files outside of government).

## **PUBLIC AND STAKEHOLDER ENGAGEMENT**

### **Stakeholder and Community Buy-in**

- We need to have buy-in from towns and communities and Indigenous people so there is enough energy and support to ensure that a land use plan won't be derailed by corporate interests.

### **Public Education & Awareness**

- The vision should include a constant process of education; helping people orient to a respectful place for dialogue. There has been a loss of corporate knowledge due to a wave of retirements, so there is a constant need to educate and re-educate. It will also be important that resources are available to ensure the continuity of knowledge.
- Continuous education needs to be built into the day-to-day work of agency staff, and built into service plans. "We need to get a point where co-design and deep collaboration is just normal practice."

## **IMPLEMENTATION**

### **Incremental Progress, Assessment, and Learning**

- Ongoing implementation needs to be happening incrementally, with monitoring of achievement of milestones. Land use plans can't just be 'do and forget' products that sit on a shelf.
- Land use planning is never done; we must think about implementation from the start.
- A step-wise, phased approach is needed, for example: jointly develop a tentative policy framework; identify preliminary new tools and arrangements; apply those to new collaborative planning processes; and then, assess and adjust as needed moving forward.
- Find ways to take "interim steps" to address priority issues and concerns while plans are pending formal implementation or updates. Some interim steps can be easily implemented among the Nation and regional staff, and address the most significant concerns quickly.

### **2.11 Closing Remarks**

The conveners thanked all participants for attending and noted that the event had allowed for earnest and valuable conversations. The circle discussion was intended to reflect that we are trying to do things in a different way. One senior provincial representative added that he had not been to a session in a while where he was more excited at the end than at the beginning, adding that he was feeling optimistic and looking to the next steps.

Closing comments from participants included the following:

- Respect what you are trying to do and hope that you are able to inspire meaningful change.
- Look forward to meaningful action and new tools.
- Appreciate the learning and excited about us building this together.
- Express appreciation and gratitude for the space we created over the past two days.
- Nice to be able to share our story and appreciate the opportunity to be here.
- Useful workshop, and much appreciated. Will take some work to identify who the partners are. It will be challenging to be inclusive of the diversity of the province.
- Thankful and appreciative of the case-study presenters. I look forward to working on land use planning. There is a living plan/model out there, from the Yukon template under the Umbrella Final Agreement. Worth looking at this model and how it applies. Some of the same principles apply to this work. This was one of the few forums of this kind that I felt really comfortable participating.
- Excited by the opportunities for co-design and collaboration.
- Kudos to the organizers for the work and effort. Lots of information.
- Really good to learn about the experiences here and the opportunities ahead.
- Want to thank the team for creating the safe place for this conversation. Taking the first couple of bites here, and really look forward to the summary report.
- You all are leaders in the world, and that makes you inspiring and exhausted. Never give up hope!
- Like that we had a safe space for discussion between levels of government, not industry. Good to see the changes. Cautiously optimistic for where this is going.
- Thanks everyone. Inspired by the level of commitment from this group. Looks like you are doing something very different. Excites me that we are engaged in this work, and how we can take this take to our communities.
- Really appreciate being invited here. Really appreciate the efforts to put this together, and the space provided by Musqueam and Squamish First Nation, and Wosk have provided.

## 2.12 Next Steps

The following were identified as next steps following this workshop:

- *Summary Report*: The *Summary Report* from this workshop will be circulated within a few weeks to workshop participants, and may be shared on a limited basis at their discretion. Together, with the Case Study Backgrounder, and any cover material provided by the workshop convenors, the *Summary Report* is intended as a useful starting point on lessons learned and insights from select planning partnerships to date, and potential next steps in the co-design of a modernized land use planning process.
- *'Prototype'*: Several steps were outlined as follows:
  - The workshop convenors will reflect on the input received at the Sept 20-21 workshop, and may seek additional input from additional sources.
  - With that full range of material in mind, an inter-agency team intends to develop a first draft of a preliminary discussion piece, containing the potential elements of a new policy framework as a "prototype" to stimulate further discussion as part of the co-design idea. As requested by workshop participants, this 'prototype' will articulate more clearly the scope of the new policy framework (including any 'ditches in the road') and supporting mandates, once confirmed.

- Workshop participants will be invited to provide feedback on the prototype policy framework.
- Additional work may also be needed to identify the necessary data management tools or other technical approaches that will be required for effective implementation of the new policy framework.
- *Mandates and Process Steps:* The inter-agency team will also work to:
  - Confirm internal mandates for moving forward based on a preliminary discussion piece/‘prototype’; and
  - Outline process options and timelines for further engagement with B.C. Indigenous people in a partnership-based, co-design process.
- *Implementation:* As stated by the workshop convenors at the September 20-21, it is B.C.’s intention to begin implementing a new approach to land use planning in emerging priority projects and as early as April 2019 more widely throughout the province, informed by ongoing engagement and partnership with Indigenous people. It is recognized that development and implementation of a new policy framework will be an incremental, adaptive and evolving process that will respond to regional priorities, needs and local circumstances and will be continuously improved as we collectively gain experience.

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## 3 Appendix

### 3.1 *Resource Planning Partnerships Workshop September 20-21, 2018: Case Study Backgrounder.*

Prepared by Dovetail Consulting Group, September 14, 2018.

Resource Planning Partnerships Workshop  
September 20-21, 2018

CASE STUDY BACKGROUNDER



Prepared by:

Dovetail Consulting Group  
September 14, 2018

**Disclaimer:** This independently produced case study backgrounder provides a summary of high-level discussions held between July 24-Sept. 14, 2018, and case studies meant to seed further discussion at a resource planning workshop held on September 20-21, 2018. The views and opinions expressed in this backgrounder represent those of the individual respondents and do not necessarily reflect the policy or position of the Government of British Columbia. This backgrounder is provided for information and discussion purposes only.

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## 1 Introduction & Scope

This report is a summary of emerging themes and discussion topics from interviews conducted with representatives from six resource planning partnerships being profiled at the Sept. 20-21, 2018 workshop in Vancouver.

The six representative planning partnerships and target interview list were developed by a workshop steering committee. Fifteen (15) interviews were conducted by Dovetail Consulting Group between July 24 and Sept. 14, 2018, representing B.C. agency staff and First Nations representatives for each planning process, to the extent possible. A brief description of each planning process, key contacts interviewed, and links to additional resources is provided in section 3.

Given that each of the interviews was brief and could only touch on issues at a high level, the following themes are by no means definitive, and are intended mainly as a point of departure to seed further discussion at the Sept. 20-21 Resource Planning Partnership Workshop in Vancouver.

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## 2 Emerging Themes & Discussion Topics

The following sections describe key themes that emerged from the case study interviews. Each theme represents an aspect of collaborative planning that deserves to be further explored and addressed to support enhanced planning partnerships between First Nations and British Columbia. There is no implied order of priority to the following themes.

### 2.1 Affirming vision & purpose for modernizing planning

Several interviewees commented that the B.C. government and First Nations should clarify their aspirations for “modernizing” land use planning. What do the B.C. government and First Nations hope to achieve by investing in enhancing resource planning partnerships and developing new policy and guidance in this arena? To what extent do the parties align on the vision, purpose, scope, timelines and ability to bring resources to a major new initiative? Further exploration of these issues is warranted at the front end of designing a new process, especially given the very nature of land use planning is time and resource intensive.

Several interviewees commented that it will be important to have a compelling vision that motivates parties to invest the time and resources to make real headway and keep people engaged for the long term. As one interviewee noted, “To see the whole of our territory being sustainably managed, with good data, good science, good use of traditional knowledge, and recognition of our House territories, is inspiring.”

Goals of a revitalized land use planning process might include: to embrace implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP); to address resource conflicts and enable certainty for resource development; to prepare for and adapt to climate change; to address the persistent gap in the social and economic circumstances of First Nations communities; and, to develop mechanisms that wilfully involve First Nations in resource management and decision making in an ongoing, enduring manner that fosters real recognition and reconciliation. Several interviewees commented on the importance of adopting the long view, focusing on stewardship for future generations.

Innovative collaborative planning processes have secured many tangible outcomes for conservation of important cultural and ecological values and processes for ongoing engagement on land and resource management and decision making. Several interviewees noted, however, that looking back on their involvement in processes over many years, the biggest surprise, and one they would want to have revisited, is the lack of progress on improving the socio-economic circumstances in communities, providing the real jobs and economic opportunities that make a meaningful difference in the lives of community members and their families. As one person noted, “I think we should have focused more time and effort on the what we called the human well-being side of things....we are still trying to deliver tangible economic benefits at the community level.”

## **2.2 Links to other planning & resource initiatives**

Several interviewees cautioned that the process of modernizing land use planning in B.C. needs to take into account the array of current planning processes and policy initiatives underway, to ensure there is co-ordination and integration of initiatives to avoid conflicts, overlaps and inefficiencies and to avoid the silo effect of agencies delivering related programs and policies.

Interviewees cautioned that most First Nations struggle to attain and sustain capacity to engage in one complex multi-year initiative related to land use and resource management matters, let alone several. To the extent that a process of modernizing land use planning may lead to significant new engagement commitments for First Nations, this will need to be rationalized within the context of the existing demands on their limited resources and capacity. This will particularly be the case, as agencies move towards free, prior and informed consent with First Nations. The potential for Nations to be overwhelmed and ill-prepared to engage effectively should not be under-estimated.

Several interviewees also noted that the ongoing evolution in land use planning from a conventional focus on land use and resource management matters towards more ambitious and comprehensive processes of reconciliation that address a range of cultural, ecological and socio-economic issues and shared decision-making within a government-to-government context. This has created space for the parties to address

many issues and provides a compelling alternative to treaty negotiations as a mechanism for advancing lasting recognition and reconciliation.

## **2.3 Securing supportive mandates**

Several interviews noted the importance of having clear and adequate mandates and policy guidance to support effective collaborations. In several collaborative processes, negotiations and agreements were significantly delayed or derailed as agency staff sought higher-level direction on issues being negotiated or substantive agreements being reached.

As one interviewee noted, there can be process frictions caused by delays and uncertainties as provincial negotiators seek mandate instructions on issues under discussion or on elements of a potential agreement. Having management and executive level staff on-side is seen as key to moving processes and agreements forward efficiently and effectively as part of a modernizing process.

## **2.4 Building trust & sustaining relationships**

Most interviewees spoke to the importance of building trust and relationships as a core attribute of successful planning partnerships. A foundation of trust and respect allows the parties to move beyond positions and distrust to find creative space to explore and resolve issues in a true spirit of collaboration. As one person noted, “Respectful relations is really at the core of all this work. The high level of respect we have established in our process allowed us to achieve the outcomes we did and we continue to see the benefits of these strong relationships as we implement the agreements.”

All interviewees felt that a high level of trust and respect has been achieved in their collaborative planning process, in large part through stability of staffing engaged in the planning partnerships for the duration of the planning and, in some cases, well into implementation. Even where there is significant turnover, a hallmark of each of these successful collaborations was the continuity of key individuals representing both parties to sustain the productive negotiating and working space as new personnel joined the teams. Some interviewees noted, however, that educating and orienting new agency staff is a significant burden for some processes.

Also important, was the time invested by the parties to spend time with each other in the territories where the planning is occurring, including field trips and unstructured time in the communities, outside of the regular negotiation or technical meeting schedule. Several interviewees stressed the importance of not defaulting to meetings primarily in Vancouver or the Lower Mainland, despite the cost and logistical challenges sometimes involved in convening in remote locations.

Several interviews commented on the value and importance of the parties being able to share knowledge about the internal issues and challenges each party faces in moving issues through their respective governments and communities as a key part of the process of building trust. Having a better understanding of each others internal processes and challenges helps the parties negotiate in a more transparent, collaborative and supportive way. As one person noted, “I think one of the things we could have done better is be a bit more transparent with our upfront planning. Both sides of the table could have benefitted from introductory workshops with each other, on how decisions are made internally and how much time that takes.”

All interviewees commented that relationships between the parties have improved over time, away from a stakeholder approach to engaging with First Nations, towards a true collaboration that recognizes the uniqueness of Aboriginal rights and title, and seeks a meaningful reconciliation based on mutual trust and respect.

As one person noted, “land use planning with Indigenous groups requires a lot of trust for it to be successful. There are a lot of relationships that need to be managed. A lack of trust and relationship building will undermine all the good work.”

## **2.5 Enabling governance capacity & community engagement**

Several interviewees stressed the importance of having stable and effective governance capacity and capability in place to allow First Nations partners to participate effectively in resource planning partnership with British Columbia. This stability of First Nation governance was seen as a critical element for success by most interviewees.

Several interviewees also drew attention to the special importance of the ongoing internal community engagement work that First Nations must undertake to fully involve their communities throughout the planning partnership and after its implementation, recognizing the unique challenges that many First Nations face to respect both traditional and contemporary governance arrangement, and to reach community members across different age groups, from youth to elders, and across diverse geographies, from remote communities to dispersed households in the Lower Mainland and elsewhere. This work is intensive and ongoing and largely falls to the First Nation partners, yet is critical to the success of any resource planning partnership and the durability of negotiated agreements. As one interviewee noted, “It was particularly important that we had leadership and community onside. A lot what drove the land use planning was the community’s passion and involvement.”

Some interviewees drew attention to the value of regional First Nation bodies, such as Nanwakolas Council and the Coastal First Nations that can represent the interests of regional First Nations communities in complex, resource-intensive, and long-term planning initiatives. Enduring capacity and capability can be built and sustained in these regional bodies, with a focus on long-term outcomes and agreements,

somewhat insulated from the short-term priorities and urgencies that place demands on individual First Nations time and resources.

## **2.6 Supporting planning & technical capacity & capability**

Related to the above, most interviewees stressed the importance of supporting First Nations to have the managerial, technical, administrative and process capacity in place to engage effectively with British Columbia in resource planning partnerships. Some Nations have excellent capacity in place. Many others lack the capacity needed in one or more of the key areas, and many more have little or no capacity to engage in complex planning partnerships without significant external support. Most interviewees commented that capacity is key to a successful planning partnership, and several noted that if they had had the right capacity in place sooner, their planning process would have gone a lot faster and gotten to agreements quicker. As one person noted, “funding for First Nations is critical. With the funding in place, they could step up at all levels of the process – technically, administratively and politically to make this is a true partnership.”

Some interviewees suggested that a key element of modernizing land use planning is a collaborative assessment at the front end of planning partnerships of the gaps in capacity, with focused efforts to address critical gaps early in the process. It was suggested that supporting the development of enduring resource management capacity within First Nations, for example through the establishment of stewardship departments with core capacity in land, wildlife and fisheries management, should be a core outcome of the process itself, as has been done on Central Coast for example.

Several interviewees stressed the importance of enabling First Nations to undertake the community-based land use visioning and planning as a first step. Good internal process, and a well-articulated vision of how the Nation or Nations want to see their territories managed into the future, is seen as a key precursor to a successful collaborative planning effort with British Columbia, and engagement with other stakeholders. In the absence of this foundation, it was felt that Nations can get drawn into complex processes with unclear outcomes, and find themselves reacting to other parties’ interests, and not able to adequately articulate their own interests.

One interviewee suggested that First Nations should work together regionally to articulate a common vision on key issues that, by their nature, are regional in scale, such as energy or transportation corridors. He noted, “we shouldn’t have to react to specific proposals and wait for environmental assessments...we can work together to proactively identify a regional energy corridor that would be supported by the First Nations, with process and technical support to do the job properly.”

## 2.7 Providing technical analysis & data support

Several interviewees commented that the ability to establish science and technical advisory bodies, with access to comprehensive data to support planning, was crucial to the success of their planning partnership. As one interviewee noted, “Analysis – or the lack of it – can kill us in these processes. We need to have quality data and analysis available to support these planning partnerships, and to have confidence that we have high-quality information relevant to the specific issues we are grappling with.”

Lack of adequate data and analysis can be an issue with respect to the cultural and other resources of importance to First Nations partners. For example, many Nations do not have access to comprehensive land use and occupancy data, or do not have the technical capacity and tools to bring the land use and occupancy information they do have into a collaborative process in a way that is well suited to the scale of planning or the issues being addressed by the parties. Similarly, traditional knowledge may or may not be effectively brought forward into planning processes.

On the provincial side, some interviewees noted that government is generating a wide range of data and analysis and many datasets are available through online portals, but data can be fragmented and isolated within specific resource agencies and not generally available to planning processes. It was suggested that some effort be directed to further consolidating data into integrated datasets to support collaborative planning efforts.

Several interviewees commented that it is often the First Nations who have the most comprehensive exposure to the breadth of development applications occurring across their territories, as they are on the receiving end of referrals and development applications across multiple agencies. It was suggested that further work could be done to develop cumulative effects assessment tools to assist in the analysis of these impacts and how they impact First Nations interests.

## 2.8 Advancing models for shared decision making

A core issue in the design of collaborative planning and the implementation of agreements is a common understanding of how decisions will be made with respect to land and resource matters and the collaborative implementation of partnership agreements. Several interviewees noted that the evolution of shared decision-making agreements, particularly in light of the commitment to free, prior and informed consent under UNDRIP, will be a central element of any effort to renew or modernize land use planning in B.C.

## 2.9 Ensuring effective program design

Several interviewees commented that the process of modernizing land use planning in B.C. can't be a "one size fits all" approach. There are about 200 nNations in B.C., with very different ecologies, communities, issues, priorities and capacities. Recommendations to modernize land use planning needs to recognize this diversity, and perhaps articulate multiple models and approaches as starting places for individual planning partnerships to then pick and choose and design a process that best suits their specific situation.

As noted above, several interviewees also commented that modernizing land use planning cannot be just about land and resources, or narrowly conservation and ecological matters. Nations have pressing social and economic priorities that need to be brought to the forefront and addressed without the broader dialogue on reconciliation.

Two interviewees commented on the value of separating "map-based" issues from "policy-based" issues in the design on a program to modernize land use planning. It was suggested that map-based issues, such as identifying land use zones within specific First Nations' territories, is best done at the individual Nation level (or perhaps a group of Nations that have chosen to organize regionally). As one person noted, "First Nations generally don't want to negotiate spatial zones regionally; it's their decision for their territory." Policy issues, on the other hand, may be best resolved at a higher level (regionally or perhaps provincially), reflecting the scale at which these policies take effect, and recognizing the need for operational efficiencies within government.

Several interviewees commented on the need for a critical examination of the current regulatory and policy tools available to support collaborative planning, and the possible identification of new tools tailored to the issues and outcomes emerging from collaborative planning processes and agreements. As one interviewee noted, "we need to think about mechanisms for protection of resources. It can't just be about conservancies or tribal parks."

As noted in section 2.5, several interviewees commented on the value of regional First Nation organizations to pool planning capacity and expertise to support individual Nations, and suggested this should be looked as a mechanism to support modernizing land use planning in B.C. It was also noted, however, that regional co-ordination has to evolve organically from the Nations themselves, not be imposed and there is some tension with respect to this issue, with the Province at times preferring a regional approach, and Nations preferring a single-Nation approach.

Planning support might also include independent facilitation. In one case study, independent third-party facilitation by the Fraser Basin Council relieved the parties from the responsibility of process facilitation and allowed them to focus on substantive discussion of issues, allowing them to reach agreement more efficiently.



Several interviewees cautioned against a perception that modernizing land use planning will be a quick process, with short-term outcomes. Land use planning takes time. As one person noted, it will likely take three to five years, and perhaps more like 10 years, for many Nations to do the necessary internal land use visioning and planning work, and work through joint planning processes to agreements with B.C.

On the other hand, in at least one complex planning process, the requirements to meet fairly tight timelines (approximately two years) to complete planning products in order to continue to secure significant external funding support may have acted as an incentive to run an efficient process and reach agreements in a timely fashion. The role of creating incentives to expedite collaborative processes is worth further discussion, particularly if there are likely to be more.

## **2.10 Addressing shared areas**

Several interviewees noted the importance of having a respectful, fair and transparent policy approach to addressing overlap or shared areas between First Nations engaged in planning partnerships. This can be challenging in regional initiatives where several Nations may be represented by regional First Nation bodies, but membership within the association is dynamic and shifting over time, or where Nations choose not to be represented by the regional First Nation governance body.

One interviewee suggested it was important to support each Nation to undertake community-based land use planning as a precursor to engaging in shared area discussions, so that discussions can focus on a shared vision for resource use and management, rather than primarily on jurisdiction issues.

## **2.11 Involving stakeholders & the public**

Most interviewees commented that an important element of modernizing land use planning, particularly with respect to acknowledging the government-to-government relationships between the Crown and First Nations, relates to when and how third-party interests are engaged in the process.

Several interviewees stressed the importance of protecting the government-to-government relationship, ensuring that the two parties have the space to discuss issues and seek resolutions without other parties “in the room.” On the other hand, it was acknowledged that there is, or will be, a certain level of anxiety on the part of third parties, if they are not kept well informed, and not provided adequate opportunity to have their interests and perspectives heard in planning processes and considered in the shaping of agreements. Two interviewees commented that they thought industry had too much influence and direct participation in their process, and that the Province can adequately bring commercial interests forward to a

government-to-government forum, supplemented by an effective stakeholder engagement plan.

Building broader public and stakeholder support is seen as key to creating enduring agreements and building a broader reconciliation. One interviewee commented that “failing to engage stakeholders could be the biggest risk to modernizing land use planning. Building relationships and trust is key, as reconciliation is everyone’s responsibility.”

## **2.12 Supporting effective implementation**

Several interviewees noted that the implementation stage of resource planning partnerships is generally overlooked in the process of preparing for and negotiating agreements themselves. The result can be lingering uncertainties about how different elements on an agreement will, in fact, be implemented over time, and where responsibility and capacity resides to monitor the effectiveness of agreement implementation. As one person noted, “It takes a lot of capacity on the First Nation side and commitment on the B.C. side to implement these agreements. We were under-resourced, and B.C. was under-committed. Sometimes operational staff have not been directed to participate in a collaborative way consistent with how the agreements were negotiated and the relationships between the individuals that negotiated the agreements.”

In particular, several participants flagged the vulnerability of resource planning partnership agreements where there is no clear linkage between agreement commitments and regulatory mechanisms for implementation, such as land use orders or government action regulations. As one interviewee noted, “plans can sit on the shelf unless there is a strong linkage to existing regulatory and policy mechanisms within government for implementation. In the absence of this, there is lingering uncertainty about plan outcomes and commitments as government priorities and policies shift, or personnel change and the institutional memory of commitments made and personal relationships slip away. We can’t expect to rely on the personal relationships and ongoing engagement of the original negotiators or technical teams to carry the plan and commitments forwards.”

Related to the above, implementation funding was flagged as an issue by several interviewees. Once agreements are negotiated, there may not be adequate funding allocated to support the effective implementation of agreements. One can expect that modernizing land use planning will result in ongoing collaborative arrangements that will require significant resourcing to be meaningful and effective over the long term. In some cases, significant third-party funding from non-government organizations has played an important role in supporting planning and is critical to supporting long-term implementation of agreements.

Providing implementation resources will need to be a key design element of any new program, for both First Nations and provincial agency staff. The role of third-party funding, whether corporate or non-government, in support of resource planning partnerships with First Nations deserves further discussion.

### 3 Case Studies

The following sections briefly describe each of the case study examples from which insights, lessons and potential recommendations were drawn from interviewees for this backgrounder. Hyperlink references are provided to access additional resources relevant for each resource planning partnership.

#### 3.1 Gitanyow Recognition & Reconciliation Agreement

The Gitanyow Huwilp Recognition & Reconciliation Agreement was signed by the eight Gitanyow Wilp Chiefs and the B.C. ministers of Aboriginal Relations & Reconciliation and Forests, Lands and Natural Resource Operations in March 2012. The Gitanyow Huwilp Recognition & Reconciliation Agreement guides land and natural resource management on Gitanyow Lax'yip, the traditional territory of the Gitanyow in northwest B.C., building on the foundation of the Gitanyow Lax'yip Land Use Plan and the joint commitments of the parties for land use zones and resource management objectives as set out in the agreement.

The Gitanyow Huwilp Recognition & Reconciliation Agreement establishes a Joint-Resources Governance Forum, responsible for overseeing and monitoring the implementation of the agreement and a framework for shared decision-making as a step in the reconciliation process, respecting lands and natural resource decision-making on the Gitanyow Wilp.

The Gitanyow Huwilp Recognition & Reconciliation Agreement further outlines specific economic measures and strategies, including carbon offset-sharing, forest tenure and revenue-sharing opportunities, alternative energy opportunities, resource revenue-sharing and joint-development of a strategy and work plan to improve socio-economic well-being of the Gitanyow. The Gitanyow Huwilp Recognition & Reconciliation Agreement is seen as a bridging step towards reconciliation and a constructive step towards creating a positive and enduring relationship between the Gitanyow and British Columbia.

For more information and to access plans and documents, see:

<http://www.gitanyowchiefs.com/gwelxyeenst>

[https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/consulting-with-first-nations/agreements/gitanyow\\_recognition\\_and\\_reconciliation\\_agreement\\_oct\\_2016.pdf](https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/consulting-with-first-nations/agreements/gitanyow_recognition_and_reconciliation_agreement_oct_2016.pdf)

Gitanyow Interviewees:

Eamon O'Donoghue, Regional Executive Director, Skeena Region, FLNRORD  
Glen Williams, Simogyet Malii, President, Gitanyow Hereditary Chiefs

### **3.2 Great Bear Rainforest Agreements**

The Great Bear Rainforest refers to collaborative planning processes and various agreements between B.C. and First Nations of the Central Coast and Haida Gwaii dating back to 2002, when a government-to-government negotiating process was established between Coastal First Nations and the Province, and First Nations began their own land use planning processes.

In 2006, following 18 months of dialogue, strategic land use planning agreements and the Land and Resource Protocol Agreement between the Coastal First Nations and B.C. were ratified. The Coast Land Use Decision established a shared goal to implement ecosystem-based management for the central coast. The Park Act was also amended to allow for the creation of a new form of protected area called conservancies, in which protection and maintenance of First Nations social, ceremonial and cultural uses is a primary purpose.

In 2008-09, detailed strategic plans were approved by First Nations and B.C., and land use objectives were established through provincial government orders. Strategic engagement agreements were completed in 2010.

In 2010-11, the B.C. government entered into reconciliation protocols agreements with Coastal First Nations and the Nanwakolas Council. In 2016, the B.C. government enacted the Great Bear Rainforest Land Use Order and the Great Bear Rainforest (Management) Act to legally implement elements of the agreements.

Implementation of these agreements are ongoing.

For more information and to access plans and documents, see:

<https://greatbearrainforest.gov.bc.ca>

<https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/land-use/land-use-plans-objectives/west-coast-region/great-bear-rainforest/great-bear-rainforest-legal-direction-agreements>

GBR Interviewees:

Dan Cardinal, Consultant to Coastal First Nations  
Wally Eamer, former B.C. Negotiator, Central Coast Land Use Plan & former consultant to Nanwakolas Council.  
Ben Morton, Manager, Ecosystem Based Management, Regional Operations, Coast

Victoria, FLNRORD

Jeff Sheldrake, Executive Director, Regional Operations – Coast Area, FLNRORD

### 3.3 Halfway River Government-to-Government Agreement

In March 2017, the B.C. government and Halfway River First Nation entered into a government-to-government agreement as a step towards building an enduring, long-term and respectful relationship between the parties. The agreement establishes a foundation for collaborative land and wildlife stewardship in the Nation's territory in northeast B.C. and structures and processes for shared decision-making, including a government-to-government executive and working group.

The agreement commits B.C. and Halfway River First Nation to work together to recommend the establishment of Tsaa Nuna Conservancy and jointly develop a responsible and balanced approach to the development of natural gas resources underlying Tsaa Nuna. The agreement also commits the government-to-government working group to develop recommendations for the application of management practices, protective measures and management tools to address wildlife habitat, environmental and heritage values in five areas of significance to Halfway River First Nation, as well as other significant areas as may be identified by the parties.

The agreement further provides for economic benefits, revenue sharing, and capacity funding for the Halfway River First Nation and the establishment of a social and economic working group to improve community well-being, development and sustainability.

The agreement is currently in the early stages of implementation.

For more information and to access plans and documents, see:

<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/consulting-with-first-nations/first-nations-negotiations/first-nations-a-z-listing/halfway-river-first-nation>

Halfway River Interviewees:

Meghan Buckham, Regional Negotiator, Northeast, North Regional Negotiation Team, IRR

James Cuell, Director, Strategic Initiatives, Northeast Smithers, FLNRORD

Roslyn Notseta, Halfway River First Nation

### 3.4 Klappan Strategic Initiative & Plan

The Klappan Strategic Initiative was launched in 2012 and builds on previous commitments made by the Tahltan and B.C. to take a government-to-government approach towards development in Tahltan Territory. The Klappan is an area of significant cultural, traditional, spiritual and environmental value to the Tahltan and the strategic initiative lays the groundwork for long-term planning for the area.

A technical working group was established and a land use planning process initiated. The Klappan Strategic Initiative Technical Report was completed in 2014, which provides a comprehensive overview of the cultural, ecological and economic values of the Klappan and a basis to guide government-to-government land use planning discussions.

In March 2017, the parties approved the Klappan Plan, which outlines a zoning proposal and management direction for the Klappan. The Klappan Decision-Making and Management Board was established to implement and monitor the plan and make consensus recommendations to the Province and Tahltan. The board will develop a pilot decision-making and joint-management model for the Sacred Headwaters Zone, and develop clear, predictable decision-making procedures for other zones as well as an engagement plan for the public and stakeholders.

For more information and to access plans and documents, see:

<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/consulting-with-first-nations/first-nations-negotiations/first-nations-a-z-listing/tahltan-central-council>

#### Klappan Interviewees:

Nalaine Morin, Tahltan Negotiator and Member of the Management Board.

Fred Oliemans, Manager, Land Use Planning, FLNRORD

Kate Russell, Regional Negotiator, Skeena, North Regional Negotiations Team, MIRR



### 3.5 Marine Plan Partnership for the North Pacific Coast

The Marine Plan Partnership for the North Pacific Coast is a partnership between the Province of British Columbia and 17 member First Nations that developed and is implementing marine use plans for B.C.'s North Pacific Coast. The Marine Plan Partnership region includes four sub-regions: Haida Gwaii, North Coast, Central Coast and North Vancouver Island.

Marine Plan Partnership used the best available science and local and traditional knowledge to develop four sub-regional marine plans and a regional action framework. Marine stakeholders representing multiple sectors provided input and advice to the planning process via advisory committees. In addition, a science advisory committee gave expert technical and scientific knowledge and advice.

The Marine Plan Partnership plans provide recommendations for key areas for marine management, including uses, activities, and protection. The plans inform decisions regarding the sustainable economic development and stewardship of British Columbia's coastal marine environment.

The four sub-regional marine plans were completed in April 2015, and the regional action framework was completed in May 2016. Implementation agreements were signed in August 2016, formalizing the plan implementation process. Implementation activities, based on priorities identified in the marine plans and the Region Action Framework, are underway.

For more information and to access plans and documents, see:

<http://mappocean.org>

MaPP Interviewees:

Russ Jones, co-lead, Haida Gwaii sub-region, Marine Plan Partnership  
Allan Lidstone, Director, Resource Planning and Assessment, Resource Planning and Assessment Branch, FLNRORD

### 3.6 Moose and Watershed Stewardship Pilot Project

The Moose and Watershed Stewardship Pilot Project involved in the development of a management plan to guide moose habitat and ecosystem management for the Criss Creek, Tranquille River and Jamieson Creek Watersheds, northwest of Kamloops, within Secwepemc Territory.

The planning processes flowed in part from the Secwepemc Reconciliation Framework Agreement, which established a government-to-government forum and commits the parties to engage in strategic and collaborative initiatives that mitigate, reduce or avoid disputes over land and resource management in Secwepemc Territory and build collaborative relationships that promote reconciliation. The Tripartite Working Group consisting of representation from Secwepemc governments and organizations, the provincial government, the forest industry and B.C. Timber Sales worked collaboratively from November 2014, to December 2015, to develop a plan that would improve land and resource planning and management as well as communications, relationships and trust between the parties, largely with respect to moose management, which was a long-standing concern of the Secwepemc. Over 13 months, the Tripartite Working Group was supported by a moose sub-committee and a hydrology sub-committee, and was independently facilitated by the Fraser Basin Council.

The Moose and Watershed Stewardship Pilot Project Plan contains resource management commitments to sustain moose habitat values, including the identification of moose habitat polygons with specific guidance to maintain thermal cover, achieve partial cutting thresholds, manage roads and access, and manage brush to sustain moose forage. The plan also contains commitments for enhanced retention on streams, best practices for road building and maintenance, prompt reforestation and assessment and conservation of hydrologic values.

The Tripartite Working Group agreed to the consensus recommendations in the plan in December 2015, and the plan is being implemented effective April 2016.

For more information and to access plans and documents, see:

<https://www.for.gov.bc.ca/dka/Moose%20and%20Water%20Values%20Stewardship%20Pilot/MWVSP%20main%20page.html>

<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/consulting-with-first-nations/first-nations-negotiations/first-nations-a-z-listing/shuswap-nation-tribal-council>

Moose Interviewees:

Mike Anderson, Skeetchestn Indian Band

Rob Purdy, Senior Advisor, First Nations Relations, FLNRORD, Kamloops