

Indigenous Engagement Process on Modernized Land Use Planning in B.C.:

Summary of “What We Heard” Report



September 2018 –
March 2020

Introduction to the Report

This Summary is to be read together with the full *Indigenous Engagement Process on Modernized Land Use Planning in British Columbia: “What We Heard”* report¹.

The “What We Heard” report is an independently produced report that provides a summary of discussions at workshops and through written submissions during the period of September 2018 to March 2020. The views and opinions expressed in the report and this Summary represent those of individual participants and do not necessarily reflect the policy or position of the Government of British Columbia. The “What We Heard” report and this Summary are provided for information and discussion purposes only.

Acknowledgments

On behalf of the Province of British Columbia, the staff of the Land Use Planning program wish to express gratitude to all those who participated in this process for contributing your time, experiences and knowledge.

Background

The Province of British Columbia is in the process of defining a modern approach to land use planning that reflects and responds to contemporary social, economic and environmental conditions and land use management challenges. The Ministry of Forests, Lands, Natural Resource Operations and Rural Development and the Ministry of Indigenous Relations and Reconciliation, in collaboration with First Nations and stakeholders, have been directed to explore what this new approach to land use planning could look like. Such an approach holds opportunities for the Province and Indigenous peoples to advance the adoption of the United Nations Declaration on the Rights of Indigenous peoples, consistent with the Draft Principles That Guide the Province of British Columbia’s Relationship with Indigenous Peoples².

The Province sees partnership between the Province and Indigenous peoples as a guiding principle for the design, development and implementation of modernized land use planning. Provincial staff have been engaging with First Nations throughout the province to help shape the modern approach to land use planning in British Columbia and to seek ways of working together. Provincial staff are also engaging with stakeholder organizations to gather input and share updates on the development of the modernized approach.

¹ Visit www.gov.bc.ca/landuseplanning for more information about land use planning in B.C.

² Available at https://www2.gov.bc.ca/assets/gov/careers/about-the-bc-public-service/diversity-inclusion-respect/draft_principles.pdf

Indigenous Engagement Process

In September 2018, engagement began with a two-day 'Resource Planning Partnerships' workshop. The event brought together First Nation representatives from several areas of B.C. with recent experience in government-to-government land use planning processes to identify best practices and lessons learned. Read the [Workshop Summary](#) for more information.

Since January 2019, Provincial representatives have been engaging directly with First Nations throughout the province. These regional efforts have formed the central focus of the early engagement process. Discussions have included open conversations around topics such as guiding principles for land use planning, potential benefits, approaches and expectations around planning in partnership, and the engagement process itself.

Indigenous Engagement Process on Modernized Land Use Planning in British Columbia: "What We Heard" is an independently produced report that compiles the results of engagement with First Nations across the province through workshops, meetings and written submissions from September 2018 to March 2020. Additional events were scheduled in northern BC in early 2020 but were cancelled in light of the Covid-19 crisis.

Going forward, the Land Use Planning program intends to continue to engage with First Nations through numerous avenues in a commitment to shape the program as partners.

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What We Heard

The *Indigenous Engagement Process on Modernized Land Use Planning in British Columbia: “What We Heard”* report reflects conversations on an extensive range of topics and has sought to present the information in a manner that authentically reflects the views and opinions expressed by Indigenous participants. This Summary highlights some of the many topics and messages reflected in the full report.

“The land is who we are. Our vision for the land is more than just a mapping exercise, more than an expectation of [our First Nation] providing information so that the Province can go away and make decisions, so someone else can interpret it... We’ve been in these processes for quite a long time... we need to transcend to a different place, to transform our relationship.” – Participant

Contemporary Context

Participants conveyed that land use planning must reflect the contemporary context of First Nations as rights holders, and the many demands that First Nations are already facing as a result of existing processes and concurrent initiatives.

Messages from participants included:

- Indigenous people have been planning for a long time.
- Indigenous people are stewards of the land and guardians of their territory.
- Indigenous worldviews, traditional values, and cultural uses of the land need to be incorporated into the process. Indigenous people hold a significant amount of knowledge about their territory – this knowledge needs to be treated equally to western science (“honour both knowledge systems”). This is a key component to successful government-to-government relationships.

Vision, Scope and Rationale

Many comments were offered on why planning is needed, what it should entail, and what outcomes should be achieved. This includes the critical importance of a co-designed approach, through which First Nations and the Province work as partners.

Messages from participants included:

- Land use planning should be based on a holistic, sustainability perspective that considers environment, economy, community well-being and culture, as well as a long-term vision.
- The scope and rationale for land use planning needs to be jointly determined by those involved.
- Indigenous people expect changes in the way decisions are made and implemented.
- Planning needs to ensure socio-economic benefits to communities.
- Planning needs to be a collaborative approach that builds trust, promotes enduring relationships, improves land management, and provides more certainty for everyone.
- Planning should not be perceived as a stand-alone activity, but as one aspect of a broader agenda for transformative change in the relationship between First Nations and the Crown.
- Planning needs to contribute to reconciliation at its core.

Policy Framework

The need for a clearly defined policy framework to guide the future of land use planning in B.C. was a reoccurring theme. Such a framework would provide broad direction, with opportunities to be refined at the regional level and with individual First Nations to meet their specific needs.

Messages from participants included:

- A clear Cabinet mandate needs to be in place to ensure the success of a modernized land use planning program in B.C., linked to implementation of the United Nations Declaration on the Rights of Indigenous Peoples, the British Columbia Declaration on Rights of Indigenous Peoples Act, and the Calls to Action from the Truth and Reconciliation Commission.
- Planning might require a shift away from a program based on firm mandates, prescribed processes and defined outcomes, and instead founded on guiding principles. Recommendations on guiding principles were discussed.
- Provincial legislation and policy need to align with the outcomes of collaborative, consent-based land use planning.
- Better coordination, integration and alignment is needed among ministries and between governments, including the federal government.

Program Design Considerations

Some participants called for clearly defined governance arrangements to guide the development and implementation of a modernized land use planning program, for example through government-to-government agreements with a land use vision and goals embedded as foundational documents.

Messages from participants included:

- The establishment of a provincial forum or working group on land use planning to advise on program development and implementation over time.
- The program should be designed from the outset to be adaptable, as well as sufficiently flexible so that planning approaches can be tailored to regional circumstances.
- Concern with the perceived urgency to embark without a robust policy framework in place.
- Adequate time is needed to build trust and relationships, and to create space for respectful recognition of Indigenous worldviews, interests and perspectives.
- Adequate resourcing is needed for First Nations to undertake pre-planning, and to participate effectively in lengthy, joint planning processes, and implementation.
- Indigenous ways of resolving conflict should be built into dispute resolution processes.
- Interim measures are needed to ensure that key values are conserved and that cultural practices can continue unimpeded while planning is underway.
- Specific needs around new and improved legal instruments to support land use planning.

Pre-Planning and Readiness

First Nations highlighted the importance of careful preparation in advance of start-up of a land use planning process, including documenting Indigenous law, building necessary capacity and technical capabilities, and completing an assessment of overall readiness.

Messages from participants included:

- Many First Nations are working actively to recover and restore Indigenous knowledge and governance systems; this step may be important as a foundation and precursor to land use planning.
- The critical importance of capacity building and training, including within Provincial staff.
- The importance of assessing readiness to inform decisions on whether to engage in such an ambitious initiative, how broad the scope of planning should be, and prioritization of issues to be addressed.

Technical Planning Tools and Climate Change

Messages from participants included:

- The importance of new technical tools, including tools: to assist in the collection and analysis of information from knowledge holders and First Nations community members; and for the legal protection of values in a more sophisticated and adaptable manner.
- Land use planning needs to reflect a changing climate and be adaptable to change.
- The notion of resilience should be applied not only to ecosystems but also to human communities, and existing land use plans should be revisited in light of new information and understandings.

Community, Local Government and Stakeholder Engagement

Messages from participants included:

- The importance of engaging First Nations' members so that the communities 'own the plan.'
- First Nations embarking on land use planning need to consider not only their relationship with provincial government and their own First Nations members, but also how they will interact with local governments, stakeholders and local communities.
- Reconciliation is a process that must include local non-Indigenous communities, including local and regional governments, so that they are engaged and supportive of the planning work.

Implementation

A common theme was that implementation of plan products is a critical element that is often challenging and under-resourced for both First Nations and government agencies. Concern was expressed that the inadequacy of implementation efforts might also undermine commitment to planning initiatives more broadly.

Messages from participants included:

- Provincial legislation and policy can be cumbersome and ineffective at implementing land use plans; currently land use plans have “no teeth.”
- Existing tools should be better used, and other legal mechanisms need to be developed.
- Strong relationships based on trust and mutual understanding play a key role in more effective and efficient implementation.
- Implementation needs to happen incrementally, with mechanisms in place to ensure monitoring informs ongoing decision-making.
- Indigenous communities should play a key role in monitoring land use plan implementation, and traditional systems may help inform monitoring approaches and shared learning.



Land use planning “has to be an on-going commitment and a process, not a program.” – Participant





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