

Wóoshtin wudidaa (Atlin Taku Land Use Plan) & Whóoshtin Yan Too.Aat (G2G Agreement)

Some Lessons Learned from the Government-to-Government Process

Presentation to the Yukon Land Use Planning Commission and Yukon First Nations by Taku River Tlingit First Nation, November 16, 2011

This is a handout to accompany a PowerPoint presentation by Susan Carlick, G2G Forum Co-Chair, Taku River Tlingit First Nation

1. **Ensure you have strong leadership support and mandate for the land use planning work**
 - a. A strong & united leadership group can be instrumental in providing the 'steady hand' in the community, and sustained political and support for the team's responsible for implementing the process. Without this stable and strong support, it can be hard to coordinate and sustain the multi-year commitment and resources needed to do strategic land use planning. TRTFN had a clear mandate from the people to develop the 'land protection plan' through a Joint Clan resolution, as well as a ratified TRTFN land use vision (see 2b).
2. **Understand your community's values, interests and concerns, and what their vision is for the future of lands and resources, before you engage in joint planning**
 - a. In TRT case, we developed our own TRTFN community vision, *Ha tlatgi ha khustiyxh siti: Our Land is Our Future*, based on extensive community engagement process with our people, including interviews, elders meetings, community meetings, and leadership briefings. *Ha tlatgi ha khustiyxh siti: Our Land is Our Future* was formally ratified by the TRTFN community as a Joint Clan Meeting.
 - b. *Ha tlatgi ha khustiyxh* was a 2-yr process to develop a very comprehensive sustainability vision; it formed the basis for communicating TRT's values, interests, goals and objectives for land and resource management into the G2G land use planning process, and to stakeholders.
 - c. Be very cautious about entering into a complex G2G land use planning until you have done the work to know what your community's vision, values and interests are. Without a well articulated land use vision, ideally in a form that fits with the structure of government land use planning frameworks, your community's interests and values may get lost in the planning process.
3. **Understand how to get your people involved**
 - a. There are multiple tools that work for different audiences, at different times, for different issues – Who are your audiences and how do you reach them? Tools include advisory groups, community meetings, family meetings, elders meetings, interviews, newsletters, web tools.
 - b. Be aware of 'process burnout', particularly if there are multiple initiatives underway in the community. Strive for clear, straightforward communication – avoid a lot of jargon and technical or 'planning speak'. Try to make engagement fun and rewarding. e.g. dinners, door prizes, posters.

4. **Make an extra effort to involve the youth – it is mostly about their future**
 - a. The youth will be tomorrow’s leaders, managers and technicians, responsible for implementing agreements. It can be challenging, but find ways to engage them – i.e. youth mentorship, trainee, job shadowing, specific meetings with youth groups.
5. **Ensure you have good technical & process support**
 - a. Land use planning is inherently complex, and time consuming. In addition to core expertise areas of land use planning, community engagement/public process design, and project management, expertise may be needed in specific areas, including cultural resource management, forestry, mineral exploration and development, wildlife and fisheries biology, and tourism/recreation management. Think carefully about what kind of technical expertise you need on your team to support your community’s vision.
 - b. In TRTFN’s case, we were able form partnerships with two key organizations – Round River Conservation Studies and Dovetail Consulting Inc. – to provide us with the core expertise we needed to supplement our own staff capacity and capability within our Lands and Resources and Fisheries Departments, particularly in wildlife management and GIS analysis & decision support.
 - c. Be cautious about embarking on land use planning if you do not have the technical and process capacity in place to support your community’s participation over the duration of the planning process.
6. **Make sure you have the right people involved & honour the relationships**
 - a. You can design the best possible process, and have the right expertise, but in the end, it is the integrity and determination of the individuals involved that will decide the outcome. Personalities are key. Draw people into the process who are committed, respectful of divergent viewpoints, and willing to work hard to get to a successful conclusion.
 - b. Realize that even when the issues are challenging, respect and honour the people involved and work hard to maintain good working relationships.
7. **Build capacity as you go**
 - a. It is essential to find ways to bring community members directly into the technical and negotiation process so that they will understand and ‘own the plan’, have the skills to implement the plan when it is completed, and have formed the relationships with their counterparts in the Crown agencies.
 - b. We had some success with having First Nation’s junior technical staff job shadowing and being mentored by experienced staff, technicians or contractors who were primarily responsible for completing the work. That way, the junior staff can get exposure to the skills and knowledge required, but not be overwhelmed by the complexity of, or be responsible for, the technical aspects of planning.
8. **Clearly understand and carefully articulate the scope of issues that need to be addressed through land use planning**
 - a. LUP is strategic scale, so not the best forum to deal with site specific operational or referral-type issues. Keep LUP separate from referral engagement – day-to-day conflict and “noise” can overwhelm the big-picture planning process.

- b. Being clear on the strategic issues will help inform what information is needed for the process.
9. **Organize all the information that is important to your nation's aboriginal interests, in a form that will be useful and influential in the planning process.**
- a. Collect, collate and organize your land use and occupancy maps & cultural research and records in a central location.
 - b. Fill gaps in knowledge, through additional land use and occupancy studies.
 - c. Consider how you are going to bring this information into the planning process, while also protecting confidentiality of data
10. **GIS analysis and mapping can be an essential tool to inform development of the Land Use Plan, particularly with respect to zoning**
- a. Very specific mapped data on cultural *features* is usually sensitive and confidential, and not the best information for land use planning given the scale of planning
 - b. Many different maps are generated, for different resource themes (e.g. wildlife, forestry, fish, minerals, tourism, cultural uses, water). Without resources analysis to integrate this data, planners can become ad hoc, non-transparent, and reactive in developing proposals or scenarios, without a clear understanding of where complementary and conflicting resource uses exist, and what the options might be to reconcile uses.
 - c. TRTFN developed a "Tlingit Land Use Model" to show the relative value of landscapes for traditional use and harvesting activities. This tool was instrumental in bringing Tlingit land use interests into the process.
 - d. We also developed a GIS-based Decision Support Tool (DST), to integrate a wide range of cultural, ecological, social and economic spatial data, which allowed planners and participants in the process to understand the spatial distribution and interaction between land-based resources & values.
 - e. The DST was a crucial tool in developing different "Tlingit High Value Cultural and Ecological Landscape" maps, as interim products leading to the identification of land use zones (protected areas & resource-specific management zones).
11. **Secure adequate long-term funding for your community's engagement**
- a. Land use planning is expensive. Adequate funding sources need to be in place, for at least 2 years, often longer. Be cautious about embarking on land use planning if you do not have secure, multi-year funding to support meaningful engagement.
12. **Put in place effective mechanisms to resolve issues and conflicts**
- a. Some land use issues are inherently contentious and difficult to resolve. It helps to create a process that allows for as many issues to be addressed as possible at a technical, or working group level, with opportunities to elevate a few issues that are unresolved to a higher-level forum for guidance.
 - b. The TRTFN-BC 2008 *Framework Agreement for Shared Decision Making Respecting Land Use and Wildlife Management Respecting Land Use and Wildlife Management* ('Framework Agreement') created the necessary tiered structure. Most issues were resolved at the Technical Working

Group (TWG). Some issues were elevated to the Joint Land Forum (JLF), and only a few issues were raised to the level of the designated 'Responsible Officials' (John Ward, Spokesperson, TRTFN and Gary Townsend, Assistant Deputy Minister, Integrated Land Management Bureau) for final resolution.

13. **Bring First Nations language & concepts into the process**

- a. Land use planning is full of 'planning speak' and acronyms. The process can be dominated by western ideas and ways of thinking. First Nation's language and concepts are important and integral to any land use planning exercise – bring them into the process.
- b. The Tlingit concept of *khustiyxh*, the Tlingit way of life, is a rich and meaningful idea that became a central theme underpinning the land use plan. The Tlingit concept of *Tlatsini*, which means "places that make us strong", was used to identify the configuration of the highest value cultural and ecological landscapes across the territory, and helped to inform the final configuration of land use zones. The land use zones – and the Agreements themselves – have Tlingit names, which are rich in meaning and significance to the Tlingit people. They enrich the plan.

14. **Don't forget about implementation!**

- a. Land use planning should resolve many land use issues, improve certainty and hopefully improve the environment for land and resource management decision making generally.
- b. The majority of a land use plan will go forward as policy direction, to be implemented by First Nation and Crown government agencies through their own or joint decision-making processes.
- c. It is crucial to anticipate – and put in place – the shared decision making arrangements to implement the jointly developed land use plan, to ensure that the spirit and intent of the plan is fully implemented as the Parties intended.
- d. In TRTFN case, we negotiated *Whóoshtin Yan Too.Aat*, the Land and Resource Management and Shared Decision Making Agreement to do this. *Whóoshtin Yan Too.Aat* creates the institutional arrangements and processes for on-going shared decision making on land and resource matters between BC and TRTFN. It was developed parallel with the LUP and is an essential part of the agreement 'package'.