

SASKATCHEWAN	Answers
1. When did regional planning begin and describe why it began?	1. The purpose of land use planning is to create policies to guide future development and protection of the land and resources. It will reflect the social, cultural and economic priorities of the planning body, residents of the region, and the people of Saskatchewan (Government of Saskatchewan, 2002).
2. Describe the state of regional planning in the jurisdiction.	2. The Athabasca Plan (which is referenced frequently in this document is the largest regional planning exercise ever carried out in Saskatchewan, covering over 15% of the province, about 12 million hectares in the far north.
a. How big are the planning regions?	2a. Between 8000 ha and 12million ha (Government of Saskatchewan, n.d.).
3. What legislation guides the planning process? and describe the links to other legislation.	<p>3. <i>Saskatchewan’s Planning and Development Act</i></p> <p>Others:</p> <p>Provincial <i>The Clean Air Act and Regulations The Crown Minerals Act The Department of Energy & Mines Act The Department of Environment and Resource Management Act The Ecological Reserves Act The Environmental Assessment Act The Environmental Management and Protection Act The Fisheries Act The Forest Act and Regulations The Forest Resources Management Act The Heritage Property Act The Highway Traffic Act The Litter Control Act The Mineral Disposition Regulations, 1986 The Mineral Industry Environmental Protection Regulations The Municipal Refuse Management Regulations The Natural Resources Act The Parks Act and Regulations The Prairie and Forest Fires Act, 1982. The Provincial Lands Act The Public Health Act The Rural Municipality Act The Resource Lands Regulations The Sand and Gravel Act The Surface Rights Acquisition and Compensation Act The Water Corporation Act The Water Pollution Control and Waterworks Regulations The Wildlife Act and Regulations The Wildlife Habitat Protection Act</i></p> <p>Federal</p> <p><i>The Canadian Environmental Protection Act The Canadian Environmental Assessment Act The Fisheries Act The Forestry Development and Research Act The Department of Indian Affairs and Northern Development Act The Migratory Birds Convention Act, 1994 The Indian Act The Navigable Waters Protection Act (Government of Saskatchewan, 2006)</i></p> <p>See planning principles Appendix 1 established in the Athabasca Interim Advisory Panel Terms of Reference.</p>

<p>4. What is the composition of the planning body?</p>	<p>4. Example from the Athabasca Draft Land use planning process:</p> <p>The Interim Advisory Panel was established to prepare a land and renewable resource management plan for the planning region (See Appendix 2 for Interim Advisory Panel Structure).</p> <p>1. Panel Membership</p> <ul style="list-style-type: none"> • The Panel will consist of representatives from communities in the planning region and various Government Departments specifically from the Denesuline First Nations of Black Lake, Fond du Lac, and Hatchet Lake; the Northern Hamlet of Stony Rapids; and the Northern Settlements of Camsell Portage and Uranium City; Saskatchewan Northern Affairs; Prince Albert Grand Council (PAGC); Saskatchewan Environment and Resource Management (SERM) and other relevant interests and government departments that need to be involved. • Members will demonstrate to the panel as a whole who they represent by providing written confirmation from their constituents. <p>An Advisory Panel has been formed that is co-chaired by Saskatchewan Environment and the Dené Vice-Chief of the regional Prince Albert Grand Council. This Panel includes representatives from all six communities and two outside groups, the Saskatchewan Mining Association and the Canadian Parks and Wilderness Society Saskatchewan Chapter (Sierra Club of Canada, 2004).</p> <p>See Appendix 3 for people involved in the preparation of land use plan visual</p>
<p>5. What land do the land use plans apply to?</p>	<p>The land use plan and management structure will not include resources such as mines, minerals, water and the exploitation, extraction or management of them, nor will it include lands within the boundaries of northern hamlets, northern villages or towns (Government of Saskatchewan, 2006).</p>

<p>6. Describe the jurisdictions</p> <p>a. planning process (i.e. what are the stages)</p>	<p>6a. The Interim Advisory Panel oversaw a team of planners, researchers, administrative and coordination staff, and followed the generic planning process outlined below to produce a the The Athabasca land use Plan.</p> <p>This process is described in detail Appendix 4. Each step was conducted through extensive consultation with and the participation of communities, government, industry, environmental groups and other interests.</p> <p>Outline of the planning process:</p> <ol style="list-style-type: none"> 1. Initiation; 2. Define goals and objectives; 3. Collect and analyse information; 4. Find solutions that could resolve issues; 5. Discuss and decide upon recommendations; 6. Write up and approval of the land use plan. <p>(Government of Saskatchewan, 2006).</p> <p>Note the Athabasca Planning process is divided into three phases: The first focuses on a 50 kilometre wide corridor bordering the recently completed winter road into the area the plan for this initial phase is currently in draft pending approval in 2004. Work on all three phases is expected to be completed by late 2005 (Sierra Club of Canada, 2004) To date, Stage 2 and 3 are not complete and stage 1 is still in the draft stage.</p>
<p>b. associated planning products.</p>	<p>6b. Information not found.</p>
<p>7. Describe how the information gathering stage of the planning process is coordinated amongst the planning body.</p>	<p>7. See step 3 in Appendix 4</p> <p>Information about commercial uses came from existing government maps and participatory mapping exercises. The Panel analyzed where human activity is likely to occur in the life of the plan and these areas became priority areas.</p> <p>Information about areas of conservation value came from existing government studies in the area (e.g. RAN, Parks, Heritage studies). In addition, Canadian Parks and Wilderness Society provided analysis of areas of conservation value.</p> <p>Information from r research initiatives were incorporated specifically, interview with 20% of the adult population contributed over 65,000 mapped points and areas of hunting, fishing, trapping, gathering and cultural sites (Government of Saskatchewan, 2006).</p>

	<p>Technical staff (government, First Nations, municipalities, industry, non-government organizations) will assemble information on the land uses, resources, resource values and inherent capabilities of the area, respecting both scientific data and local knowledge (Government of Saskatchewan, 2006).</p> <p>Establishment of task-groups Due to the complexity of certain tasks or issues, the Panel appointed task groups to:</p> <ul style="list-style-type: none"> - develop options for the full Panel consideration, - refine proposals for specific action by the Panel as a whole, - conduct specific “fact-finding” efforts, and/or - undertake other specific tasks necessary to the success of the Panel as a whole. <p>(Government of Saskatchewan, 2006).</p>
<p>8. Describe how conflicts between:</p> <p style="padding-left: 20px;">a. the governments are addressed</p>	<p>8a. Dispute Resolution For the purposes of the Terms of Reference, disputes are considered to be the following:</p> <p>(1) disagreements between Parties as to the interpretation of the Agreement; and (2) disagreements amongst the Parties regarding the content and recommendations of the land and renewable resource plans or the land and resource management structure.</p> <p>Dispute resolution will be characterized as the following:</p> <ul style="list-style-type: none"> - Prevention - emphasis on clear language in documents; focus on interests and understanding differences in opinions - Resolution of specific concerns - use of non-adversarial processes such as interest-based negotiation, facilitated dialogue, and mediation (Government of Saskatchewan, 2006). <p>Government of Saskatchewan and Aboriginal Communities and off reserve communities signed a comprehensive agreement (Memorandum of Understanding) at the outset of the planning process, that expressed the political will of the parties, acting on behalf of the constituents to plan for the best possible future in this area from all points of view (Sierra Club of Canada, 2004).</p>
<p style="padding-left: 20px;">b. the stakeholders are addressed</p>	<p>8b. Potential Conflicts amongst stakeholders are mapped (See Appendix 5) to show where conflicts are likely to occur. Resolution of specific concerns is handled through non-adversarial processes such as interest-based negotiation, facilitated dialogue, and mediation.</p> <p>The Athabasca Interim Advisory Panel outlined which land uses can conflict and are compatible see Appendix 6</p>

<p>c. others involved, i.e. overseer and planning body</p>	<p>8c. Information not found.</p>
<p>9. Describe how decisions are made amongst the planning body throughout the planning process.</p>	<p>9. From the Appendices Draft Athabasca Land use Plan: Stage One (See Appendix 1 points b) c) and d))</p> <p>The Co – chairpersons of Interim Advisory Panel ensures that:</p> <ul style="list-style-type: none"> • Agenda items requiring facilitation will be turned over to the facilitator. The facilitator will have the necessary skills, will be neutral, and will assist in consensus building. Examples of agenda items that may require facilitation include: working on terms of reference, discussing options in problem-solving land and resource use issues, or working through issues with potentially highly conflicting views (Government of Saskatchewan, 2006). <p>Consensus Building</p> <ul style="list-style-type: none"> <input type="checkbox"/> Decisions and recommendations will be based on consensus - that is, all members can live with the recommendation/decision. <input type="checkbox"/> Everyone will have an equal opportunity to speak. <input type="checkbox"/> Discussions will focus on interests and concerns rather than positions and demands. <input type="checkbox"/> Members will commit to fully explore issues, searching for solutions in a problem-solving and consensus-building atmosphere. <input type="checkbox"/> Members will respect the ideas and concerns of others. <input type="checkbox"/> Members will try to understand the interests of others, whether they agree with them or not. <input type="checkbox"/> Members will communicate the interests of the group that they represent. If there is uncertainty as to whether that is the case, members will make that known. <input type="checkbox"/> Any member may abstain from a decision to avoid preventing consensus. Minutes will note these occasions. <p>(Government of Saskatchewan, 2006).</p> <p>In the Event of Disagreement (non-consensus)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Participants who do not agree will provide reasons why their interests are not accommodated by the general consensus of the group. Individual concerns will be noted in the minutes. <p>(Government of Saskatchewan, 2006).</p> <p>The planning team will commence its work in accordance with the criteria and factors agreed upon by the Parties to the Memorandum of Understanding and the Terms of Reference (The planning body has to abide by the terms agreed to by the parties in the Terms of Reference and Memorandum of</p>

	Understanding) (Government of Saskatchewan, 2006).
9a. Describe who is employed to conduct the planning work, i.e. contractors, planning board staff, etc.	9a. For the Athabasca Planning process, the planning process has an office with one full-time staff person from Fond du Lac Denésuline First Nation (Government of Saskatchewan, 2006). The process is co-chaired by representatives of the major parties to the Agreement, the Province and the Aboriginal Communities. There is an independent planning consultant engaged to lead and facilitate the technical aspects of plan creation and production (Sierra Club of Canada, 2004).
10. Describe the role of the body who oversees the planning process	10. The Interim Advisory Panel will oversee the planning process which will be implemented by a planning team composed of appropriate technical officials appointed by the panel See Appendix 3 (Government of Saskatchewan, 2002).
11. Describe how the process is funded.	11. For the Athabasca Planning Process: Community participants are funded by the Grand Council, although there have been funding problems. Government and outside stakeholders (mining and conservation) are responsible for their own costs (Sierra Club of Canada, 2004).
12. Describe the role that the a. Provincial/Territorial government play during the planning process.	12a. <ul style="list-style-type: none"> • Representation on the Interim Advisory Panel. • Provide information for example Information on the nature of land dispositions for mineral exploration and extraction will be obtained from Saskatchewan Energy and Mines (Government of Saskatchewan, 2006).
b. First Nation(s)/ First Nation government(s) play during the planning process.	12b. <ul style="list-style-type: none"> • Representation on the Interim Advisory Panel • First Nations will be responsible for collection of data on traditional use patterns, harvests and traditional use cabin locations. First Nation confidentiality standards will also apply to the management of this information (Government of Saskatchewan, 2006).
c. Stakeholders	12c. <ul style="list-style-type: none"> • Stakeholders are invited to participate, • The Saskatchewan Mining Association and the Canadian Parks and Wilderness Society sit at the planning table • Community meetings are held as needed to review issues and drafts of the plan. All communities have a representative on the Advisory Board. A newsletter is sent to all homes and businesses in the planning area several times a year (Sierra Club of Canada, 2004).

<p>And describe how these groups interests are communicated to the planning body?</p>	<p>Panel members will communicate the interests and concerns of those who they have agreed to represent. Members must acknowledge to the panel if speaking on a personal interest (Government of Saskatchewan, 2006).</p>
<p>13. Describe the land designation system used in the jurisdiction</p>	<p>For the Athabasca planning process: Zones were developed through an open, community-based process of putting together many layers of information, understanding the environmental impacts and benefits of different land uses, discussing management options and negotiating acceptable activities for different areas.</p> <p>6 step process.</p> <ol style="list-style-type: none"> 1. Assume that all of the land and water is critical to the ecosystem. 2. Gather information on the different land uses and values in the planning area. 3. Develop a complete list of human activities that are happening in the planning area. 4. For each activity, consider the environmental impact. 5. Identify which parts of the planning area may be sensitive to human activities. 6. Develop a land use zone map that shows where acceptable activities could occur by considering the perceived environmental costs and benefits <p>See Appendix 7 for Land designation used in Athabasca planning process</p>
<p>14. How does the land designation system provide management direction? i.e. how do land users interact with the approved plan.</p>	<p>14. According to the Athabasca draft land use plan stage 1 If the project conforms to the land use plan, development can proceed (Government of Saskatchewan, 2006).</p>
<p>15. What are the stages of the approval process for a regional plan?</p>	<p>15. Approval process The Panel has submitted the draft land use plan to the general public and to the representative groups on the Panel for their consideration and review.</p>

	<p>The Agreement outlines a process for approval of the land use plan, as follows:</p> <ul style="list-style-type: none"> • The Panel reviews plan; • Failure to reach consensus will require more negotiation and innovation; the plan is redrafted if necessary (note: this does not give parties a veto); • Plan supported by consensus of the Panel, then submitted to the general public; • If favourably received by the general public, the plan goes to the representative groups on the Panel for consideration and review; • The plan is then sent to the Minister for his or her review and consideration prior to his or her final approval; • At the same time the plan is sent to the Chiefs and Councils for their approval with respect to reserve lands; • At any stage in the planning process where consensus is not reached, the alternative dispute resolution process will be followed as per The Agreement
<p>16. Who is responsible for plan implementation and review?</p>	<p>16. Implementation and review of the land use plan is the core responsibility of the Athabasca Management Structure. Government, communities, industry and other groups will also play important roles in the implementation of the land use plan (Government of Saskatchewan, 2006).</p>
<p>a. How often are the plans reviewed?</p>	<p>16a. A formal review will occur every five years after the Stage 1 final land use plan is approved (Government of Saskatchewan, 2006).</p>
<p>b. How are variance and amendments handled?</p>	<p>16b. The plan review is an opportunity to makes changes to the land use plan by evaluating the success of the plan in meeting its goals and objectives. Changes to the land use plan should be expected, as the Athabasca Management Structure will be monitoring land use information and issues throughout the life of the plan. Land use planning is a continuing cycle where up-to-date information and issues are considered in the process on an ongoing-basis.</p> <p>A framework for a five-year review will be developed as part of the implementation plan. The review should assess:</p> <ul style="list-style-type: none"> • If the land use plan met the planning principles in The Agreement; • If the action items were implemented and assess the successes, failures and omissions; • The requests for exceptions and amendments to the land use plan; • The number of applications for permits, licenses and authorizations that were not in conformity with the land use plan and why; • The accuracy of forecasts and the information base used in land use plan production (Government of Saskatchewan, 2006).

17. What is the average cost of regional planning processes in the jurisdiction?	17. Information not found.
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References

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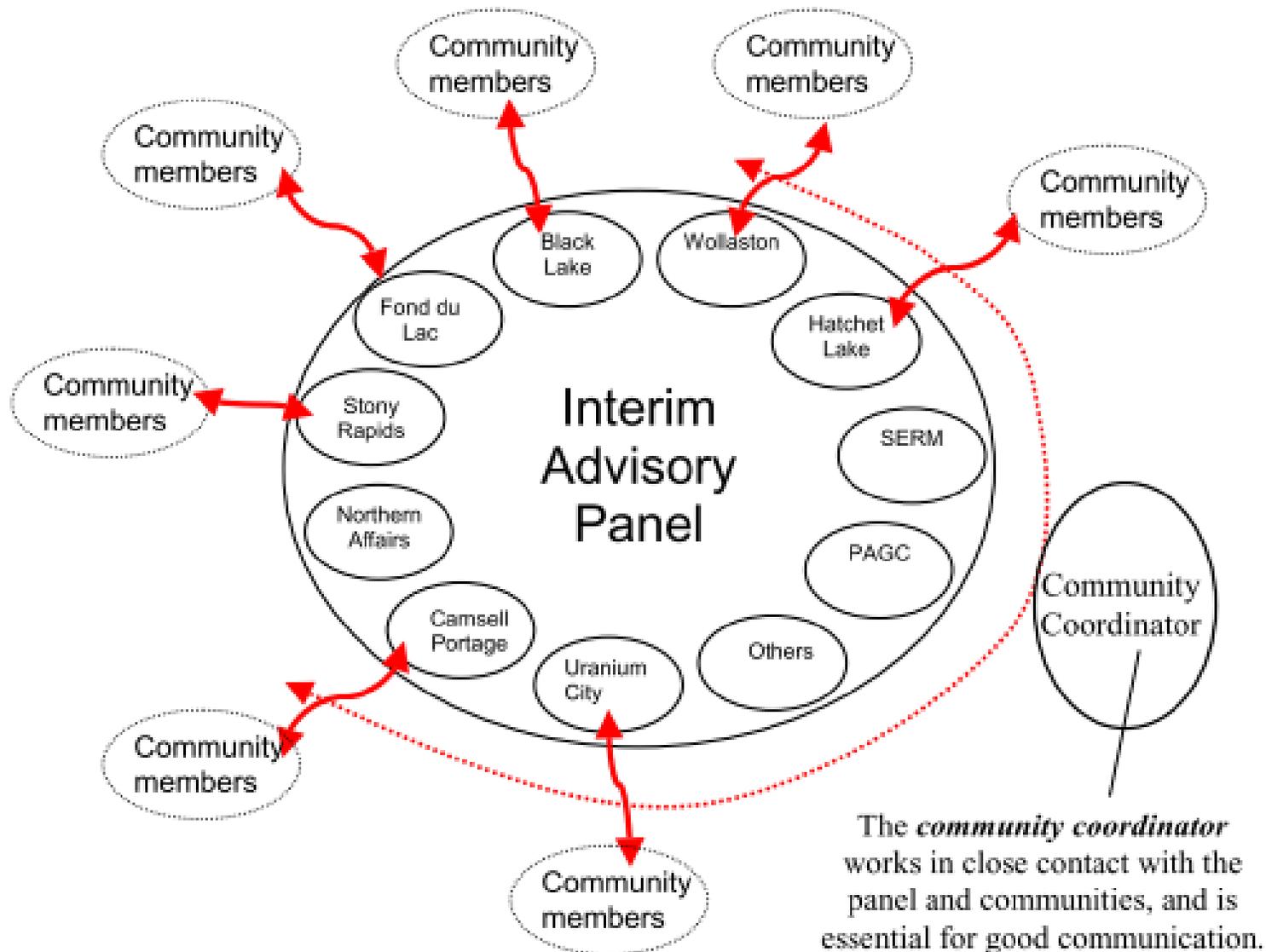
Appendix 1 Guiding Principles

The Parties agree that the goal of conserving the integrity of the ecosystem within the Northeastern Saskatchewan-Lake Athabasca Region, while optimizing social, cultural, economic and other benefits, will be best realized through the application of the following principles in the development and implementation of planning and management processes and structures:

- a) all interests (local and provincial) which are impacted by renewable resource development have the opportunity to participate;
- b) incorporation of local decision making processes which are direct, meaningful, effective and based on consensus where ever possible;
- c) a co-operative approach based on shared responsibility, mutual respect, trust, fairness and openness;
- d) decisions made by integrating environmental, economic, social and cultural needs and balancing local and provincial interests;
- e) all impacted interests are provided with current and adequate information;
- f) land and renewable resource uses that maintain healthy processes and biodiversity for sustainable ecosystems;
- g) recognition and promotion of the needs of the people and communities in the planning area in particular, and the people of Saskatchewan in general;
- h) recognition that the greatest development impacts will be on the people of the area;
- i) advocacy of development that maximizes opportunities for the people of the area;
- j) joint understanding and clear communication of all interests of the participants, including respect for indigenous traditions and traditional and spiritual knowledge integrated with scientific knowledge in decision-making processes;
- k) respect for First Nations' Treaty based constitutional rights to hunt, fish and trap for food year round on unoccupied provincial Crown lands and lands to which they have a right of access; and
- l) respect for existing and ongoing dispositions, uses and allocations on Provincial Crown lands under existing regulations and policies.

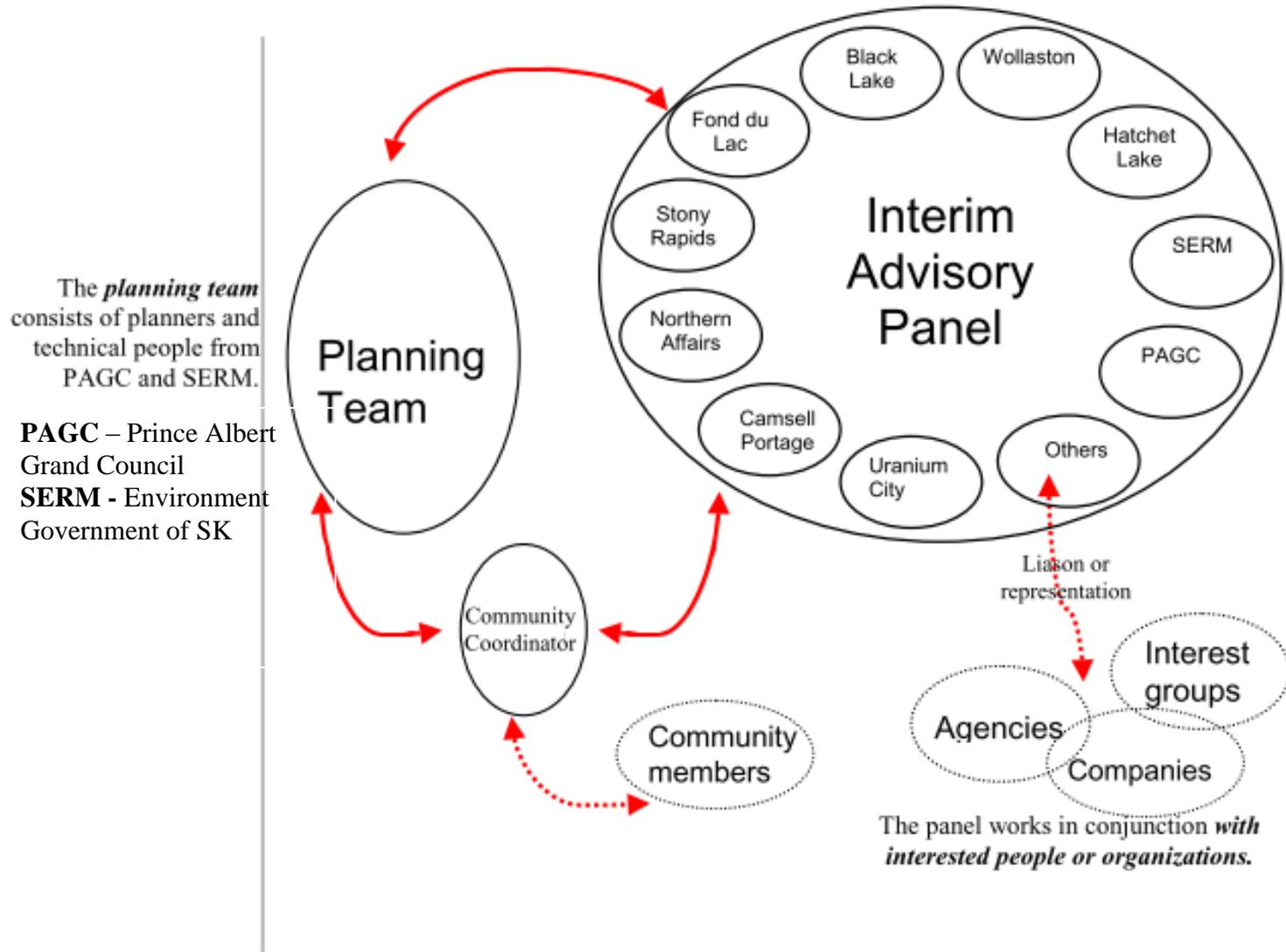
Source: Government of Saskatchewan, 2006

Appendix 2 Interim Advisory Panel structure



Source (Government of Saskatchewan, 2002)

Appendix 3 People involved in the Preparation of a land use plan



The panel works in conjunction *with interested people or organizations.*

Source (Government of Saskatchewan, 2002)

Appendix 4 Planning Process used by Athabasca Interim Panel

1. Initiation: The Agreement signed, funds secured, staff employed, advisory Panel established.

2. Define goals and objectives:

- The Panel spent the first four meetings exploring The Agreement, and developing a terms of reference and work plan for the process;
- Meetings with communities, interested groups and resource people in this initial phase focused on generating an understanding of aspects of the process and clarifying land use and resource management issues that the plan would address;
- The Panel established a communication strategy involving newsletters, radio information sessions, community meetings and correspondence lists.

3. Collect and analyse information on the ecosystem, land uses and resource management issues in the region:

- The planning team researched existing government, industry and other literature to compile information on Athabasca land and resource use in a one hundred-page document (Government of Saskatchewan, 2002);
- Athabasca communities undertook traditional use and occupancy research, interviewing 415 people (approximately 20% of the adult population) from the region about their use of the land. This research resulted in a level of TLUO information unprecedented in Saskatchewan: 1100 map overlays with over 65,000 mapped sites and places and hundreds of hours of audio cassette recordings;
- The Athabasca communities and the Panel provided input on priority land use and resource management issues through six panel meetings and more than 20 community meetings in 2001;
- The planning team asked government, industry and non-government staff working in the region for their input on issues requiring attention in the plan, through e-mail, phone and personal communications;
- The Panel prioritized the issues to be addressed in the land use plan;
- The planning team compiled all available spatial information in an analysis of priority land use and overlap areas.

4. To find land use planning solutions that could resolve the issues, the Panel:

- Researched the background, existing policies and legislation that relate to the issues, using materials provided by the planning team;
- Developed a range of options in conjunction with government, industry, and local stakeholders, using materials and facilitation provided by the planning team;

5. Discuss solutions with affected land users and agencies, and make recommendations: The Panel developed policy-based solutions in a series of five meetings, with three additional meetings focusing on zone-based solutions to the issues. Participatory planning methods were used where possible to promote good communication and understanding of proceedings. Participants evaluated many meetings in order to find better ways of working together.

POLICY-based recommendations:

- Government agencies provided background on current policy, legislation and operations related to the issue. Industry representatives outlined current approaches to the issue. In some cases, a clearer understanding of existing policies and practices resolved the issue;
- Resource people from government, industry, associations and communities provided background information and expertise;
- Panel members explained why, from their perspectives, the issues were a concern; • Panel members discussed possible resolutions using discussion papers and ideas generated in meetings;
- The Panel discussed the pros and cons of each solution and generated alternative recommendations where necessary;
- Panel members made consensus-based decisions concerning which recommendations to include in the plan;

ZONE-based recommendations:

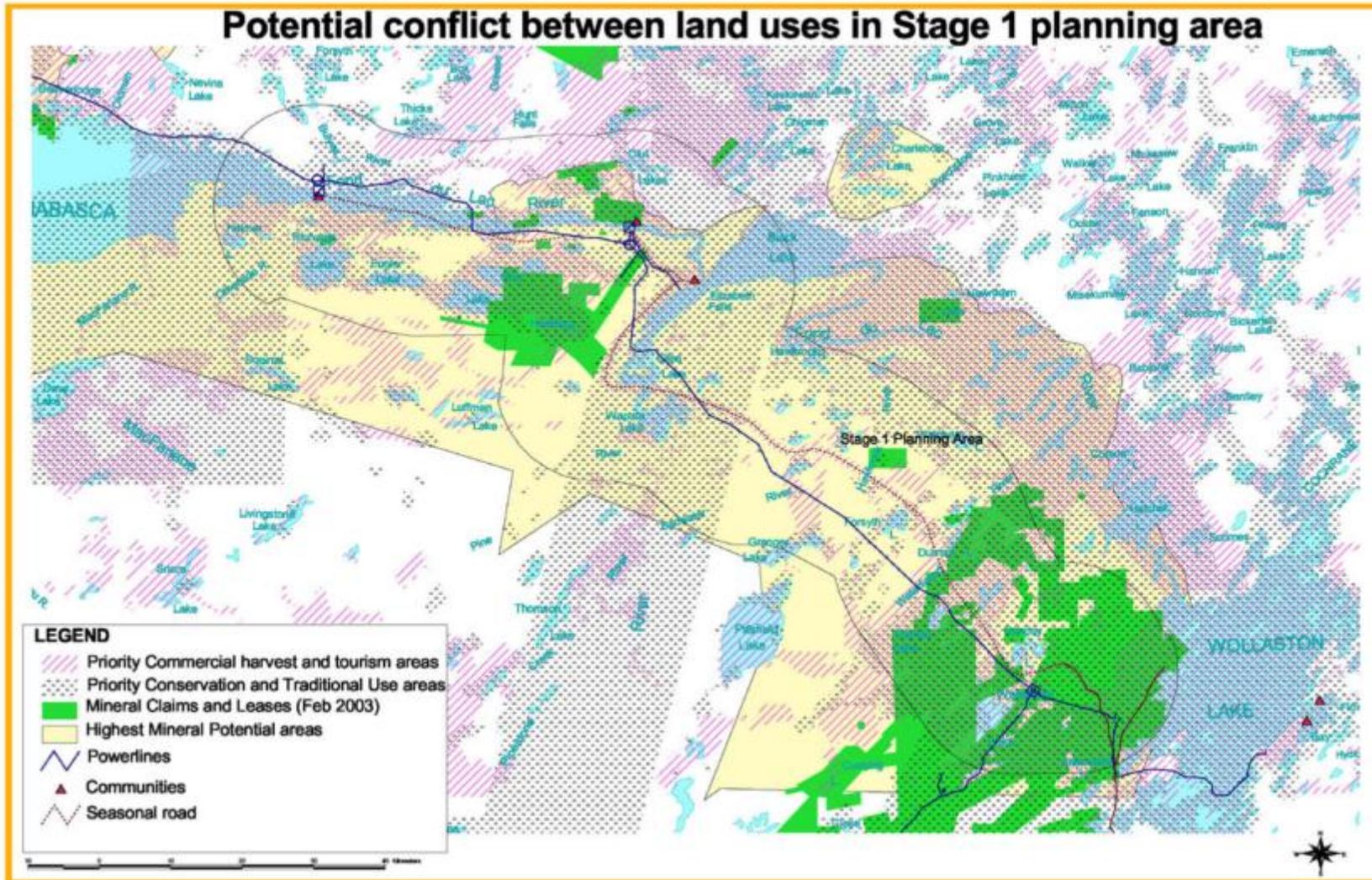
- The process of land use zoning involved the analysis and overlay of many data layers describing priority areas for different uses and values. This was done in consultation with the various interests in the region;
- Panel members determined which land uses are compatible and which are in conflict
 - The Panel used a ‘learn by doing’ approach, involving small group exercises to explore zoning solutions. People became more familiar with the map information and zoning concepts in land use planning;
 - The Athabasca communities gave direction for land use zones in the plan, balancing development, traditional and conservation values;
 - The Panel reviewed and discussed the communities’ direction concerning land use zones, using example development proposals to ‘test’ the plan and aid in discussing the plan’s theoretical ability to address the priority issues;
 - The planning team incorporated the priority area analysis, as well as technical, Panel and community feedback into a draft zoning system, which the the Panel reviewed and revised several times

6. Write up and approval of the land use plan:

- Planning for Stage 1 is currently in the initial approval stage, with this document submitted to the groups represented on the Panel and to the general public for review. The next steps involve review and approval by provincial, First Nation and municipal governments.

(Government of Saskatchewan, 2006)

Appendix 5 Potential Conflict between land uses in Stage 1 Planning area



Source: Government of Saskatchewan, 2006

Appendix 6 Land use Matrix

Does overlap result in conflict?	Conservation	Subsurface	Surface construction	Commercial harvest	Recreation
Traditional Use	Minimal	Yes	Yes	Yes	Sometimes
Conservation		Yes	Yes	Yes	Sometimes
Non-renewable Resource			Sometimes	Sometimes	Sometimes
Commercial Harvest					Sometimes

Source: Government of Saskatchewan, 2006

Appendix 7 for Land designation used in Athabasca planning process

Nah bĕk'ĕsórĕdí Development is restricted

Sites and areas with a very high concentration of important traditional, cultural and ecological values that are sensitive to surface access and disturbance. The primary goal is to maintain significant traditional, cultural and ecological values, through a high level of conservation. The existing disposition freeze continues in this zone. A protected area process will be completed to establish long-term protection.

Community and infrastructure areas Development is permitted

Sites and land areas that are dedicated to community and public infrastructure that generally limits other land uses. The primary goal is to maintain existing use and allow for future improvements to access and infrastructure. These high use areas may require specific conditions on use and development to maintain public safety, utility performance and good land use practices

Special management areas

Development is permitted, subject to special conditions

Sites and areas of traditional, cultural and ecological significance that are sensitive to surface access and disturbance. The primary goal is to maintain the special values identified in these areas, while allowing for new developments to occur. Additional scoping work may be required to identify sensitive habitat or cultural areas in advance of development. Seasonal, geographic or site-specific restrictions may apply.

Multiple use areas Development is permitted

All development activities are permitted under appropriate approval and regulatory processes. The primary goal is the respect of the ecosystem, while allowing for ongoing resource use and management activities. General policies apply to avoid conflict among competing uses, and to address specific social, economic, cultural and ecological concerns.

Source: Government of Saskatchewan, 2006