

MANITOBA	ANSWERS
<p>1. When did regional planning begin and describe why it began?</p>	<p>1. On August 9, 2000, the Government of Manitoba announced that they would initiate broad area planning on the east side of Lake Winnipeg as a pilot for broad area planning across the province also known as Large Area Land Use Planning (LALUP) . The government's decision to begin comprehensive, coordinated large area land use planning in Manitoba was in direct response to a number of recommendations of the 1999 Report of the Consultation on Sustainable Development Implementation. The report concluded that Manitoba must change from a system where 'development drives planning' to a system where large area land use planning, based on sound social, environmental and economic principles, drives development decisions. The traditional lands of sixteen First Nations in three tribal councils cover the region (Manitoba Wildlands website, n.d.).</p> <p>The Wabanong Nakaygum Okimawin (WNO) is the continuation of the East Side Planning Initiative, which began in 2000. Following the release of the ESPI Status Report in November 2004 the East Side Round Table was dissolved and replaced by a version of the East Side Planning Initiative. The First Nation Council called the East Side First Nations Council (ESFNC) . The new ESFNC re-named the process to reflect the region's Aboriginal population and the ESPI became WNO meaning "East Side of the Lake Governance" (Manitoba Wildlands website, n.d.). The WNO is made up of 16 First Nations on the east side of Lake Winnipeg and five other members representing the Métis and general public. It is developing traditional land-use plans and broad area plan for the east side.</p> <p>The objective of the WNO planning initiative is to bring together local communities, First Nations, industry and environmental organizations to develop a vision for land and resource use in the area that respects both the value of the boreal forest and the needs of local communities. The WNO Council of Chiefs incorporated a non-profit organization called WNO Inc. to evaluate proposals and administer funding for Traditional Area Land Use Planning (Government of Manitoba, 2008).</p>
<p>2. Describe the state of regional planning in the jurisdiction.</p>	<p>2. As of March 2007, only Poplar River First Nation has publicly released a lands management plan. The planning process took place over several years and was based on over a decade of research projects. Before a broad area plan for the east side can be put in place, 15 other First Nations will undertake planning projects such as Traditional Area Land Use Planning.</p> <p>View and download Poplar River First Nation's Lands Management Plan (Poplar River First Nation, 2011).</p> <p>On April 3, 2007 an accord was signed between Wabanong Nakaygum Okimawin First Nations and the Government of Manitoba. The accord strengthened the government-to-government relationship and reinforces the foundation for the most comprehensive traditional area land use planning in the country. The accord will serve as a foundation to ensure that the First Nations within the east side area are involved in the decisions that will affect their communities and traditional territories. The WNO has directed that, while a Broad Area Plan continues to be developed, future planning</p>

	<p>should focus on the development of traditional area land use plans (Government of Manitoba, 2008).</p> <p>To date no First Nations in the East Side Planning Area, have completed a Traditional Area Land use Plan.</p> <p>Two First Nations In Manitoba (who have Traditional Territory in Ontario) Pauingassi and the Little Grand Rapids have completed land use plans under the Far North Act (Government of Ontario, 2014).</p>
<p>a. How big are the planning regions?</p>	<p>a. The East Side Planning Initiative (ESPI) is the first large area planning exercise undertaken in Manitoba. The planning area is based on watershed boundaries, with the exception of the provincial border to the east. It covers 8,259,418 hectares, (approximately 12.7% of Manitoba) of land east and north of Lake Winnipeg to the Ontario border (Manitoba Wildlands website, n.d.).</p> <p>The Poplar River First Nation's Lands Management Plan covers 862,000 hectares or about 10% of the The East Side Planning Initiative area (Poplar River First Nation, 2011).</p>
<p>3. What legislation guides the planning process? and describe the links to other legislation.</p>	<p>3. <i>The Planning Act</i> - provides that Manitoba Municipalities "must prepare a development plan for the entire district" that is "generally consistent with provincial land use policies" and subject to periodic review within five years after adoption (Manitoba Wildlands website, n.d).</p> <p><i>East Side Traditional Lands Planning and Special Protected Areas Act</i></p> <p>The Purpose of the Act:</p> <p>(a) to enable First Nations and aboriginal communities on the east side of Lake Winnipeg to engage in land use and resource management planning for designated areas of Crown land that they have traditionally used; and</p> <p>(b) to provide designated areas of Crown land on the east side of Lake Winnipeg with special protection from development and other activities that might occur on that land.</p> <p>The Objectives of this Act include:</p> <p>(a) developing a new government-to-government relationship between the Wabanong Nakaygum Okimawin (East Side) First Nations and the government arising out of the east side planning initiative; and</p> <p>(b) implementing the goals and objectives of the Wabanong Nakaygum Okimawin Council of Chiefs Accord dated April 3, 2007, in accordance with the principles set out in that accord (Government of Manitoba, 2008).</p>

4. What is the composition of the planning body?

During the East Side Planning Initiative (2000 – 2004) now the Wabanong Nakaygum Okimawin (East Side of the Lake Governance) (2004 – Present).

The East Side Planning Initiative Round Table was formed to “bring together local communities, First Nations, industry and environmental organizations to develop a vision for land and resource use in the area that respects both the value of the boreal forest and the needs of local communities. It was charged with submitting a recommended land-use plan to the Minister by June 2004 (following public discussions/ consultations on the draft plan) (Sierra Club of Canada, 2004).

As the main body of the East Side Planning Initiative, the Round Table is comprised of representatives of affected First Nations, the Manitoba Métis Federation, a trappers association, an outfitters association, a conservation organization, the Mining Association, a forestry company, academics and northern affairs community councils. The Chair is from one of the First Nation communities within the planning area (Sierra Club of Canada, 2004). See [Appendix 1](#) for East Side Planning Initiative organizational chart.

In addition, the East Side Planning Initiative Round table was to receive input and support from the following:

- A First Nations Council of representatives from the sixteen First Nation communities in the planning area
 - A Stakeholder Advisory Committee comprised of social, environmental, community, recreational, tourism, and industry groups
 - An Interdepartmental Working Group of Deputy and Assistant Deputy Ministers from relevant government departments
 - The East Side Planning Initiative Secretariat of government staff, including an Executive Coordinator who assists with organization, logistics, and information management.
 - Three Regional Working Groups created in 2004 to critically examine issues from a regional perspective
 - A Plan Coordination and Implementation Working Group, created in 2004
 - An Aboriginal Protocol Working Group, created in 2004
- (Sierra Club of Canada, 2004).

The East Side Round Table will advise the government on the establishment of land use zones within the East Side planning area based on the following fundamental principles:

- a. Maintaining the ecological integrity and biological functions of the boreal forest within the planning area.
- b. Respecting and advancing the social, economic, cultural and traditional needs of First Nations, Metis and other communities located within the planning area.
- c. Recognizing, affirming and be in compliance with treaty obligations and Aboriginal rights.

(Manitoba Conservation, n.d.).

	<p>For the Poplar First Nation Planning Process</p> <p>The Asatiwisipe Aki Ma Ma Wicitowin (the “Board”) was created through the Poplar River Traditional Territory Land Relationship Agreement signed by Poplar River First Nation and the Government of Manitoba in October 2008. The purpose of the Board is to guide implementation of this plan (Poplar River First Nation, 2011).</p> <p>For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act</p> <p>An agreement to conduct planning may provide for the establishment of a planning council to conduct specified planning activities in the planning area, and may deal with one or more of the following matters:</p> <ul style="list-style-type: none"> (a) membership of the council, including the number of members and their terms of office; (b) officers of the council, including the appointment of chairs or co-chairs; (c) procedures for appointing and removing members, and for filling vacancies on the council; (d) practice and procedure for the council. <p>(Government of Manitoba, 2008).</p> <p>The minister, on behalf of the government, may enter into agreements with one or more First Nations or aboriginal communities to establish a resource management board for a specified resource management area. The Board may act as the Planning Council, If a planning area is located within a resource management area, an agreement under subsection (1) may provide that the resource management board will have some or all of the responsibilities of the planning council for that planning area. In that case, the board is deemed to be a Planning council for the purpose of carrying out those responsibilities (Government of Manitoba, 2008).</p>
<p>5. What land do the land use plans apply to?</p>	<p>5. For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act Land may be included in a planning area only if it is Crown land that is not located in a municipality or local government district or within the boundaries of a community or settlement designated under <i>The Northern Affairs Act</i> (Government of Manitoba, 2008).</p>

<p>6. Describe the jurisdictions</p> <p>a. planning process (i.e. what are the stages)</p>	<p>6a. Planning Process that was intended for the East Side Planning Initiative (Broad Area Planning)</p> <p>The following general process was adopted for the preparation and adoption of the east side Lake Winnipeg broad area plan.</p> <p>Step 1. The east side round table:</p> <ul style="list-style-type: none"> - collects information; -undertakes research; -prepares a communication and discussion / consultation plan for involving First Nations, local Aboriginal communities, the public and stakeholders; and -conducts discussions and consultations to identify the vision, goals, and objectives for the plan and the issues and concerns to be addressed. The round table will consider options and alternatives, including alternative forms of economic development for addressing the issues. <p>The round table consults with the First Nation east side council and east side advisory committee throughout the process.</p> <p>Step 2. The east side secretariat, in consultation with the interdepartmental working group, prepares a draft east side plan as directed by the round table.</p> <p>Step 3. The east side round table undertakes First Nation, local Aboriginal community, public and stakeholders public discussions / consultations on the draft plan.</p> <p>Step 4. The east side secretariat, in consultation with the interdepartmental working group, amends plan as directed by the round table.</p> <p>Step 5. The east side round table forwards plan to the minister for consideration.</p> <p>Step 6. The minister forwards the plan to cabinet with recommendations. (Manitoba Wildlands, n.d.)</p> <p>For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act</p> <p>See Appendix 2 for development of a Management Plan</p>
<p>b. associated planning products.</p>	<p>6b. Planning Products that were intended for the East Side Planning Initiative (Broad Area Planning)</p> <p>An east side round table be established to provide recommendations, within established deadlines, on the preparation,</p>

	<p>content, and implementation of a broad area plan for the east side Lake Winnipeg planning area. Its duties include, but are not limited to:</p> <ul style="list-style-type: none"> - developing a work plan; - overseeing the application of relevant sustainable development and provincial land use policies and collection of necessary background information; - undertaking meaningful public meetings and consultations for the purpose of: <ul style="list-style-type: none"> - identifying goals, objectives and values for the east side plan, - identifying issues and concerns to be addressed, - obtaining public input on options and alternatives to address issues and proposed land and resource allocations, - providing on-going advice on proposed significant land and resource allocations; - consulting with the First Nation east side council and east side advisory committee; - working with the interdepartmental working group who provide planning advice to the east side round table; - undertaking public consultations on the draft east side plan and giving advice on the amendment of the draft plan; and - making final recommendations on the plan to the minister. <p>(Manitoba Wildlands, n.d.)</p> <p>The components of the East Side Plan will include, at minimum:</p> <ol style="list-style-type: none"> a. a vision for the planning area b. goals and objectives based upon the needs of the area c. background and history on land and resource use including traditional land use of the area d. ecosystem, land use and resource management principles and/or codes of practice e. a land use zone map with policies and/or guidelines for each zone f. a summary of input received from the advisory committees and consultations and how it is considered in the plan g. identification of incompatibilities with existing policies or lack of policy h. guidelines for reviewing future proposals in the area i. procedures for the regular review and amendment of the approved plan j. a glossary of significant resource allocations, licences, permits and any other allocations and the issuing body <p>(Manitoba Conservation, n.d.).</p> <p>For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act</p> <p>Planning Products unclear</p>
<p>7. Describe how the information gathering stage of the planning process is coordinated amongst the</p>	<p>7. For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act</p> <p>The Minister must:</p> <p>(a) provide an opportunity for First Nations and aboriginal communities that have traditionally used land in the</p>

<p>planning body.</p>	<p>planning area or the proposed planning area to consider and comment on the proposed planning area or the proposed regulation; and</p> <p>(b) provide an opportunity for users of Crown land and Crown resources in the planning area or the proposed planning area to consider and comment on the proposed planning area or the proposed regulation. (Government of Manitoba, 2008).</p>
<p>8. Describe how conflicts between:</p> <p>a. the governments are addressed</p>	<p>8a. Information not found.</p>
<p>b. the stakeholders are addressed</p>	<p>8b. Information not found.</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. For East Side Planning Initiative</p> <p>When announcing the East Side Planning Initiative, the Government sought to develop “a consensus amongst these interests”, described as being the public, local communities, industry and First Nations, and a process in which the “public is encouraged to participate and provide their input” (Manitoba Wildlands, 2005).</p> <p>Consensus is defined as: general agreement on a conclusion, that is, no substantial disagreement with a conclusion. The round table shall establish its own rules and procedures for deciding when consensus has been reached (Manitoba Wildlands, n.d.).</p> <p>The East Side Planning Initiative terms of reference require Round Table decisions to be made by consensus. Meeting minutes are supposed to document decisions made by the Round Table as well as differing points of view if consensus is not reached on any relevant issue or conclusion. According to Canada’s New National Forest Strategy, decision-making often has not proceeded by consensus. Frequently, when dissenting opinions have been expressed, decisions have been deferred. In some instances, when an issue was revisited, a decision was made without reference to the initial discussion; or it was made in the absence of those Round Table members who originally participated in the discussion. Inconsistent attendance has exacerbated the problem and hindered the dissemination of information (Sierra Club of</p>

	<p>Canada, 2004)</p> <p>For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act</p> <p>Not clear how decisions are made</p>
<p>9a. Describe who is employed to conduct the planning work, i.e. contractors, planning board staff, etc.</p>	<p>9a. For the East Side Planning Initiative</p> <p>The East Side Planning Initiative Round table receives input from the East Side Planning Initiative secretariat that is comprised of staff from Manitoba Conservation and other government agencies and may include consultants to provide such other support, facilitation and expertise as may be required to carry out the duties of the secretariat. The East Side Initiative secretariat prepares plans for the Round Table.</p> <p>The secretariat be composed of:</p> <ul style="list-style-type: none"> - a project leader, - project planner, - assistant planner, - geographic information system professional, - administrator, - community specialist. <p>For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act</p> <p>The Planning Council or a Planning Board</p>
<p>10. Describe the role of the body who oversees the planning process</p>	<p>10. As of 2008 Wabanong Nakaygum Okimawin Inc has reviewed and approved twelve proposals for funding from First Nations on the east side. The communities of Red Sucker Lake, St. Theresa Point and Manto Sipi have signed contribution agreements with WNO Inc. and are the first communities to receive funding for Traditional Area Land Use Planning (Government of Manitoba, 2008).</p> <p>According to the East Side Traditional Lands Planning and Special Protected Areas Act,</p> <p>If the planning council is authorized to develop a management plan, the minister may direct the planning council to do one or more of the following:</p> <ul style="list-style-type: none"> (a) seek input from any parties specified by the minister; (b) hold public meetings about the plan as specified by the minister; (c) comply with any directions from the minister about the form or content of the plan; (d) provide the minister with drafts of the plan when requested; (e) comply with any time frames specified by the minister for preparing the plan and submitting it for approval.

<p>11. Describe how the process is funded.</p>	<p>11. In 2007, the Government of Manitoba and the Wabanong Nakaygum Okimawin Council of Chiefs signed a 2.5 million dollar transfer payment agreement. The funding from the transfer payment agreement, represents a commitment of \$500 000 per year for five years, used solely to support Traditional Area Land Use Planning(TALUP) within the 16 First Nations in the East Side planning area (Government of Manitoba, 2008).</p>
<p>12. Describe the role that the a. Provincial/Territorial government play during the planning process.</p>	<p>12a. For the East Side Planning Initiative</p> <ul style="list-style-type: none"> • Ministers from relevant government departments serve on an interdepartmental working group. • East Side Planning Initiative Secretariat consists of government staff (Sierra Club of Canada, 2004). • Make decisions regarding land designation, tenure and land allocation (Manitoba Wildlands, 2005). <p>For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act</p> <ul style="list-style-type: none"> • Designating Traditional Use Planning Areas • Establishing Interim Restrictions and Prohibitions • Request Public Notice • Enter into Agreements • Development of a Management Plan • Approval of the Management Plan • Amending A Management Plan • Establishing Protected Areas <p>(Government of Manitoba, 2008).</p>
<p>b. First Nation(s)/ First Nation government(s) play during the planning process.</p>	<p>12b. For the East Side Planning Initiative</p> <p>The East Side Planning Initiative Round Table is comprised of representatives from affected First Nations, the Manitoba Métis Federation. In general, the voices of First Nation members carry significant weight at the East Side Planning Initiative Round Table; the East Side Planning Initiative has been explicit in its recognition of Aboriginal and treaty rights and the Crown’s duty to consult with Aboriginal Peoples when making decisions regarding resource allocations (Sierra Club of Canada, 2004).</p> <p>Furthermore,</p> <ul style="list-style-type: none"> • First Nations serve on the Aboriginal Protocol Working Group and support the Secretariat and provide advice to the Round Table • A First Nations Council of representative from the sixteen First Nation communities in the planning area provides direction to the Round table and the Planning Secretariat and acts as a Community Liaison (Manitoba Wildlands, 2005).

	<p>See Appendix 1</p> <p>For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act</p> <ul style="list-style-type: none"> • Designating Traditional Use Planning Areas • Enter into Agreements • Development of a Management Plan • Involved in the Approval of the Management Plan • Amending A Management Plan • Establishing Protected Areas <p>(Government of Manitoba, 2008).</p>
c. Stakeholders	<p>12c. For the the East Side Planning Initiative</p> <p>The East Side Planning Initiative Round Table is comprised of an outfitters association, a trappers association, a conservation organization, the Mining Association and a forestry company.</p> <p>For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act</p> <ul style="list-style-type: none"> • Development of a Management Plan <p>(Government of Manitoba, 2008).</p>
And describe how these groups interests are communicated to the planning body?	<p>The East Side Round Table will consult with an advisory body made up of representatives of First Nations, Metis and other organizations, public interest groups, industry organizations and communities to seek direction and information on consultation with community members, traditional ecological knowledge and local community plans (Manitoba Conservation, n.d.).</p>
13. Describe the land designation system used in the jurisdiction and comment on the consistency of the designation from planning region to planning region in the jurisdiction.	<p>13. From the Poplar River First Nation's Lands Management Plan</p> <ul style="list-style-type: none"> • Asatiwisipe Aki Protected Area • Asatiwisipe Aki Protected Islands • Asatiwisipe Aki Community Resource Area • Winter Road Access Corridor Area • All Season Road Access Corridor Area • Little George Island Ecological Reserve <p>(Poplar River First Nation, 2011).</p>

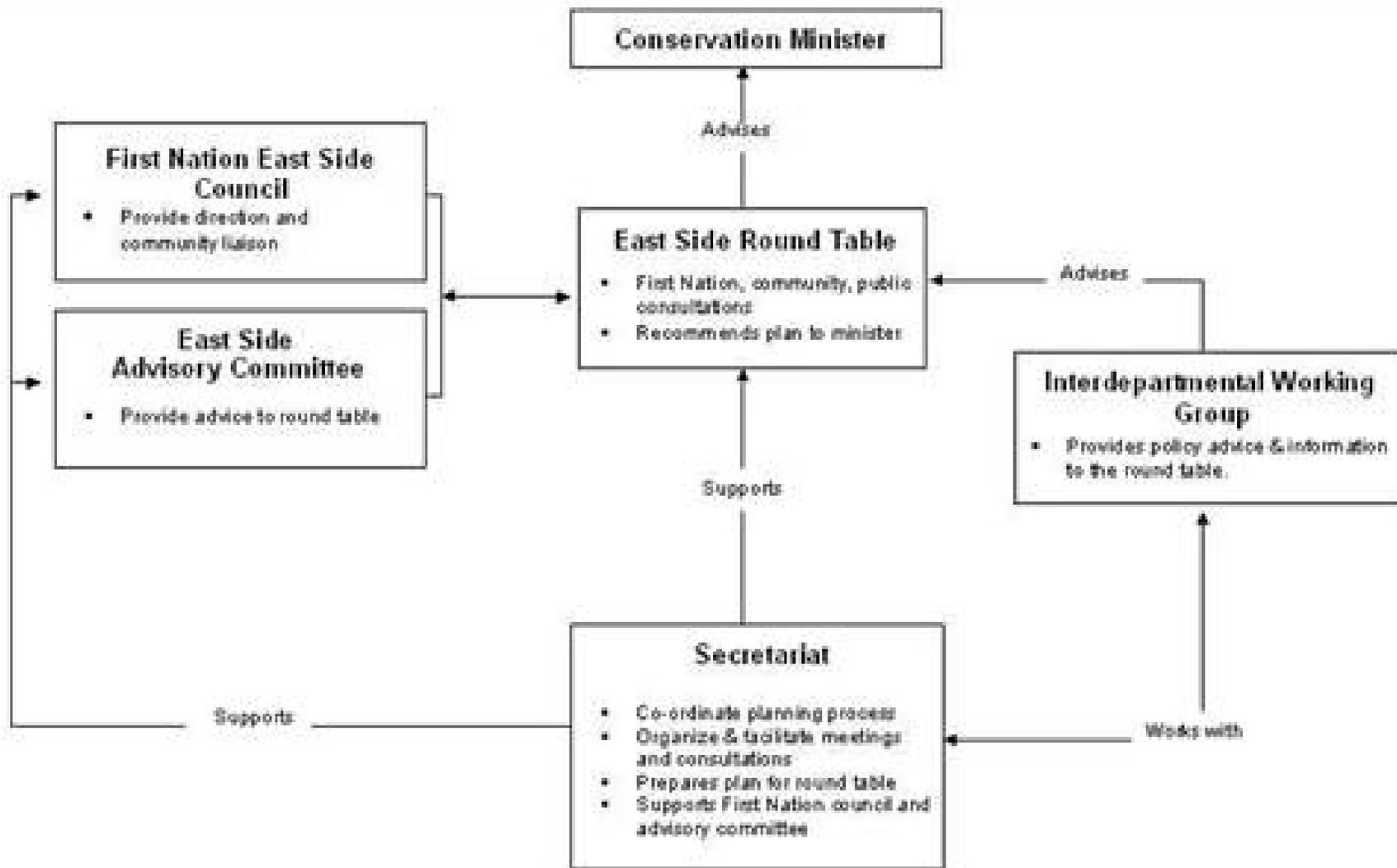
<p>14. How does the land designation system provide management direction? i.e. how do land users interact with the approved plan.</p>	<p>14. For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act</p> <p>When a management plan is in effect, any decision under an enactment respecting the allocation, disposition or use of Crown land and Crown resources in the planning area, and any development in the planning area, must take the plan into account. The approval of a management plan does not require that any type of development or other proposed activity contained in the plan be undertaken or approved. But any new development or other activity that takes place in the planning area must be generally consistent with the plan. (Government of Manitoba, 2008).</p>
<p>15. What are the stages of the approval process for a regional plan?</p>	<p>15. For the the East Side Planning Initiative</p> <p>The East Side Planning Initiative round table was supposed to submit a recommended land use plan to the Minister by June 2004. The Minister was not bound to implement the plan but to forward it, along with his/her own recommendations, to Cabinet for consideration (Sierra Club of Canada, 2004).</p> <p>For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act</p> <p>When the planning council has completed the development and preparation of a management plan, it must forward the proposed management plan to the minister. The minister may require the planning council to amend the proposed management plan before submitting it for approval.</p> <p>The minister may submit the proposed management plan to the Lieutenant Governor in Council for approval only after</p> <ul style="list-style-type: none"> (a) every First Nation or aboriginal community that requested the designation of the planning area has provided the minister with written approval of the plan; and (b) the minister has provided an opportunity for First Nations and aboriginal communities that have traditionally used land in the planning area to consider and comment on the proposed management plan. <p>The Lieutenant Governor in Council may, by order, approve the proposed management plan and specify its effective date. (Government of Manitoba, 2008).</p>
<p>16. Who is responsible for plan implementation and review?</p>	<p>16. For the East Side Planning Initiative</p> <p>Not yet determined</p> <p>For Poplar River First Nation Management plan</p> <p>A working group is established that is tasked with providing overall policy recommendations on the management and administration of the protected area to Chief and Council</p> <p>For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act</p>

	The Government of Manitoba.
a. How often are the plans reviewed?	16a. For East Side Planning Initiative 5 years
b. How are variance and amendments handled?	16b For Planning done under the East Side Traditional Lands Planning and Special Protected Areas Act An amendment to a management plan may be proposed by (a) the planning council; (b) a First Nation or aboriginal community that requested the designation of the planning area; or (c) the minister. The minister may direct a planning council, First Nation or aboriginal community proposing an amendment to a management plan to hold public meetings or seek public input in another manner specified by the minister, in relation to the proposed amendment. (Government of Manitoba, 2008).
17. What is the average cost of regional planning processes in the jurisdiction?	17. Information not found.

References

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Appendix 1 for East Side Planning Initiative organizational chart



Source http://www.gov.mb.ca/conservation/wno/presentations/east_side_planning_initiative_blair_mcvavish_files/frame.html

Appendix 2 Development of a Management Plan

DEVELOPING A MANAGEMENT PLAN

Agreement to develop management plan

10(1) An agreement under section 9 may authorize the planning council to develop a plan for the use of land and the management of resources in the planning area that

- (a) provides for the management, use and sustainable development of Crown land and Crown resources in the planning area;
- (b) identifies zones or areas in the planning area and describes uses of Crown land and Crown resources that will be permitted, restricted or prohibited in each zone or area;
- (c) makes recommendations about the implementation of the plan; and
- (d) addresses any other matters that the planning council considers advisable.

Directions from minister

10(2) If the planning council is authorized to develop a management plan, the minister may direct the planning council to do one or more of the following:

- (a) seek input from any parties specified by the minister;
- (b) hold public meetings about the plan as specified by the minister;
- (c) comply with any directions from the minister about the form or content of the plan;
- (d) provide the minister with drafts of the plan when requested;
- (e) comply with any time frames specified by the minister for preparing the plan and submitting it for approval.

Considerations

10(3) A planning council must consider the following when developing a management plan:

- (a) the natural resources of the planning area;
- (b) environmental considerations in the planning area;
- (c) traditional uses of land in the planning area by members of First Nations and aboriginal communities;
- (d) cultural and social factors and priorities, including the protection and preservation of sites in the planning area with religious, spiritual or archaeological significance;
- (e) the exercise of aboriginal rights and treaty rights in the planning area;
- (f) the economic development needs of
 - (i) First Nations and aboriginal communities that have traditionally used land in the planning area,
 - (ii) residents of the surrounding region, and
 - (iii) the province as a whole;
- (g) existing and approved land and resource use and development in the planning area;
- (h) if applicable, the existence of a special protected area in the planning area;
- (i) provincial land use policies established under The Planning Act;
- (j) information received by the planning council from any meetings or other efforts to obtain input on the management plan.

Application of traditional knowledge

10(4) When considering the matters set out in subsection (3), a planning council may apply traditional knowledge in relation to those matters.

Source Government of Manitoba, 2008.