Breakout 4C: Land Use Planning: Challenges and Opportunities (Wednesday, November 15, 2017)

Speakers:

1. Ron Cruikshank – Director, Yukon Land Use Planning Council
2. Bertha Rabesca Zoe – Legal Counsel, Tlicho Government
3. Hannah Uniusaraq – Director, Policy and Planning Division, Nunavut Tunngavik Inc.

The arctic has a great wealth of natural resources and its inhabitants are aware of the increasing demand for hydrocarbons, mineral exploration, and development. However, areas of high mineral potential are also areas of significant wildlife habitat. It is for this reason that land use planning is often binary in trying to strike balance between conservation and development. Although indigenous peoples live in a modern society, there are still traditional needs that require consideration. Key priorities are always:

1. To ensure access to country foods such as caribou, fish, and sea mammals.
2. To ensure access to safe drinking water.
3. To ensure a stronger economy for business opportunities, especially for the youth.

Land use plans must be reviewed regularly to take community perspectives into account while changing policy. These plans ought to be living documents. In Nunavut, however, it is expensive to engage in these consultations. Nevertheless, it is necessary to ensure Inuit involvement, to respect the Inuit worldview, and to increase confidence in the public administrations.

Regional land use planning can be viewed as a series of reconciliatory practices at every step process. There can be moments of reconciliation:

1. Between the First Nation and government;
2. Between the gathering and discussion of scientific and traditional knowledge;
3. Between overlapping First Nations;
4. Within individual First Nations at the levels of governance, clans, or families;
5. Between various land users (i.e. mining, waste management, water use, forestry, hunting, trapping, fishing, tourism, transportation, parks, conservation versus development, etc.);
6. In terms of public versus government policy;
7. Between regional land use visions and territorial/federal government visions; and
8. Between past, present, and future interests.

It was underlined, however, that if First Nations and governments do not succeed in reconciliation at their level, land use planning cannot succeed. In that regard, governments and First Nations that have finalized land claims agreements should negotiate land use planning frameworks. This document will represent the parties' consensus regarding their interpretation of land use planning principles to ensure situations like the Peel River watershed litigation are avoided.