



NCN LANDS, ENVIRONMENT
AND RESOURCES



Nisichawayasihk Cree Nation Community Land Use Plan



INTRODUCTION

The Nisichawayasihk Cree Nation's Land Use Plan is organized into seven parts.

- » Introduction
- » Development of the Plan
- » Community Vision and Goals
- » Land Use Designations
- » Land Use and Development Guidelines
- » Monitoring and Review
- » Mapping





INTRODUCTION

- » The NCN Land Use Plan provides guidance to all NCN community members, NCN Lands, Environment, and Resources (LER) Department and potential developers to related to development and land use.
- » The guidelines will ensure that everyone is treated fairly and to ensure that NCN lands are developed responsibly and with consideration for future generations.
- » The Lands, Environment, and Resource Department will be the central resource for all matters related to the Land Use Plan.





DEVELOPMENT OF THE PLAN

Land Use Planning Team:

- » NCN's LER Department
- » Lands Advisory Committee
- » Portfolio Councillors for LER, Housing and Infrastructure
- » Seven Feathers Consulting
- » Shared Value Solutions

From September 2020 - December 2020 completed a total of 249 surveys representing 49% of all households in NCN.

The Lands Planning Team hosted three community meetings with focus groups:

- » October 2020 - Norman Linklater Memorial Multiplex
- » June 2021 - Gilbert McDonald Arena Mezzanine
- » September 2021 - Norman Linklater Memorial Multiplex





COMMUNITY VISION AND GOALS

COMMUNITY GOAL	GOAL CHARACTERISTICS
GOAL 1: Governance Structure and Leadership	<ul style="list-style-type: none">» Governance fundamentals rooted in communication, trust and accountability» Leadership will be sound, organized and evolving to improve adaptability and responsiveness to NCN community needs» Governance will be rooted in Othasowewin (Our Constitution) to uphold Kihche'othasowewin (Supreme Law of the Land)
GOAL 2: Lands Management	<ul style="list-style-type: none">» Abide by our Land Code that affirms NCN's authority to make decisions about how we use our lands» Respect and incorporate our customary and contemporary land uses that also align with our responsibilities to protect the environment
GOAL 3: Economic Development	<ul style="list-style-type: none">» Identify environmentally sustainable economic developments that align with our Strategic Plan to support long-term economic stability for our citizens and enhance self-sufficiency
GOAL 4: Community Safety and Well-Being	<ul style="list-style-type: none">» Promote healthy families and communities through collaboration between our community services, integrating education and awareness into social programming and ensuring that our citizens are protected and supported
GOAL 5: Traditional Knowledge	<ul style="list-style-type: none">» Continue to embrace our diversity and long cultural history that informs who we are a First Nations People» Ensure that our actions preserve and celebrate the blessings of the Creator and the teachings passed on by our ancestors to ensure we are on the path to Nehetho
GOAL 6: Environmental Protection	<ul style="list-style-type: none">» Establish a strategic Environmental Management Plan (EMP) that incorporates our treaty rights to manage, protect, preserve and monitor NCN lands and waters while enhancing and teaching NCN citizens way of life and culture
GOAL 7: Community Wellness and Food Security	<ul style="list-style-type: none">» Enhancing health care programs, facilities and services through greater collaboration within NCN agencies to support the well-being of citizens, of all ages



LAND USE DESIGNATIONS

DESIGNATION	DEFINITION	EXAMPLES
Agriculture	These areas are where growing food and other plants and raising animals or livestock could occur.	Community gardens, year-round greenhouses, forestry
Public Facilities	Areas for facilities that provide important services to our Citizens and areas for Nisichawayasi Nehethowuk (our people) to use for recreation and cultural activities.	Schools, training centres, land-based camps, policing, health and support services/centres, care homes, treatment centres, shelters, administrative buildings, recreation centres, parks
Residential	Areas for future residential infrastructure as our community grows over time and to address current housing shortages to help ensure that as our community grows, we will have adequate space to house our families while still respecting the environment.	Single-detached housing, semi-detached and town-houses, medium- to high-density apartments, home-based businesses, parks, playgrounds
Commercial	Areas where small and large businesses can be established to support our local entrepreneurs, NCN-owned and operated businesses and to establish desired external services like banks and chain restaurants.	Restaurants, coffee shops, craft stores, gyms, tourist services, and other businesses
Industrial	Areas that can be used for activities that may interfere with or not be compatible with other uses (such as residential) because they make noise or produce dust, odours, or emissions.	Temporary construction camps, gravel pits/quarries, manufacturing facilities, saw mills, energy production, renewable energy facility, recycling facility
Cultural-Ceremonial	Areas designated for holding cultural and ceremonial activities.	Lodges, Pow Wow arbour, medicine areas, Dancing Circles, heritage sites
Cemeteries and Burial Sites	Areas designated to protect and preserve existing marked and unmarked burial grounds as well as existing graveyards.	Burial grounds, graveyards, repatriated sites
Protected Lands	Areas that are important ecological zones and/or protect our Citizens' ability to practice cultural and recreational activities.	Traditional and cultural activities, medicine and other plant harvesting, hunting, trapping, swimming, fishing, camping, recreational activities, ATV trail use, pedestrian trail use
Operations	Places where activities for maintaining and managing NCN infrastructure, vehicles, and public services will occur.	Garage, vehicle compound, NCN infrastructure and maintenance support facilities, water treatment plant, recycling facility, wastewater treatment plant, solid waste transfer station



LAND USE DEVELOPMENT GUIDELINES

- » **Cultural and Environmental Guidelines:** informed by our Traditional and Natural Laws that help guide how we should make decisions about our lands and waters, protect cultural and environment
- » **Development Guidelines:** approving developments and/or buildings on our land, including residential developments, support us with planning and approving developments in our community in a way that protects the health and wellbeing of our Citizens.
- » **Parks, Trails and Active Transportation Guidelines:** standards for our parks, trails and active transportation routes that will support our goals for building healthy and accessible neighbourhoods that secure the safety and well-being of our community.
- » **Infrastructure Guidelines:** general processes for managing water, wastewater, stormwater/drainage, and transportation. These guidelines were informed by existing concerns from Citizens and will aim to support infrastructure that is effective and trustworthy to ensure the safety and wellbeing of our Citizens and N'tuskenan (our sacred land).



DECISION MAKING

» Decision-making matrix is a tool for guiding land use decisions.

» The decision-making matrix provides us with a process for making decisions that aligns with our customary laws, principles and values.

NISICHAWAYASIIHK CREE NATION DECISION-MAKING MATRIX:

NAME OF PROPOSED DEVELOPMENT OR ACTION:



DOES THE DEVELOPMENT OR ACTION...

1 Governance Structure & Leadership

- Uphold Kihche'othasowewin (the Supreme Law of the Land)?
- Support our Constitution and its framework for governance?

2 Lands Management

- Support our traditional land uses?
- Uphold the responsibilities assigned to NCN government employees, as outlined in our Land Code?

3 Economic Development

- Enhance self-sufficiency and reduce dependencies?
- Support environmentally sustainable economic development?

4 Community Safety & Well-Being

- Promote healthy families and healthy communities?
- Support social programming and community services?

5 Traditional Knowledge

- Incorporate Nehetho legend, cultural practices or ceremonies?
- Include consulting our Elders (kehtiyatisak) for their wisdom?

6 Environmental Protection

- Promote managing, protecting, preserving or monitoring NCN Lands and Waters?

7 Community Wellness & Food Security

- Enhance community health care programs, facilities or services?
- Promote food security for NCN Citizens?

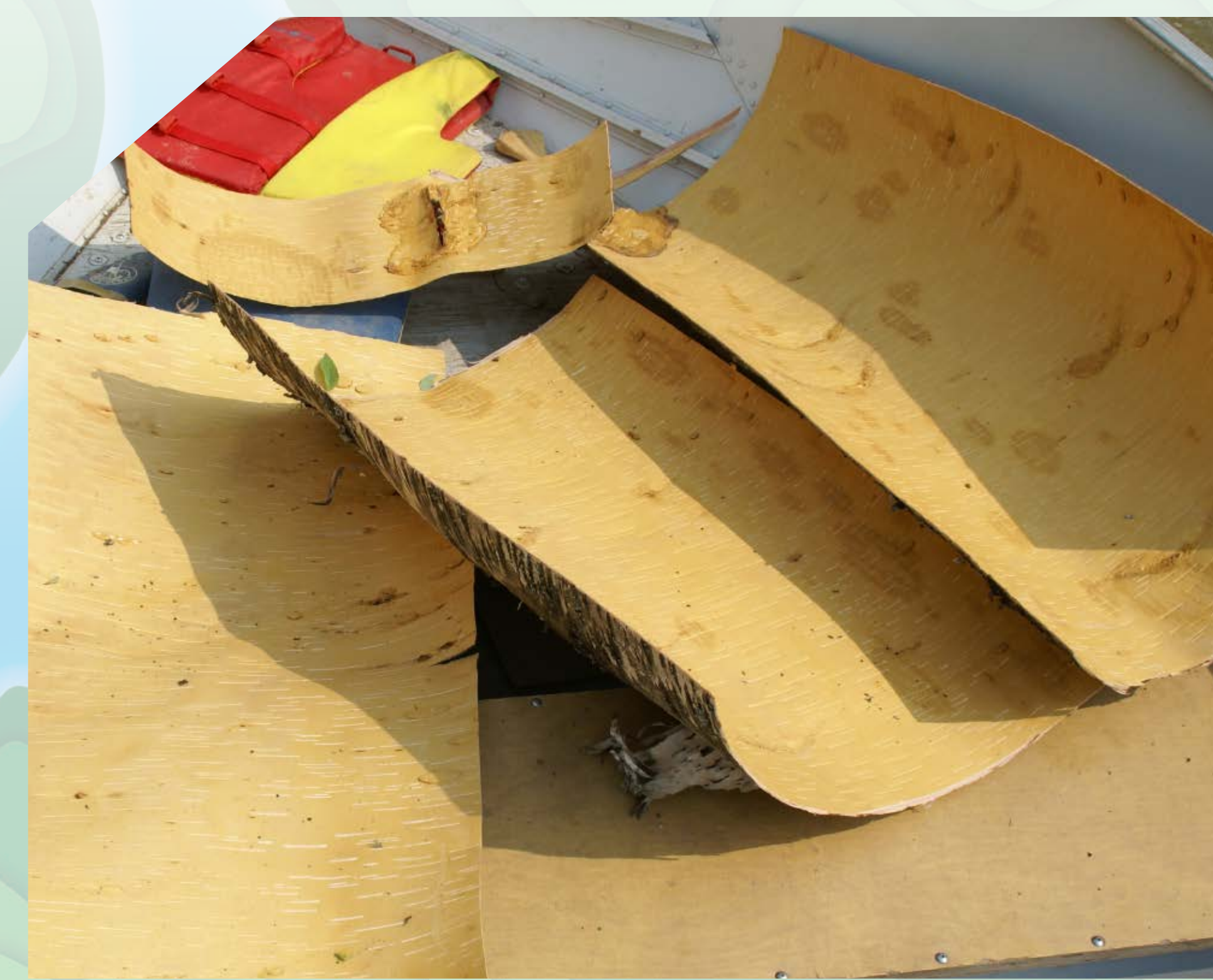
8 Transparency, Accountability, Community Involvement

- Include community consultation?
- Promote fiscal responsibility?



MONITORING AND REVIEW

- » This land use plan will be reviewed by the LER Department regularly and with frequent consultation with Chief and Council as well as our community.
- » We will formally review the NCN Land Use Plan every five years and as the plan is implemented, we may extend the duration between each review.

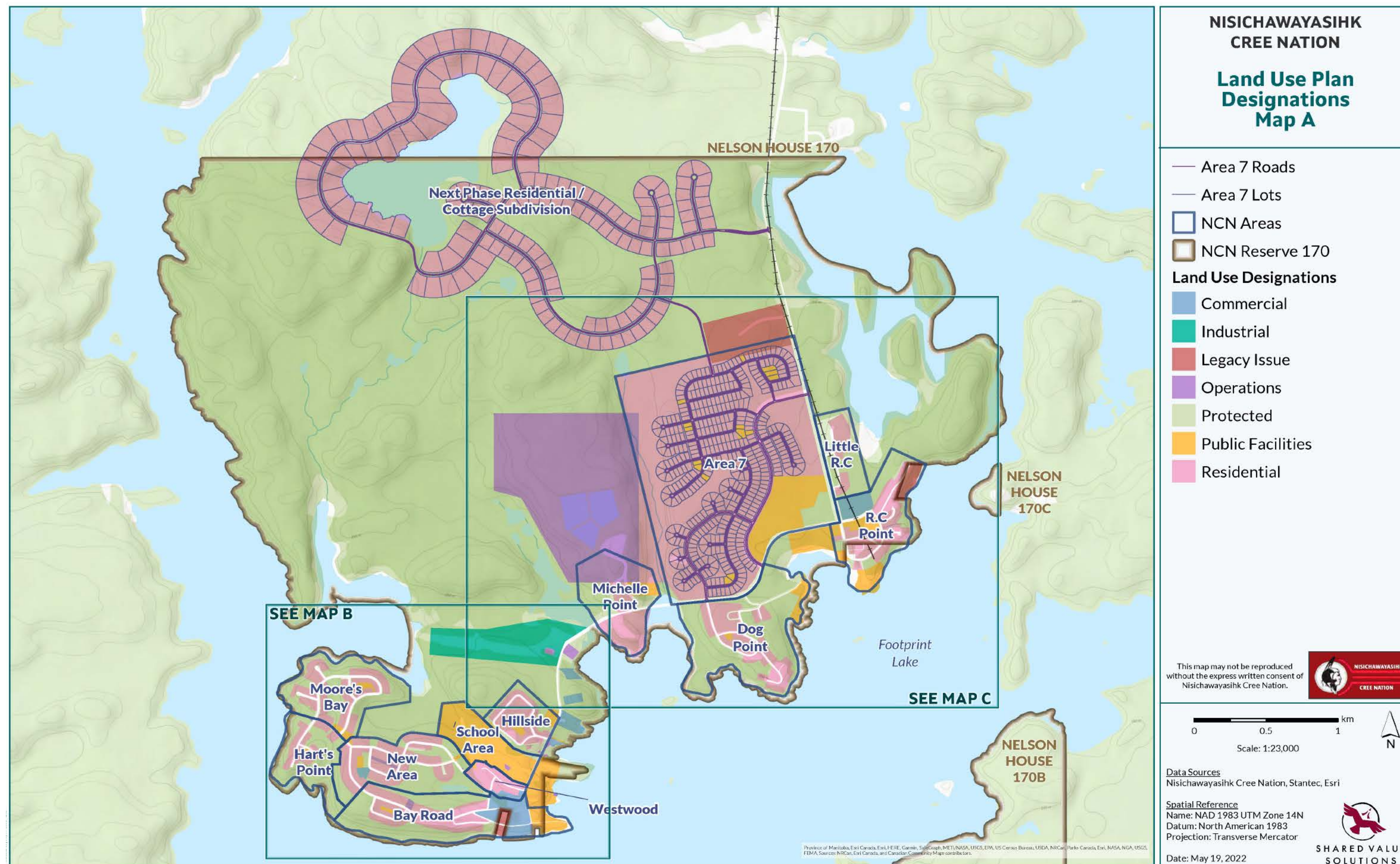




MAPPING

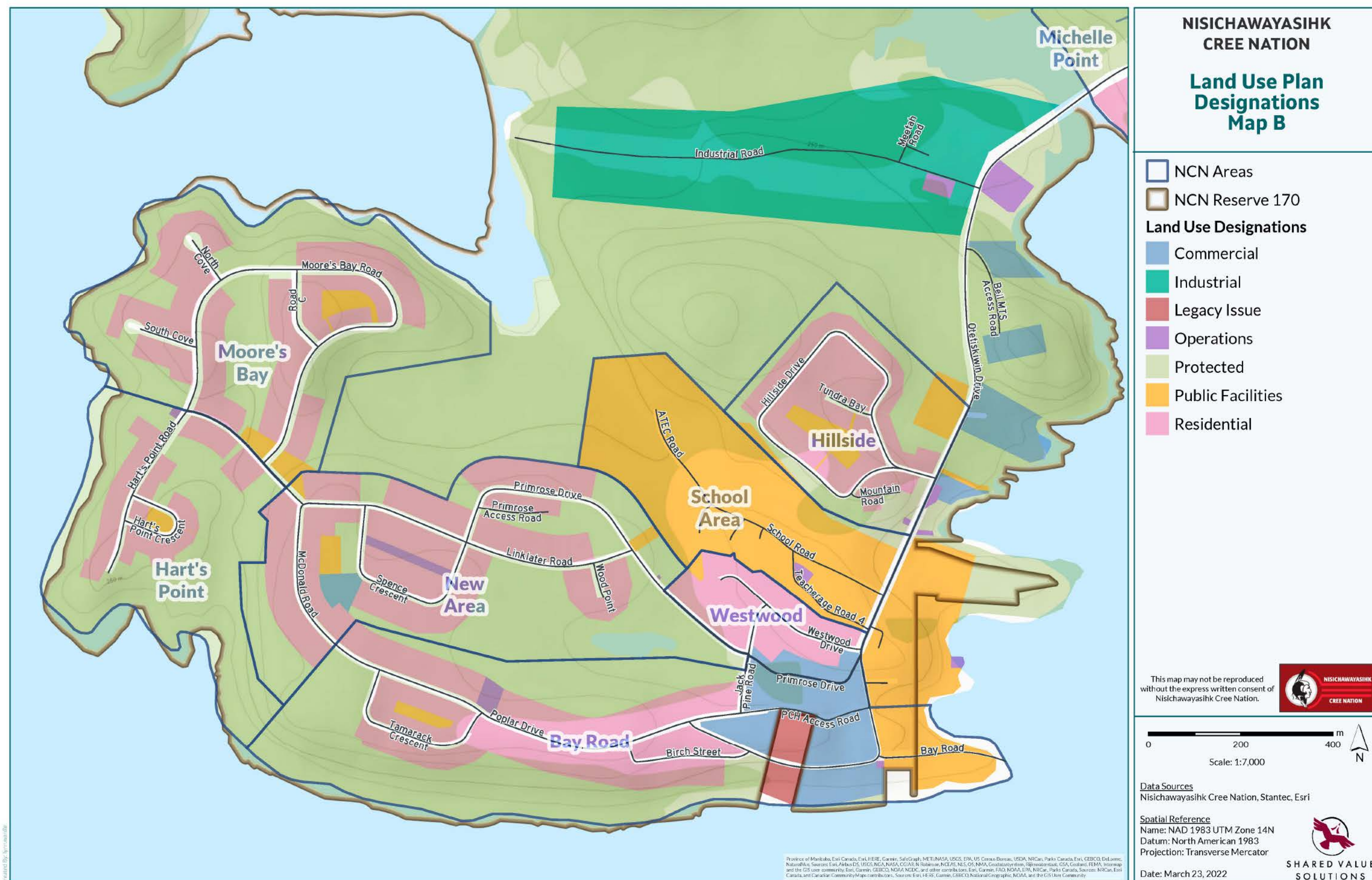
Land Use Designations Map

NCN areas that have been designated under one of the land use designations.



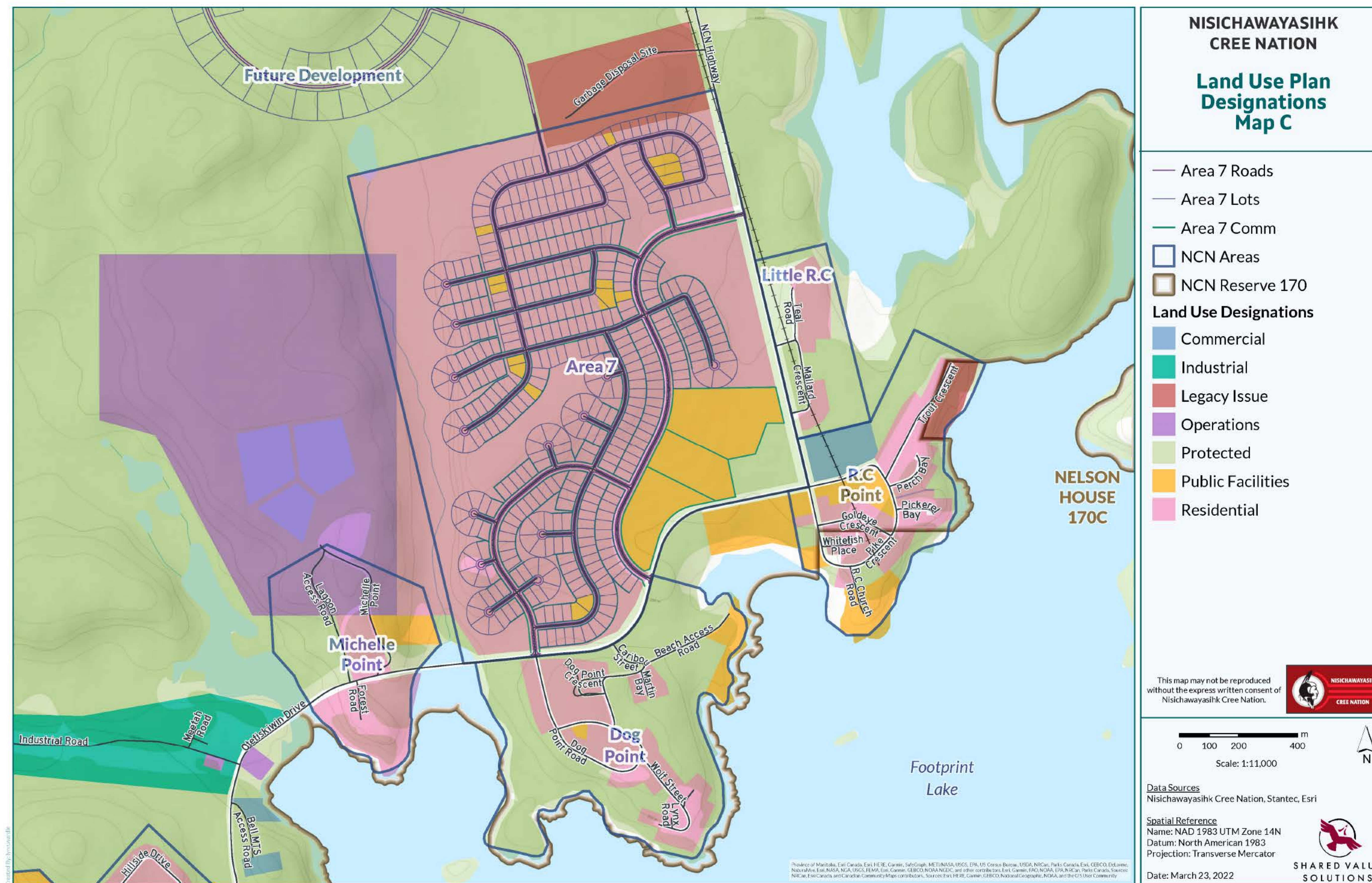


MAPPING





MAPPING





STEPS FOR USING THE LAND USE PLAN

- Step 1 »** Consult the Community Goals and Vision to determine if your idea supports these goals.
- Step 2 »** Use the decision-making matrix to assess the overall impact of your proposed business and/or development.
- Step 3 »** Read through the land use designations to identify which designation suits your idea, and then look at the designations maps to find where in the community the land use is permitted. You should also read the Development Guidelines that apply to your proposed land use, as well as the Cultural and Environmental Protection Guidelines that apply to all land uses in the Land Use Plan.
- Step 4 »** Connect with the Lands, Environment and Resources (LER) Department to confirm the availability of the area of land that you are interested in as well as any concerns and/or questions related to the guidelines that are found within the Plan.
- Step 5 »** Through the guidance of and collaboration with the LER Department, follow the steps in the Development and Building Approval Guidelines (5.2.1) to obtain permission to begin your development.



OVERVIEW

The EMP identifies NCN environmental priorities to develop and implement environmental strategies that include relevant legislation, development of NCN environmental laws, best management practices, guidelines, and protocols.

- » NCN's goals through the EMP will be to:
- » Accommodate NCN population growth (e.g., housing, education, and infrastructure)
- » Exercise NCN jurisdiction over its lands, environment, and resources
- » Protect the health of NCN citizens and support an environment to thrive in
- » Uphold and promote our culture and traditions, and our connection to the land
- » Anticipate and adapt to the changing environment (e.g., climate change).

The intent of this EMP is to provide a roadmap for NCN to develop and implement environmental protection practices that are rooted in the foundational principles of the history, culture, and language of Nisichawaysi Nehethowuk.





TRAINING AND KNOWLEDGE ENHANCEMENT

It will be the responsibility of the current government, key staff, and the LER Department to ensure the environmental strategies are rolled out in accordance with existing and new regulations, NCN law development, and community capacity and awareness.

NCN Governance Administration in collaboration with NCN LER shall formulate a 5 Year Training Plan to ensure that capacity development and training of local expertise is prioritized each year. Furthermore, the Environmental Coordinator shall take steps to plan and implement community-based initiatives to:

- » Raise community awareness through workshops and guest speakers.
- » Development of NCN environmental education courses and information (guidelines, standards, regulations)
- » Deliver community-based training and education via workshops on all environmental priority areas.



LEGACY ISSUES

Canada remains responsible for the remediation of all environmental contamination that was existing prior to the adoption of the NCN Land Code. This responsibility will be for as long as it takes for Canada to remediate all of these legacy issues.

Potential Threats/Concern

- » The Phase 1 ESA identifies all the environmental concerns related to:
- » Health and Safety
- » Areas of Potential Environmental Concern
- » Additional concerns that may impede management, prevention, monitoring, and development.

Current Resources

If there is an existing environmental problem on a NCN lands that had been identified prior to the ratification of the Land Code, Canada is responsible for the problem and liable for any of its actions or omissions that may have caused the problem. A list of these concerns are provided in Appendix A.





NEW MANAGEMENT STRATEGIES AND STANDARDS

Development of Environmental Legacy Issues Regulation

- » Under its future Environmental Protection Law, NCCN will incorporate regulations for the outstanding legacy issues.
- » NCCN would trigger the steps of the Environmental Legacy Issues Regulation if the development or management of NCCN lands and environmental are hindered by the outstanding legacy issues.
- » If a legacy issue interferes with progress, NCCN would enact its law and regulation to ensure Canada is responsive in the remediation of the legacy issue with prompt action and resources.



NEW STRATEGIES AND STANDARDS

1. Environmental Law Development

- » NCN will enact an Environmental Law that includes source water protection.
- » Including production, treatment, and storage of water
- » Guide the development and adoption of NCN Water Quality Monitoring Standards.
- » The enforcement authority may be delegated to other government administrative bodies such as a board or committee, with a risk management officer.

2. Water Protection Body

- » NCN may establish a Source Water Protection Council/Steering Committee to identify threats and issues and develop legal measures that are acceptable to the community.

3. Development of NCN Water Source Protection Plan

- » NCN will develop a strategic document for a Water Source Protection Plan





LAND DEVELOPMENT PRE-DEVELOPMENT

The LER is responsible for coordinating and processing all pre-application and development applications. The LER application process shall focus on providing safe, efficient, visually appealing, and environmentally friendly developments while effectively managing the development process through land-use planning.

Potential Threats/Concerns

Land development puts greater demands on NCN's infrastructure systems and local resources. Pre-development environmental effects may include potential impacts by:

- » Pollution
- » Increased water consumption
- » Increased wastewater production
- » Social impacts
- » Cultural impacts
- » Impacts on well-being and way of life of NCN citizens





NEW STRATEGIES AND STANDARDS

Development of NCN Impact Assessment Process and Assessment Tool

- » Integrate Phase I and II Environmental Site Assessments
- » Establishment of NCN Impact Assessment Advisory Body/Steering Committee
- » NCN will develop impact assessment tools in accordance with NCN Standards; Incorporate development approval process to regulate the construction, alteration, repair, moving or demolition of buildings and structures.
- » Development and implementation of NCN Impact Assessment Tool

Development of NCN Impact Assessment Law

- » Development of an NCN law that sets the standards and guidelines for:
- » Social environmental impacts

- » Health impacts
- » Cultural impacts
- » Economic impacts
- » Environmental impacts
- » Example: The law may regulate, prohibit, and impose requirements in relation to:
- » Trees
- » Protection of the natural environment
- » The removal of soil and the deposit of soil or other material

Development and Implementation of NCN Impact Assessment Training

- » Incorporate the Land Guardians and FNSOs mandates to include the implementation of these standards and laws. Expand the scope of service and delegated authority.



LAND CONTAMINATION AND WASTE MANAGEMENT PLAN

NCN is committed to sustainably managing the solid waste produced. This will include waste diversion strategies.

Potential Threats/Concerns

- » A major concern on any waste management site is leachate contamination. Leachate is generated when water comes in contact with household waste or compostable material, and chemicals are leached into the water
- » Any spills of hazardous materials can also cause significant contamination to soil, groundwater, or surface water.





NEW STRATEGIES AND STANDARDS

1. Household Hazardous Waste Management Program

- » Development of community standards for proper disposal means, community collection and drop-off with the establishment of an NCN hazardous waste facility and hazardous material safety training.

2. New Landfill and decommission of the existing landfill site

- » Constructing a new waste disposal site that would be considered a Class 2 facility, at a new location to allow for the operation of the landfill site in an environmentally responsible manner.

3. Recycling Program/Depot/Waste Diversion

- » NCN will develop and implement regulations for the removal/depot/transfer for large appliances, furniture.
- » NCN will implement local diversion strategies such as locked garbage bins, fins, and animal control. NCN LER will develop a long-term strategy that includes recycling (tires, batteries, used oil and fluids, packaging materials, building materials), composting, and incineration.



IMPLEMENTATION

- » Training and knowledge enhancement in the first year will be critically important.
- » Through their budgeting process, NCN must allocate financial resources to support proper implementation and execution of the EMP.
- » The LER Department can ensure all the stakeholders in each priority area are involved over the long term.
- » The implementation and monitoring of this EMP will require an investment in existing and new Human Resources to support implementation.