

**Brief –
East Side Planning Initiative (ESPI)/
Wabanong Nakaygum Okmawin (WNO)
November 2006**

The need for coordinated and integrated land use planning in Manitoba, on a regional scale, has been recognized and debated for over twenty years. Right now, many southern rural municipalities undertake 'development plans' on the basis of municipal and/or planning district by-laws under *The Planning Act*, but this only development planning. Certain modern treaties have a mechanism for land use planning, but so far only a few First Nations in Manitoba have completed their traditional use studies, needed before land use and management planning can take place, and even fewer have developed their own land use and management plans.

For the most part, the only review of significant large-scale land use decisions, such as forestry, hydro generation stations, new mines or mills, highway or transmission systems, takes place through environmental licensing processes under *The Environment Act*. Under the new *Water Protection Act*, watershed planning is to take place, but this has only started in rural and municipal Manitoba. In short, significant land and water use decisions are being made without comprehensive plans that reflects ecological capacity, community values and goals, sustainability, Manitoba legislation and public policy, and economic priorities.

The main finding of the 1999 Consultation On Sustainable Development Implementation (COSDI) Report was that Manitoba must change from a system where 'development drives planning' to one where land use decisions are based on plans. COSDI recommended that societal values be part of the basis for land use plans and plans must take into account:

- community equity on an intergenerational basis
- rights and expectations of affected Aboriginal communities
- the current and future economy
- ecological sustainability

When the current provincial government came into office in the fall of 1999, it accepted the recommendations of the COSDI report and committed itself to large-scale land use planning process. The East Side Planning Initiative (ESPI) was announced in August 2000 by the Minister of Conservation.

Phase 1 of the ESPI consisted of a series of meetings conducted by a three-member government panel held with First Nations, local communities, the public, industry, non-government organizations and others interested in the future of the area. Phase 1 concluded in 2002 with release of a report that made recommendations as to:

- steps and timing for the planning process
- boundaries for the planning area

- establishment of an East Side Lake Winnipeg Round Table and a larger Stakeholder Advisory Committee

Phase II of the ESPI took place between March 2002 and August 2004. In Phase II, the ESPI Round Table and advisory committees were to develop a work plan, conduct public meetings and provide recommendations on a wide area plan for the east side of Lake Winnipeg. According to its Terms of Reference, the ESPI Round Table was to advise the government on the establishment of land use zones within the East Side region based on the following fundamental principles:

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

MOUs (memorandum of understanding) were signed in April 2004 between the Province of Manitoba and some of the ESPI region First Nations. The MOUs came before a protocol (see below) and stated the First Nations and Manitoba intended to develop a protocol that will be the foundation for consultation with First Nations about decisions that will affect their communities and traditional territories. The MOU acknowledged the government to government relationship between First Nations and Manitoba, and affirmed treaty and Aboriginal rights. Eight First Nations signed the MOU initially, and other First Nations communities signed later. The communities that chose not to sign cited a need for additional time to review the agreement or noted fundamental flaws to the East Side Planning Initiative process that made the MOU unacceptable.

Phase II of the ESPI concluded without a workplan or any actual planning having taken place. A status report (as opposed to the recommended land use plan mandated) was released by the Minister of Conservation November 16, 2004.

Phase III began with a December 2004 announcement that Manitoba's government had accepted the recommendation of the ESPI Status report. In 2005 the East Side Round Table was dissolved and replaced by ESFNC (East Side First Nations Council). It was at this point that ESPI was re-named to reflect the region's Aboriginal population. The ESPI became Wabanong Nakaygum Okimawin (WNO) – "East Side of the Lake Governance". Phase III has seen the least amount of public information regarding the WNO process, decisions.

As part of the WNO, a protocol between east side First Nations and the Government of Manitoba is being negotiated. The draft protocol was first discussed and a draft produced back in Phase II, but has changed significantly since. The protocol is intended to be a "foundation for first Nations Governments within the east side to be involved in decisions that will affect their communities and traditional territories".

Government support for community land use planning projects was one of the recommendations of the November 2004 ESPI Status report. In April 2006, the Manitoba government announced \$500,000 to support community driven land use plans on the east side of the province. It is not clear if a First Nation must sign the protocol in order to be eligible for the grant. If all sixteen east side First Nations applied for and received equal funding for land use planning from the WNO fund, each First Nation would receive just over \$31,000.

Details regarding the goals/objectives, timelines, budget, and activities of the WNO have not been made public.

For more information regarding the ESPI and WNO go to:

Manitoba Wildlands – ESPI/WNO pages http://manitobawildlands.org/lup_espi.htm

Manitoba Conservation – WNO pages <http://www.gov.mb.ca/conservation/wno/>