

Exploring Ethical Space for Land Use Planning in the Upper Columbia, British Columbia



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Introduction

In 2019, British Columbia adopted Bill 41: The Declaration on the Rights of Indigenous Peoples Act (DRIPA). DRIPA committed B.C. to developing a new planning framework, known as modernized land use planning (MLUP), that involves ethical collaboration with Indigenous Peoples.

The MLUP program is led by the B.C. government in partnership with Indigenous governments, and through engagement of communities, local government, industry, and other stakeholders. MLUP focuses on understanding new complexities in planning, such as effects to the land from climate change and cumulative impacts, growing the economy, and committing to reconciliation with Indigenous governments. Planning theorists have long called for new planning practices that interrogate Indigenous/non-Indigenous power imbalances. However, planning policy and practice is missing clear frameworks to implement ethical decision-making in land use planning.

Ethical Space, a conceptual approach used to balance power between Indigenous and non-Indigenous people, is a promising framework to ethically advance land use planning. This research examines how Ethical Space could be applied to land use planning, through an exploratory application in the Upper Columbia region. Research methods include semi-structured interviews with practitioners and government representatives, document analyses, and reflective practices. Research findings present recommendations for governments to apply Ethical Space in land use planning processes.

What is Ethical Space?

Ethical Space is a conceptual approach used to balance power dynamics and meaningfully develop relationships between Indigenous and non-Indigenous people. Operating under the understanding that all knowledge systems are distinct and equal, Ethical Space encourages respectful collaboration and ethical decision-making.



Ethical Space has been used in education, health care, and conservation, but so far has had few applications in planning.

Research Aims

- 1 To investigate how an Ethical Space framework could be adopted in land use planning; and
- 2 To offer an exploratory application of Ethical Space for land use planning in the Upper Columbia region of present-day B.C.

To achieve the first aim, three research questions were addressed:

- What is Ethical Space?
- What are the key requirements to enact and maintain Ethical Space?
- How can Ethical Space advance planning theory?

To achieve the second aim, four research questions were addressed:

- How is the Upper Columbia governed and planned?
- What relationships exist among/across Upper Columbia governments?
- What are Upper Columbia governments' long-term goals for the region?
- What opportunities exist to enact Ethical Space in land use planning in the Upper Columbia?

Methods and Analysis

Semi-structured interviews, textual analysis, and reflective practices guided this research.

Through 20 interviews, two groups of key informants participated:

- 1 Ethical Space practitioners and;
- 2 Upper Columbia government representatives, including Nation, Band, provincial, regional, and municipal governments.

Textual sources were separated into groups 1 and 2, and analyzed to fill in gaps from interviews. Seven Ethical Space projects were also reviewed to understand methods of implementation. Various government documents and websites were reviewed to identify the existing landscape and concepts shaping future land use planning decisions.

Reflection was a key component that guided this research. Themes emerged from the data as new information was learned. Final themes identified insights into current governance in the Upper Columbia and key requirements to enact and maintain Ethical Space.

RESULTS

Landscape of Governance in the Upper Columbia

No local government Official Community Plans identified how they aim to achieve the goals of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Truth and Reconciliation Commission's (TRC) 94 Calls to Action.

Governments shared long-term planning goals of addressing cumulative effects associated with backcountry recreation and issues of limited housing availability in their communities.

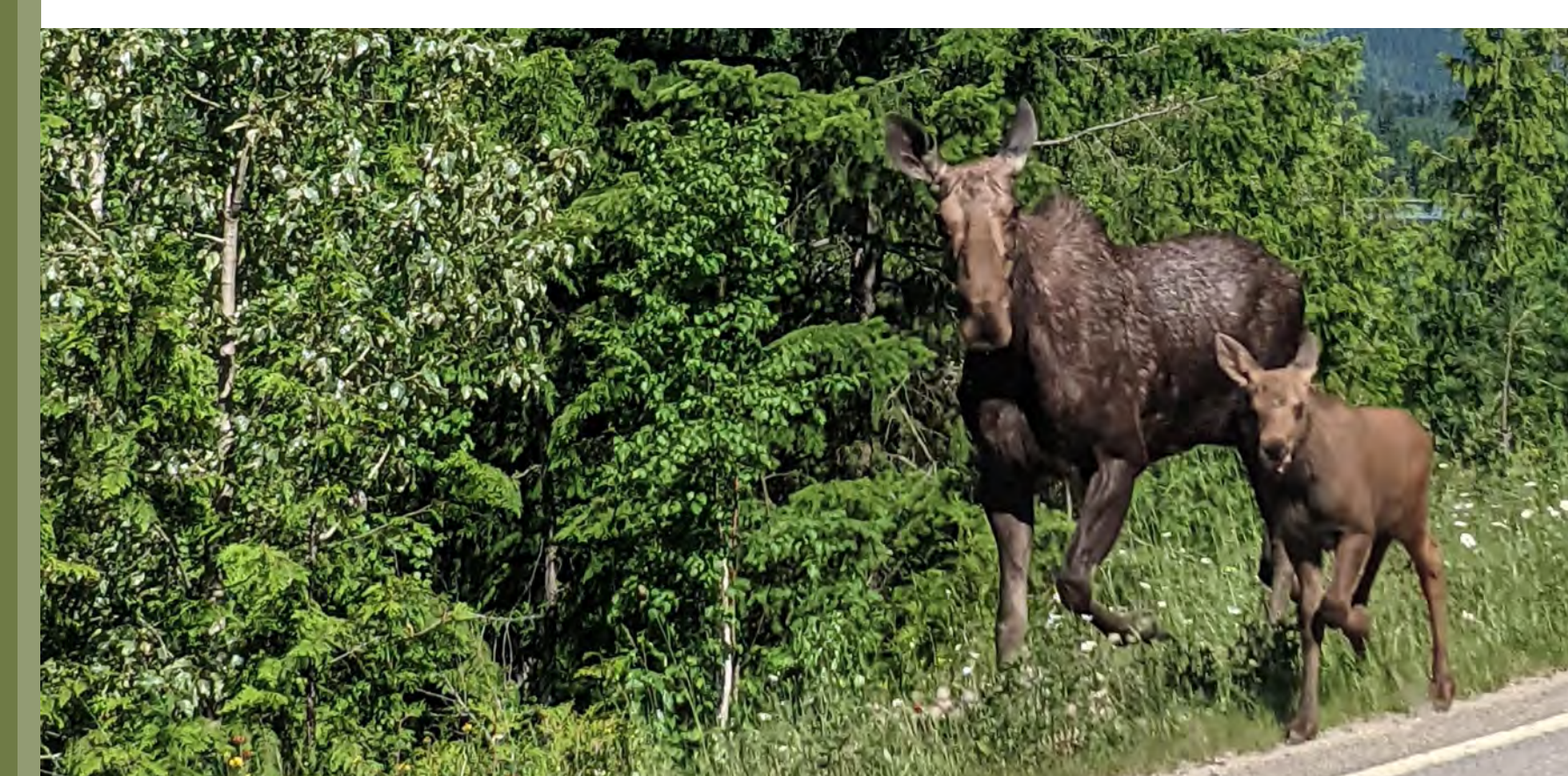
Indigenous and non-Indigenous governments are interested in moving from jurisdictional boundary planning to watershed boundary planning.

Non-Indigenous governments largely engage Indigenous governments on an 'as required' basis, as opposed to developing relationships or seeking expertise.

Most Indigenous and local governments were unfamiliar with the details of MLUP and are calling for clearer descriptions of their roles in the process.

Key Requirements to Enact and Maintain Ethical Space

- 1 **PRE-ENGAGEMENT:** the process of self-reflection and learning ones motives behind this work
- 2 **RELATIONAL ACCOUNTABILITY:** the process of building respectful and lasting relationships through accountability to one another
- 3 **REFLEXIVITY:** the process of reflection to support conflict resolution, safe spaces, and introspection

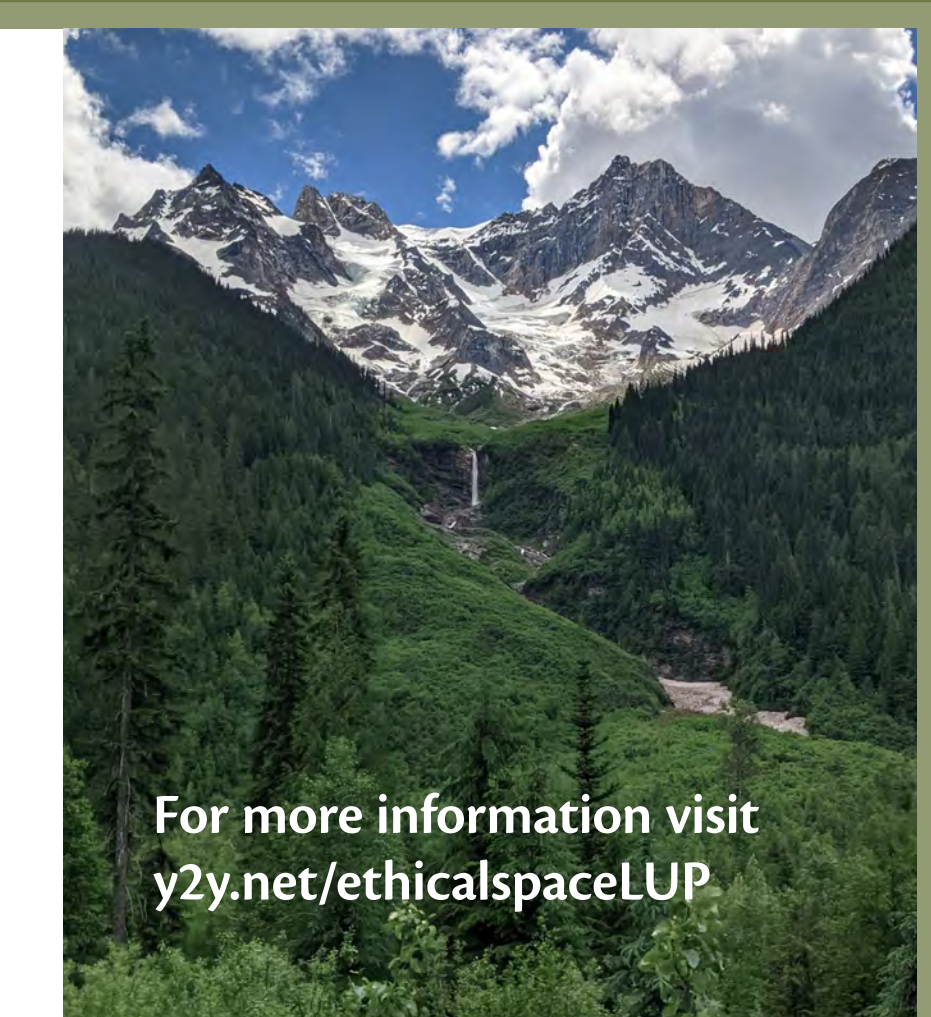


Research Significance

Current provincial approaches to land-use planning can have severe impacts to Indigenous Peoples' quality of life, often removing cultural connections to the land to make way for industry. With B.C.'s formal adoption of DRIPA, planners have a legal obligation to reconciliation, which requires ethical decision-making.

The Indigenous Circle of Experts' Report, We Rise Together, from March 2018, outlines a potential pathway and says reconciliation means healing both the relationship between

Crown and Indigenous Peoples, and between Indigenous Peoples' connection to the land. Through investigating how decisions are made, planners are better able to reflect on their work and make necessary changes. This research demonstrates the need for radical revisions of B.C.'s current land use planning practices to achieve the goals of MLUP and legal obligations as stated in DRIPA. The results of this study set the stage for new approaches to land use planning in the Upper Columbia region.



For more information visit y2y.net/ethicalspaceLUP

DISCUSSION

Recommendations for Enacting and Maintaining Ethical Space in the Upper Columbia

RECOMMENDATION 1

Governments outline motivations and engagement strategies
Governments must develop publicly available strategies, outlining their motivations for engaging in ethical land use planning and preferred methods of engagement. Non-Indigenous governments must include how they intend to uphold UNDRIP principles and the Calls to Action of the Truth and Reconciliation Commission.

RECOMMENDATION 2

Find common ground
To effectively build relationships, governments can work together to achieve common goals. In the Upper Columbia, these goals were identified as: conducting watershed boundary planning, addressing issues of limited housing availability, and quantifying cumulative effects associated with backcountry recreation use. To effectively work together, governments must deeply understand one another—a key component of Ethical Space.

RECOMMENDATION 3

Non-Indigenous governments build relationships outside of the provincial consultative database
To enter Ethical Space, non-Indigenous governments must recognize that Indigenous laws and territories deserve equal weight in decision-making. One way to start this process is by moving away from the provincial consultative database – which identifies Indigenous government boundaries through a colonial framework – as triggers for project consultation. Instead, non-Indigenous governments are encouraged to conduct their own research and reach out to Indigenous governments personally, with an interest in relationship-building instead of receiving project approval.

RECOMMENDATION 4

Bands/Communities, regional, and local governments conduct cross-jurisdictional planning
Cross-jurisdictional planning is found to better address opportunities and challenges, including limited funding, climate change risks (e.g., wildfires, floods, etc.), and population movement (people, wildlife, and plants). Governments will maintain accountability to one another, facilitate long-term holistic planning, and likely have more power to enact change through cross-jurisdictional planning efforts.