

Part II Land Use Planning and Consultations

CHAPTER 8 LAND USE PLANNING

8.1 Application

8.1.1 In this Chapter:

“Land” includes Resources and Seawater.

8.1.2 The appropriate Government departments and agencies shall be responsible for the implementation of land use plans approved in accordance with subsection 8.5.11.

8.1.3 This Chapter applies to both Marine Areas and Land within the EMR.

8.2 Planning Principles, Policies, Priorities and Objectives

8.2.1 The following principles shall guide the development of planning policies, priorities and objectives:

- a) people are a functional part of a dynamic biophysical environment, and land use cannot be planned and managed without reference to the human community; accordingly, social, cultural and economic endeavours of the human community must be central to land use planning and implementation;
- b) the primary purpose of land use planning in the EMR shall be to protect and promote the existing and future well-being of those individuals and communities resident in or using the EMR taking into account the interests of all Canadians; special attention shall be devoted to protecting and promoting the existing and future well-being of the Crees and Cree Lands;
- c) the planning process shall ensure land use plans reflect the priorities and values of the residents and users of the planning regions;
- d) the public planning process shall provide an opportunity for the active and informed participation and support of the Crees and other residents or users affected by the land use plans; such participation shall be promoted through various means, including ready access to all relevant materials, appropriate and realistic schedules, recruitment and training of local Crees and other residents and users to participate in comprehensive land use planning;
- e) plans shall provide for the conservation, development and utilization of Land;

- f) the planning process shall be systematic and integrated with all other planning processes and operations, including the impact review process contained in this Agreement; and
- g) an effective land use planning process requires the active participation of both Government and the Crees.

8.2.2 The objective of the planning process shall be:

- a) to develop planning policies, priorities and objectives regarding the conservation, development, management and use of Land in the EMR;
- b) consistent with paragraph a), to prepare land use plans which guide and direct Resource use and development in the EMR; and
- c) the implementation of land use plans.

8.2.3 In developing planning policies, priorities and objectives, factors such as the following shall be taken into account:

- a) economic opportunities and needs;
- b) community infrastructural requirements, including housing, health, education and other social services, and transportation and communication services and corridors;
- c) cultural factors and priorities;
- d) environmental protection and management needs, including Wildlife conservation, protection and management; and
- e) energy requirements, sources and availability.

8.3 Land Use Plans

8.3.1 A land use plan shall be a document containing text, schedules, figures and maps for the establishment of objectives and guidelines for short-term and long-term development, taking into account factors such as the following:

- a) demographic considerations;
- b) the Resource base and existing patterns of natural resource use;
- c) economic opportunities and needs;
- d) transportation and communication services and corridors;
- e) energy requirements, sources and availability;
- f) community infrastructural requirements, including health, housing, education and other social services;

- g) environmental considerations, including Protected Areas, Marine Protected Areas and Wildlife habitat;
- h) cultural factors and priorities, including the protection and preservation of Archaeological Sites; and
- i) special local and regional considerations.

8.3.2 The purpose of a land use plan shall be to protect and promote the existing and future well-being of residents of the EMR and of the coastal Cree communities of Eeyou Istchee taking into account the interests of all Canadians, and to protect, and where necessary, to restore the environmental integrity of the EMR.

8.3.3 A land use plan shall contain an implementation strategy.

8.4 Eeyou Marine Region Planning Commission (EMRPC)

Establishment

8.4.1 The Eeyou Marine Region Planning Commission (EMRPC) is hereby established as an institution of public government with the major responsibilities to:

- a) establish broad planning policies, objectives and goals for the EMR in conjunction with Government;
- b) develop, consistent with other provisions of this Chapter, land use plans that guide and direct Resource use and development in the EMR; and
- c) generally, fulfill the objectives of this Agreement in the manner described, and in accordance with the general principles mentioned in subsection 8.2.1, as well as such additional functions as may be agreed upon from time to time by Government and the GDO.

8.4.2 The head office of the EMRPC shall be in Eeyou Istchee.

8.4.3 The costs of the EMRPC shall be the responsibility of Government. The EMRPC shall prepare an annual budget, subject to review and approval by Government.

Role and Responsibility

8.4.4 Consistent with this Agreement, the EMRPC shall:

- a) identify planning regions;
- b) identify specific planning objectives, goals and variables that apply to planning regions and are consistent with the broader objectives and goals;
- c) contribute to the development and review of Arctic and sub Arctic policies;
- d) disseminate information and data;
- e) solicit opinions from Cree Bands, Cree community residents and others about planning objectives, goals and options of the region;