



# **ADAMS LAKE INDIAN BAND**

## **LAND USE PLAN - PHASE IV: Policy, Procedures and Strategy Related to the ALIB Economic Development Footprint**



**FINAL REPORT (for Chief and Council review)**

February, 2015

**Adams Lake Indian Band**  
**Policy, Procedures and Strategy**  
**Related to the ALIB Economic Development**  
**Footprint**  
**(LUP Phase IV)**

**FINAL REPORT**

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**CONFIDENTIAL**

*Re Tqeltkúkwpí7 tntels ne7élye ne tmicw es yecwemínte re  
kwseltktn-kt, re ckúlten-kt, re xqweqwlúteñ-kt retmicw-kt re  
tkwemíple7ten-kt, re stselxmém-kt, re pellsúten-kt ell re  
keknucltn-kt. Welmé7 yews, welmé7 yews. Me7  
tsyecwemínste es le7s r stsyem-kt n7élye ne tmicw,es  
yecwestsút-kt, es sxyestém r ekultn-kt tikumíte7, es  
tselxestsút-kt ell es sxyestwécw-kt tel7éliye te pyin.*

*“Our Creator placed us on this land to take care of our  
people, our land, our language, our customs, our  
knowledge, our culture, our title, to be ours forever and  
ever. Ensuring that we live in a safe, healthy, self sufficient  
community where cultural values and identity are  
consistently valued promoted and embraced by all.”*



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## **PREFACE**

This is the Final Report in a series of reports that has led to a draft Economic Development Policy, a draft set of Development Application Procedures, and a set of evaluation tools related to the Adams Lake Indian Band (ALIB) Economic Development Footprint, also known as the ALIB Land Use Plan (LUP) Phase IV. An implementation strategy for the LUP to be integrated within the ALIB Comprehensive Community Strategic Plan (CCSP) and a set of broad maps also form part of the work within this project; they form part of a supplemental report. This report summarizes the information gathered to draft the policy and its accompanying development procedures. The development of this set of management tools is cumulative in that as more information was gathered and refined, the draft policy, draft development application procedures, and assessment tools were, or will be revised, especially once Chief and Council have had the opportunity to assess the drafts.

As outlined in the first phase of the LUP, the ALIB community is in a great position to grow sustainably and to a standard of living that can be enjoyed by all of its population. The members of the community have identified some of their preferences within the broader initial phases of a CCSP, which is a dynamic process, developed and refined from year to year.

At the ALIB community meeting of May 1, 2014, four key priorities were made clear, in terms of the next steps in continuing the LUP initiative:

1. Develop, with community input, an Economic Development Policy.
2. Develop, with community input, procedures for developers (pro-active).
3. Develop a process for assessing Business Plans and Economic Development Proposals.

4. Develop a strategy to integrate and implement the LUP (Phases I and III) within the broader CCSP.

The ALIB community holds important lands – traditional lands and economically advantageous lands. The landscape is amenable to a variety of uses that could potentially benefit the community in terms of economic development and accommodating more members of the community, all-the-while protecting spaces of traditional practice. Efficient and planned use of lands involving as many community members within the LUP process, including the refinement of the draft Economic Development policy, will be key.

Several primary activities have determined the time allotted for this project: Committee and Community input and meetings, drafting the community's draft Economic Development Policy, refining the previously developed set of economic development application procedures into a 'new' draft set of Development Application Procedures, and providing a set of tools for assessing development applications and proposals (including business plans), and developing a strategy to integrate and implement the LUP within the broader CCSP. This has been a community-driven process and as such, several drafts have been generated at each of the project phases, following committee and community input.

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## 1. INTRODUCTION

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The Adams Lake Indian Band (ALIB) includes seven reserves. The community has been operating with a relatively limited plan for the development of its lands for several years. The latter is clearly outdated and the first phases of the land use plan (LUP) project provided direction in terms of community preferences over the general uses and development types that would be desired on the reserve lands. Included in the set of actions that are required for a structured development program is the development of a set of land-related policies, processes and procedures. Several of these have been drafted by the LUP drafting committee, with updating and Council approval pending; this fourth phase of the LUP process focusses on policy directly related to economic development. Land use planning has become increasingly significant in the past few years as the community becomes involved in economic development initiatives. And adding to the pressure to be more pro-active in terms of planning for land use and economic development, the population will grow in the future, perhaps adding significant numbers onto the land base. The community and leadership aim at developing some lands, while protecting other areas and setting aside strategic places for the future, all in an orderly process that reflects the community's preferences.

Specialists tend to agree that including community members within the drafting processes of strategic development plans can significantly add to plan success rates. Specialists also accept that increasing diversity in economic activity, while focusing on higher value employment areas, is a key combination in building on a community's core advantages. Aligning specific advantages with targeted market areas is another arrangement that can lead to economic prosperity, as is dovetailing or sequencing of economic activities over strategic timeframes. The ALIB community possesses specific advantages – resources, location, access to transportation, natural beauty, and so on. At the same time, the community's leadership has commissioned select studies on economic potential and targeted

activities (irrigation, for example). And while Council has taken significant steps in exploring economic development opportunities and possibilities, there are further, more general steps that are required to foster the community's development potential and desires. Beyond the present objectives, these include the following:

1. Support existing ALIB businesses and include ALIB members in forthcoming economic development endeavors;
2. Develop an environment for innovation and entrepreneurs within the community and region; foster internal 'ideas' competitiveness and ALIB member 'originality';
3. Aim at being among the leaders in indigenous community economic development;
4. Acquire a reputation as a top regional location for testing new indigenous (or other) business ideas;
5. Develop community branding and iconography through planning, architecture and business reputation; and,
6. Optimize how indigenous communities, policies, and investments can work to successfully reach economic goals.

Many of these steps are included in the draft ALIP LUP Phase IV – Economic Development Footprint; the steps are reflected in the draft Economic Development Policy included within this report. As note in the preamble, the ALIB community holds important lands – traditional lands, and economically advantageous lands. The landscape is amenable to a variety of uses that could potentially benefit the community in terms of economic development and accommodating more members of the community, all-the-while protecting spaces of traditional practice. Efficient and planned use of lands within a land and economic development strategy involving as many community members within the process are key.

The present report is the Final Report in a series of Preliminary Reports that has led to the development of the draft Economic Development Policy, a draft set of economic development application procedures, a set of tools for assessing development applications and proposals (including business plans) and a strategy to integrate and implement the LUP within the broader CCSP. An implementation strategy for the LUP to be integrated within the ALIB Comprehensive Community Strategic Plan (CCSP) and a set of broad maps also form part of the work within this project; they form part of a supplemental report. The whole also



follows the development of the ALIB LUP Phase I within which land uses and plans that reflect community wishes were developed.<sup>1</sup>

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<sup>1</sup> Some of the policy components and development application procedures may emerge as draft by-laws. Before formal adoption of the tools and strategies developed within the ALIB LUP phases, ALIB legal counsel should be provided with the opportunity to verify any legal implications and liabilities to the ALIB.



## 2. STRATEGY

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The strategy that has been chosen for this fourth LUP project phase reflects the first three phases of the LUP work, as well as the requirements set out at community meeting of May 1, 2014. As indicated in the above preface, four key priorities were clearly articulated:

1. Develop, with community input, an Economic Development Policy,
2. Develop, with community input, procedures for developers (pro-active),
3. Develop a process for assessing Business Plans and Proposals, and,
4. Develop a strategy to integrate and implement the LUP (Phases I and III) within the broader CCSP.

The present work comprises four components: Identification of preferred economic development components and priorities; drafting the economic development policy (with committee and community input), drafting (updating) a set of procedures for developers, developing a set of tools for assessing business proposals, and developing a strategy that integrates the LUP within the CCSP. Research and cumulative drafts took place throughout the process, following committee and community input. The phases are not clear cut and they overlap a great deal.

The first phase, as well as economic development policy research began several months prior to the production of this report, with basic information gathered through contact with the ALIB Lands Manager and LUP drafting committee, and through the development of the previous phases of the LUP work, including the researching of policies of other communities. The present report contains the results of meetings with the LUP drafting committee, as well as research connected to economic development policy and the ALIB LUP previous work. The next component focused on developing the draft policy and begin discussions on developer procedures which would then evolve through

committee (and community) input. Drafting of the policy and procedures at times took its inspiration from existing by-laws, using, for example, those of other indigenous communities as guides and as points of departure for discussion. The third component involved the development and design of assessment tools for incoming economic development proposals, mostly in the form of matrices. And the final component consists of drafting this Final Report, presented as a result of the several preliminary drafts.

These four components culminated into the present draft Economic Development Policy, draft economic development application procedures and its related management tools. This final draft is produced with the understanding that a community meeting will be held in order to receive further feedback for improving the policy and procedures; the latter meeting will also have the effect of communicating progress to community members. At the conclusion of the meeting and following any needed revisions, a revised “final draft” will be presented to the LUP drafting committee (and Council, if advised by the committee). At end of this phase, the LUP drafting committee will become responsible for bringing the LUP components, including the Economic Development Policy, to the community for approval or ratification, should Council choose to do so.



### 3. COMMITTEE and COMMUNITY MEETINGS

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#### *Committee Meetings*

June 9, 2014  
July 25, 2014  
September 15, 2014  
October 17, 2014  
November 7, 2014  
November 21, 2014  
January 9, 2015  
February 2, 2015  
February 12, 2015

#### *Community Meetings*

March 7, 2015



#### **4. MAIN PRIORITIES and POTENTIAL POLICY COMPONENTS as IDENTIFIED by the LUP DRAFTING COMMITTEE**

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##### **1. Introduction**

Several LUP Drafting Committee meetings were held, with brainstorming sessions and feedback provided on the types of policy elements that should guide any economic development on ALIB lands, and in turn guide the role and decisions of the ALIB Lands Manager, ALIB Economic Development Officer, Chief and Council, and community members. What follows is a summary of the main comments of the committee.

##### *General comments from committee*

Any economic development policy should include principles that reflect the community's values, as well as sound business and governance principles. Access to capital, while often cited as key to any successful economic development venture, is not necessarily the most important variable. To the committee, capital will follow other ingredients of success. The ALIB will have to be creative with the opportunities it possesses and while adhering to its economic development principles and subsequent policy, it will have to adapt to known conditions and future, less known, dynamic situations. As highlighted in the ALIB LUP Phase III – Five Year Economic Development Strategy, underlying the ALIB economic development policy are principles that include:

- i) Good governance with a solid reputation and track record;
- ii) A way of separating politics from economic development management;
- iii) Providing a feel (for third party investors and ALIB membership) of accountability and transparency;

- iv) Ensuring that clear, logical business plans for each business endeavor is in place, outlining net revenues, whether initiated by the ALIB economic development department, or a third party;
- v) Providing professional and accountable project and financial management, whether this management is from within the ALIB administrative organization, or outside the organization.

*Further committee comments and direction:*

*1. General*

- a) The policy should cover topics like: buckshee leases, traditional agreements (unwritten agreements), unwritten “laws”, notion of collective ownership, traditional laws, should be a supple and simple document that is accessible to everyone (this will be covered in the policy’s Preface);
- b) Should consider research on related policies in other indigenous communities.

*2. Policy Purposes*

- a) To establish / document unwritten or traditional laws or land related customs that continue to be practiced on ALIB lands (histories of the lands and the way the lands are managed);
- b) To establish, as a policy, our preferred economic development procedures;
- c) To document procedures related to “a” and “b”;
- d) To develop tools, or “templates” to guide land use and economic development decision making, but not necessarily rigid rules; and,
- e) To ensure fairness and evenness across the ALIB member community;

*3. Policy Element Suggestions – (not all of the following were adapted for the policy)*

*3.1 Lands (these issues are dealt with in the ALIB LUP Phases 1 to 3 reports)*

- a) Lands - surveys and surveying policy;
  - ii) Lands - estates issues (how do we deal with outstanding ones);
  - iii) Lands - buckshee leases;
  - iv) Lands - acquisition: fee simple; ATR process, other processes;

- vi) Lands - allotments;
- vi) Lands - general principles as related to economic development choices;
- vii) Lands - development activities by priority;
- viii) Lands - green, regenerative elements; and,
- ix) Lands - enforcement of our bylaws.

### *3.2 Economic Development*

- i) ALIB Member initiatives
- ii) Market Housing and Member Housing
- iii) Servicing
- iv) ALIB Community Standards and Expectations (health, safety, community well-being and community branding)

#### *Policy Flow*

It was suggested that three components would form the work:

1. **Economic Development Policy (as related to lands):** The Economic Development Policy should address the three above parts.
2. **Developer Procedures:** Development application procedures should include:

Economic Development Project Development Application;

Economic Development prioritization (tools); and,

Economic Development Project Proposal Vetting Process (internal process), which should include:

Economic Development Assessment Strategy (a strategy that provides a means of measuring success or progress in terms of the community's economic development advancements).

### **3. Business Plan and Economic Development Proposal Assessment Tools**



## 5. RESEARCH

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Research for this segment of the LUP has been a broadly-focused exercise that includes looking at other communities, academic research, and First Nation policies from across Canada. In particular, the economic development initiatives and policies of the following communities have been used as guides for various sections of the ALIB policy:

Kamloops Indian Band;

Slammon First Nation;

Tsawwassen First Nation;

Tzeachten First Nation;

Osoyoos Indian Band;

Squiala First Nation;

T'sou-ke First Nation;

Westbank First Nation.





## **6. POLICY ELEMENTS IDENTIFIED in LUP PHASES I, II and III**

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### **Introduction**

While the purpose of this LUP Phase is to outline an Economic Development Policy, the LUP drafting committee felt that it would be useful to summarize the policy elements identified in prior LUP phases, including those related to lands, and those related to economic development. These range from the ALIB acquiring more lands, to more straight-forward principles such as green building design. What follows is a list of elements, in no specific order of priority, as identified in prior LUP phases. (Some have been removed due to duplication).

### **Policy Elements identified in LUP Phase I**

#### **1. Additions to Reserves**

ALIB community members identified that whenever possible, more lands should be acquired for the ALIB community. There are several ways through which the ALIB might acquire more lands within this process, including settlement agreements or land purchases.

#### **2. Member Housing**

All community surveys, meetings and ‘open houses’ involved the discussion of the need for ALIB member housing. This is being addressed in a separate Housing Policy.

### **3. Reserve Land Infrastructure**

Through the community surveys, community meetings and ‘open houses’, community members were in agreement on the need for better infrastructure, especially as related to clean water and sewer systems.

### **4. Culture-specific Sites**

Development applications should indicate and make a commitment that should cultural sites be encountered or identified during any phase of development, construction will stop until ALIB Elders or other designated members have had the opportunity to assess the cultural value and significance of the site. A professional archaeologist or ALIB cultural advisor should be invited to participate in any development project. A separate Heritage Policy is paramount.

### **5. Green Design Principles**

The community has made it clear, through its surveys and comments at community meetings that ‘green design principles’ should be at the base of development projects. Green design principles and sustainable elements should be included as part of any development application on ALIB lands. By ‘green design’, we mean design of lands, developments and construction that is sensitive to the environment in the broadest ways possible. Ideally, a developer will include environmentally sensitive design features within projects and point them out in the application and to the approving personnel in the Lands Department. These relate to water, wastewater, roads, energy use, construction materials, density and so on. They should reflect the highest industry standards. Some important design considerations should include the protection of environmentally sensitive areas as defined by the ALIB community. More specific design elements might include features such as alternative water delivery and sewer efficiency standards: water meters, leak detection systems and drought-resistant landscaping, and, perhaps in the future, the opportunity to transfer energy from wastewater to community energy. In terms of new (or at times existing) roads, narrower low-speed roads, more permeable surfaces, bikeways and pathways, energy efficient lighting, and trees along roads are all part of improved community design. With energy consumption / reduction, design consideration should include, at a minimum, energy efficient buildings,

use of renewable construction materials, the use of recyclable construction materials, and the inclusion of more efficient energy systems such as geothermal and solar heating.

Overall, better community design might include the attraction of a wider range of housing types, higher design standards and expectations in terms of commercial architecture, and providing the opportunity for pedestrian and cycling access to more areas. Related to 'green design' principles, 'environmental planning' and 'smart growth' planning beliefs should be part of a broader community plan. The ALIB's 'Green Energy Initiative', with its commitment and obligations on behalf on any developer on ALIB lands to reduce the carbon footprint of any development should continue and be regularly updated.

## **6. Trail and Path Network**

Community meeting attendees highlighted a will for a trail network to connect different parts of reserve areas together. This was particularly important for *Switsemalph* (*Sxwetsméllp*) IRs 6 and 7, but might be a consideration for all of our reserves. Any new development should include consideration for an extended trail network that would connect primary community amenities such as parks and shopping. The trail system could form a green web across ALIB lands (private, community and CP held lands) that would provide for networking throughout the community while supporting walking and biking. Efforts should be made to locate and re-establish trail networks as new developments take place.

## **7. Community Input Process / Community Education Plan**

Members suggested that a more formal process be in place for community input within land planning activities (and by extension, economic development activities).

## **Policy Elements identified from Phase II**

### **1. On Heritage**

- Preservation of heritage sites and cultural practices.
- Non-disturbance, as much as possible, of ancestral remains.
- *Cstélnec* asserts proprietorship and stewardship over its *Heritage and Archaeology* Resources.
- Repatriation of ancestral remains; repatriation of cultural artifacts.
- Education of *Cstélnec* members and the outside public.

### **2. On Planning**

- Paramountcy of *Cstélnec LUP*.
- *LUP Variances* are permitted only through the *LUP Variance* application process.
- *Development Permit* approvals based on acceptable benefits to the community and professional planning principles.
- *Development Permit* approvals based on social, cultural and economic sustainability.
- *Development Permit* approvals based on environmental protection and conservation.
- *Building and Construction* that form part of *Development*, to be based on energy conservation design principles.
- *Building and Construction* that form part of *Development*, to be within all applicable regulations, Codes, standards and laws.
- Authority of *Building Inspectors*, and recourse to *Professionals*.
- Recourse to *kwétsens* – land use definitions.
- Recourse to the ALIB ‘Community Emergency Response Plan’

### **3. On Economic Development**

- Paramountcy of *Cstélnec LUP*.
- Building and construction that form part of *Development*, to be based on “Green” design principles, including LEED® Canada guidelines.
- Recourse to *Dispute Resolution*.

### **4. On Building and Construction**

- Paramountcy of *Cstélnec LUP*.

- *Building and Construction* to be based on “Green” design principles, including LEED® Canada guidelines.<sup>2</sup>
- *Building and Construction* to be within all applicable regulations, *Codes*, standards and laws.
- Authority of *Building Inspectors*, and recourse to *Professionals*.

## **5. On Leases and Leasing**

- Paramountcy of Cstélnec LUP.
- Paramountcy of *Registry* requirements.
- Paramountcy of professional surveyors and legal surveys.

## **6. On KWÉSTENS**

- Paramountcy of Cstélnec LUP.
- Variances to the LUP, including uses defined under the present section, are permitted only through the *LUP Variance* application process.
- *Kwésten* definitions and uses based on acceptable *Benefits to the Community* and professional planning principles.
- *Kwésten* definitions and uses based on social, cultural and economic sustainability.
- *Kwésten* definitions and uses based on environmental protection and conservation.

## **7. On Land Acquisition**

- Paramountcy of Cstélnec *LUP*.
- Consideration to *Benefits to the Community*.
- Paramountcy of legal surveys.
- Affordability.

## **8. On Dispute Resolution** (as related to lands and economic development)

- Paramountcy of Cstélnec *LUP*.
- Consideration to *Benefits to the Community*.
- Paramountcy of legal surveys.
- Authority of *Building Inspectors*, and recourse to *Professionals*.

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<sup>2</sup> This includes the ALIB ‘CAEE Community Energy Plan’.

## **Policy Elements Identified from Phase III**

Economic Development Policy should include the following tenets:

- Achieving self-reliance;
- Instituting ALIB member business development awareness, training and support;
- Improving community member education and skills;
- Increasing employment opportunities;
- Reversing economic leakages;
- Slowing community member out-migration;
- Improving hard and soft infrastructure;
- Actively seeking and developing partnerships and other links with ALIB Certificate of Possession (CP) holders to leverage land-based resources and related economic development opportunities;
- Welcoming collaborative agreements with other jurisdictional bodies;
- Welcoming partnerships with other nations;
- Always and consistently asserting aboriginal rights and title to lands;
- Developing Memorandum of Understanding and Protocol Agreements with third parties such as forestry and mining companies and developers, to protect heritage resources, and to ensure opportunities over the long term;
- Insisting on consultation and accommodation with developments within and throughout the traditional territory; and,
- Applying the principles of the LUP – Phases I and II throughout lands acquired through various processes such as the “Additions to Reserves” process.
- Support existing ALIB businesses and include ALIB members in existing and forthcoming economic development endeavors;
- Foster internal ‘ideas’ competitiveness and ALIB member ‘originality’;
- Develop an environment for innovation and entrepreneurs within the community and the wider region;
- Aim at being among the leaders in indigenous community economic development;
- Acquire a reputation as a top regional location for testing new indigenous (or other) business ideas;
- Develop community branding and iconography through planning, architecture and business reputation; and,
- Optimize how indigenous communities, policies, and investments can work to successfully reach economic goals.

## **Conclusion**

From the first three LUP drafting phases, we have a relatively clear list of policy element priorities as identified by the community. These range from the ALIB community acquiring more lands, to more straight-forward principles such as

green building design and inclusion of community members within each phase of any economic development initiative. The draft policy thus strives to include the suggestions by the community.



## **7. ECONOMIC DEVELOPMENT ACTIVITIES - COMMUNITY PREFERENCES by RESERVE**

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### **Introduction**

While the purpose of this LUP Phase is to outline an Economic Development Policy, the LUP drafting committee felt that it would be useful to summarize the economic development activities that the community identified within the LUP Phase I.

### **7.1 Reserve Priorities**

#### **Introduction**

As highlighted in the ALIB LUP Phase I Final Report, the community has designated different economic development priorities for the different reserves. What follows is a summary of the priorities; the reader is directed to the ALIB LUP Phase I Final Report for detailed discussion. Note that there are specific challenges and recommendations for each reserve; see the aforementioned report for the latter.

#### **Hustalen (*Cstélen*) IR 1**

The Hustalen (*Cstélen*) IR 1 reserve is located to the east of Adams Lake, running along the eastern shores of the lake and the upper reaches of the Adams River.

#### **Land Use / Economic Development Preferences**

**Residential – low density:** In a 1999 study (ALIB ‘Physical Development Plan’), it was suggested that at least fifteen (15) lots be



created on the reserve along natural benches.<sup>3</sup> This was undoubtedly predicated on the availability of services and infrastructure, including the reconstruction of the bridge accessing the land. Since 1999, no bridge or other infrastructure has been added to the reserve; costs are the primary reason for the latter. Until a bridge and servicing is in place (for existing and new lots), no residential subdivision is proposed. A ferry service does exist, servicing the existing residential lots. Very low density (as low as a few homes per year) development is possible, although this will not address the chronic housing shortfall and will potentially have high costs, if services is to be provided at acceptable standards. For the foreseeable future, until a medium to large scale development initiative is identified, no infrastructural facilities are suggested.

**Commercial:** No commercial development was suggested within the community meetings, community surveys or ‘open houses’. For the same reasons listed in the ‘residential’ section, no commercial development is suggested. On one of the maps used within the community ‘open houses’ one member suggested ‘power generation’ as a potential commercial enterprise. Until the infrastructure challenges (see below) are resolved, no large-scale project should be undertaken. A boat launch was suggested by community members; this may be a facility that could work in conjunction with any cultural-related enterprise (see below).

**Forestry:**<sup>4</sup> The forested area (woodlot) of the reserve is abundant, persisting within a setting of traditional uses. Some forestry selective could be undertaken for the next 5 – 10 years, although a specific ‘traditional use study’ should be prepared and referenced to ensure site protection. The area where the Adams River and *Nikwikaia* Creek meet should remain as a protected traditional site.

**Cultural:** Related to the cultural / traditional sites located throughout the reserve, and especially within the areas where the Adams River and *Nikwikaia* Creek meet, some community members suggested that a cultural-related educational facility be sited. This seems plausible and in keeping with ‘low impact’ uses. The latter area may be the most suitable for such a use.

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<sup>3</sup> ‘Adams Lake Indian Band 1999 Physical Development and Land Use Plan’. Nash and Associates. 1999. p 4 – 9.

<sup>4</sup> For all forestry related activity, consult the ALIB ‘Forestry Management Plan’ and the ALIB ‘Forestry Management Plan’.

## Squaam (*Sq7em*) IR 2

The Squaam (*Sq7em*) IR 2 reserve is located on the northern side of Agate Bay which is located on the west side of Adams Lake.

### Land Use / Economic Development Preferences

**Residential – low density:** No ALIB members live on the Squaam (*Sq7em*) IR 2 reserve, although leased lots are used seasonally by cottage occupiers. Housing and elders' housing was suggested at community meetings and community 'open houses'. As at Hustalen (*Cstélen*) IR 1, the land remains pristine, with servicing and topography as important challenges to any development activity; low impact housing may be an option, although this will admittedly do little to alleviate the member housing shortage.

**Commercial:** A "Wellness / Holistic Retreat Centre" was suggested for these lands. From community meetings and 'open houses', the wish to develop such a facility was articulated, although there are significant challenges to this endeavor. The area is remote and the locating of elders in an area with so few immediate services is challenging. Further, it is not clear that there is a market or demand for such a facility located in the remote area; a specific market study should be undertaken before any action is undertaken regarding such a project. A boat tour operation could also be considered.

**Forestry:**<sup>5</sup> The forested area (woodlot) of the reserve is abundant, with access being difficult due to the sloping terrain. Some forestry could be undertaken for the next 5 – 10 years, although this should be selective, if at all; a specific 'traditional use study' should be undertaken to ensure site protection.

**Cultural:** Related to the cultural / traditional sites that may be located throughout the Squaam (*Sq7em*) IR 2 reserve and especially along the Adams Lake shore areas, some community members suggested a boat tour operation, specializing in cultural heritage. This could form a part of a wider strategy whereby the ALIB would focus on low-impact, culture-specific tourism activities to bolster its presence within the region.

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<sup>5</sup> For all forestry related activity, consult the ALIB 'Forestry Management Plan' and the ALIB 'Forestry Management Plan'.

### **Toops (*Tegwúps*) IR 3**

The Toops (*Tegwúps*) IR 3 reserve is located across the Adams River from the Hustalen (*Cstélen*) IR 1 reserve, to the south of Adams Lake. ALIB members did not emphasize specific land uses for this reserve.

#### **Land Use / Economic Development Preferences**

**Residential – low density:** The Toops (*Tegwúps*) IR 3 reserve remains, for the most part, pristine, with servicing and topography as important challenges to any development activity; low impact housing may be an option (there are only two [2] homes on these lands), and a small sub-division for member housing could be undertaken in the medium term, once servicing is in place.

**Forestry:**<sup>6</sup> A forestry operation occupies, through a commercial lease, a large lot on the reserve; no logging takes place. Access is in some areas difficult due to the sloping terrain. Some forestry could be undertaken for the next 5 – 10 years, although this should be selective, if at all, given that low density residential housing could be selected as a use; a specific ‘traditional use study’ should be undertaken to ensure site protection. Consideration for allowing the commercial lease to lapse should be given.

**Cultural:** Related to the cultural / traditional sites that are probably located throughout the Toops (*Tegwúps*) IR 3 reserve and especially along the Adams Lake shore areas, there is opportunity for a boat tour operation, specializing in cultural heritage, or a rafting operation. As with the Hustalen (*Cstélen*) IR 1 reserve and the Squaam (*Sq7em*) IR 2 reserve, this could form a part of a wider strategy whereby the ALIB would focus on low-impact, culture-specific tourism activities to bolster its presence within the region.

**Challenges:** The primary challenge for maintaining existing land uses and defining and designating new uses lies with ‘access’ and ‘servicing’. The setting could provide opportunity for a small sub-division and the realigning of the existing road, although this will require

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<sup>6</sup> For all forestry related activity, consult the ALIB ‘Forestry Management Plan’ and the ALIB ‘Forestry Management Plan’.

detailed study; the cost for constructing a road may be relatively high. The bridge issue (see Hustalen (*Cstélen*) IR 1 discussion above) remains unresolved. In terms of servicing, water and sewer systems are required; the soil on the upper benches could enable a sewer system.

#### **Sahhaltkum (*Sexqeltqín*) IR 4**

The Sahhaltjum (*Sexqeltqín*) IR 4 reserve is located on the western side of Little Shuswap Lake, the Lake meets the South Thompson River, across from the town of Chase. This is the ALIB's largest reserve and is central to the community.

#### **Land Use / Economic Development Preferences**

**Residential – low and medium density:** Throughout the community surveys, community meetings and 'open houses', the desire for member housing was made clear. According to the ALIB Housing Department, some two hundred (200) members await on-reserve housing. The desire for related community infrastructure and facilities was also well articulated. Preliminary plans for residential development on the Sahhaltkum (*Sexqeltqín*) IR 4 reserve were prepared during the 1990's and some portions of the housing and infrastructure has been constructed. This should, if at all possible, continue, with development progressing west of the existing homes. Member housing may include different types: Elders' housing and special care housing, as well as more dense arrangements that would include duplexes and perhaps townhouses. However, infrastructure concerns must be addressed, namely, with the water and sewer systems, but also regarding sidewalks, street lighting and other amenities. No new homes should be built along the shore and where there is risk of flooding and where septic fields may require updating.

**Commercial: low-impact** (see earlier note on economic development): Any new subdivision plan should include consideration for a commercial enterprise to service the ALIB on-reserve population. Beyond any sub-division, member commercial enterprises could include a recreational vehicle and camping park, complete with tourist-related activities, and adventure tourism activities, particularly as associated with the seasonal floral display along the upper natural terraces.

**Commercial: medium impact** (see earlier note on economic development): Larger, medium impact developments have been suggested by community members, including retail development, and casino development. The former poses challenges in terms of location and access; Chase and Sahhalkum (*Sexqeltqín*) IR 4, in spite of being well serviced by the TransCanada highway, do not draw excessive visitors to support large-scale retail development; in depth study is strongly recommended before any such development is pondered. In terms of a casino, one member suggested the activity as an option for development and one member was opposed. We here leave it aside for the community to further debate the issue. While a gun range was proposed at one of the community meetings, special study (and community approval) should be undertaken before proceeding with the planning of the enterprise.

**Forestry:**<sup>7</sup> The forested area (woodlot) of the Sahhalkum (*Sexqeltqín*) IR 4 reserve is abundant, although persisting within a setting of traditional uses; hunting and gathering, among other traditional uses, continues. While some selective and sustainable logging could be undertaken, the community did not make this suggestion; the forested area (woodlot) should therefore be protected and considered a ‘no-development’ zone.

**Agricultural:** The natural terrace has good drainage and silty loam soils, suitable for ongoing agriculture and grazing. The new irrigation system should greatly help interested members in the developing of selective agricultural practices such as organic farming. It is possible that the foreshore is suitable for fish farming; more study would have to take place before any action along this path takes place.

**Cultural:** Related to the cultural / traditional sites located throughout the Sahhalkum (*Sexqeltqín*) IR 4 reserve, some community members suggested that a cultural-related ‘nature tour’ could be based within the woodlot area. This seems plausible, and in keeping with ‘low impact’ uses. Generations of traditional use on the lands has taken place; it is likely that more sites will be discovered, or recalled by Elders, as time goes on. For this reason, any development being considered for approval should include a detailed Traditional Use Study, as well as

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<sup>7</sup> For all forestry related activity, consult the ALIB ‘Forestry Management Plan’ and the ALIB ‘Forestry Management Plan’.

special clauses instructing contractors to ‘stop work’, should evidence of cultural uses emerge.

### ***Stequmwhulpa* IR 5 Reserve**

The *Stequmwhulpa* IR 5 reserve is located along the southern shore of Little Shuswap Lake. It’s southern boundary runs along the BC Hydro lines; a railway corridor, as well as the TransCanada Highway cut through the reserve, close to the foreshore.

### **Land Use / Economic Development Preferences**

**Residential – peripheral:** The *Stequmwhulpa* IR 5 reserve, while seemingly easily accessible, remain challenging in terms of land use. The best lands are occupied by the railway and the TransCanada Highway along the lower natural terrace. The ten (10) waterfront lots (leased by ALIB) located to the eastern end of the reserve should be maintained, although more leases should not be permitted; there is no servicing and the sloping terrain cannot readily sustain additional development.

**Forestry:**<sup>8</sup> Access is difficult. Some forestry could be undertaken for the next 5 – 10 years, although this should be selective, if at all, given topography challenges and corresponding difficulties in extraction.

**Commercial:** Any commercial use for this reserve requires important consideration and analysis. Allowing the commercial leasing of space for signage may be an option. Yet by inspection at the time of the drafting of this report, there are significant numbers of unused signs along the TransCanada Highway within this area; no signage should be installed without significant commitments from potential advertisers. There is also space to the north of the reserve, between the TransCanada Highway and the railway, for a commercial venture such as a gas bar. However, servicing remains an issue. A thorough study should be undertaken prior to any development taking place on this portion of challenging land.

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<sup>8</sup> For all forestry related activity, consult the ALIB ‘Forestry Management Plan’ and the ALIB ‘Forestry Management Plan’.

Boat tours may be possible from the foreshore; this could be pursued, should leased lands become available. Along the higher elevations, atv and horseback riding trails were also suggested; this may be a viable community amenity, although as a commercial venture, the possible benefits are not clear without specific analysis. Similarly, a quarry was proposed; this is a costly venture and without clear demand, no action should be undertaken.

### **Switsemalph (*Sxwetsméllp*) IR 6 Reserve**

The Switsemalph (*Sxwetsméllp*) IR 6 reserve is located along the western side of Shuswap Lake, within the municipal boundaries of Salmon Arm.

#### **Land Use / Economic Development Preferences**

**Residential – Member housing:** The area located roughly in the centre of the reserve lands could accommodate at least thirty-two (32) residential lots. For each of these areas, there are infrastructure (and access, for the third) issues that are not insignificant.

**Commercial:** There are several options for commercial land uses on the Switsemalph (*Sxwetsméllp*) IR 6. With a ‘designation vote’ having taken place, the ALIB is poised to transform these reserve lands into an economic generating area. Sandy Point is clearly a desirable place whereby a multi-purpose tourism resort facility could be installed: marina, convention centre, golf, hotel, all with planned future expansion space, could readily be accommodated within the space. A very detailed, long term plan is required for the enterprise to be successful. At the same time, ALIB facilities could be upgraded and expanded, complete with a beach and docking facility, perhaps combined with the larger tourism development area. The existing campground could also be allowed to expand, with more services. Finally, retail opportunities may be possible, connected to the larger tourism development area. Several areas of lands held through CPs (especially along the TransCanada Highway) could be used for a variety of commercial enterprises.

**Agricultural:** Agricultural uses on the reserve lands should continue, although CP holders could be encouraged to transition to more sustainable crops.

**Forestry:**<sup>9</sup> There is a considerable area in the southwest area of Switsemalph (*Sxwetsméllp*) IR 6 reserve that could be maintained for selective logging for the next five to ten (5 – 10) years.

**Cultural:** The area in the southwest area of the reserve lands that could be maintained for selective logging for the next five to ten (5 – 10) years undoubtedly includes cultural sites. These could be further identified, protected, and perhaps highlighted within a broader cultural tourism operation. To the north end of the reserve lands, there is the presence of ‘*kekuli*’, definite evidence for past traditional use. Sites should be more clearly identified and protected, regardless of future development decisions.

### **Switsemalph (*Sxwetsméllp*) IR 7 Reserve**

The Switsemalph (*Sxwetsméllp*) IR 7 reserve is situated on the south shore of Shuswap Lake. Like the Switsemalph (*Sxwetsméllp*) IR 6 reserve, it is located within Salmon Arm’s boundaries.

### **Land Use / Economic Development Preferences**

**Residential – including member housing:** There are several areas that may be suitable for market housing: These could be sited on the north-eastern are, just north of the railway and TransCanada highway where servicing exists, as well on CP lands to the south-western reaches of the reserve lands. The land that could be potentially available for residential development is relatively expansive, with space for at least seventy (70) residential lots. Some of these could be suitable for senior housing.

**Commercial:** The potential for new commercial development has been well recognized by the ALIB leadership. Members have suggested a cultural centre, gaming centre, hotel, shopping mall with opportunities for franchises, and a convention centre. The present development endeavor includes several of these and should be pursued.

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<sup>9</sup> For all forestry related activity, consult the ALIB ‘Forestry Management Plan’ and the ALIB ‘Forestry Management Plan’.



**Agricultural:** Agricultural uses on these reserve lands are limited, due to two factors; the high water table and closeness to the estuary. Grazing is possible, although it may be advisable to allow the vegetation to revitalize itself.



## 8. DRAFT ECONOMIC DEVELOPMENT POLICY FRAMEWORK

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### *Economic Development Policy Framework (for committee discussion)*

Preface – based on Traditional Values and Laws

1. Introduction (introduction to also have a note that states that all federal applicable laws apply)

1. Guiding Principles, summarizing the main principles identified in the three initial LUP phases, and including the principle of “fairness”

2. ALIB Economic Development Focal Points

General – specific principles

ALDCo priorities:

Alternative Energy

Agriculture

West Harbor Village

By Reserve

3. Economic Development Guidelines

4. Fees development cost charges

6. Roles

Roles of the Lands and Economic Development Steering Committee

Roles of the Lands Manager

Roles of the Economic Development Officer

Roles of Chief and Council in economic development

Roles of ALDCo

Roles of ALIB members in economic development

7. The Economic Development Officer

8. Development Proposal Instructions

9. Analysis of proposals

Screening process for development applications

Benefits to the community analysis

Feasibility Study commissioning

Partner profile analysis

Business plan analysis



## 9. DRAFT ECONOMIC DEVELOPMENT POLICY

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### **Preface:**

#### **On Traditional Policies Related to Land and Economic Development**

Prior to the arrival of outsiders, *Secwepemc* communities had laws in place as they governed over their lands and resources. Resource use and trespassing, for example, were considered within laws that communities established for themselves as they oversaw practices and resource extraction. Natural resource use was controlled by specific allocations to, for example, hunting and / or fishing grounds. These unwritten laws were passed down through generations and were enforced through systems of permissions, agreements and payments. Counseling, shaming and banishing are examples of mechanisms used to enforce the traditional laws. In time, and as the colonial apparatus installed itself upon the *Secwepemc* landscape, traditional laws were thought to have been removed. However, many such laws remained in place and are in use to this day. Indeed, the use of traditional law persists in land matters as well as shared resource use.

Within the ALIB community, several laws or customs remain in place. Among others, these include Traditional Holdings, Traditional Land Allotments, Traditional Economic Development, Traditional Representation, Buckshee leases, Elder views and Collective Ownership.

- i) *Traditional Holdings:* Prior to the establishment of the colonial system, the lands of the *Secwepemc* people were held collectively and according to traditions, including rules related to family customs. Many lands were therefore held by families and / or individuals. The responsibilities of these families extended to taking care of the lands; this was known as *yicweminte*. Traditional Holdings were in place since time immemorial, however, since the imposition of Certificates of Possession during the late 1950s, Traditional Holdings are no longer formally

recognized on reserve lands. As our traditions have persisted, it follows that many families consider certain tracts of lands as “owned” by families and / or individuals. This is particularly evident within our Traditional Territory, where certain trap lines, hunting grounds and many other sites have been passed down for generations. We consider these holdings as “Traditional Holdings”.

- ii) *Traditional Land Allotments:* Prior to the establishment of Certificates of Possessions, family and community discussions took place and lands were allotted to individuals, usually men, by customary and traditional means. Today, within our reserves, we use Certificates of Possession for all of our allotments (with the exception of leases). The decision to allot a Certificate of Possession is made by Chief and Council.
- iii) *Traditional Economic Development:* Trade has always been an important means through which economic development has taken place on our lands. Whether fish, forest products, plants or other resources, we have always used trade and barter systems with our families and neighbors. We also used our other resources to maintain relationships with our neighbors during our seasonal movements and so on. At the same time, intellectual property and ideas were also exchanged as we met with our same neighbors. Today, these customs continue, although they are less apparent and operate on a much smaller scale.
- iv) *Traditional Representation:* Traditionally, representation of our people was done by families, and in turn, villages; in other words, decisions were made by Elders and family leaders, representing the villages. In the past, we appointed resource specialists as chiefs specializing in different resources such as hunting, fishing and gathering. Eventually, Chief and Councils were formed throughout what is now Canada, included our community and we now rely on this body to make community decisions. However, traditions persist and, for example, we include a representative from Switsemalph (*Sxwetsméllp*) within our Chief and Council.

- v) *Buckshee Leases:* Buckshee leases are leases between an ALIB member who holds a Certificate of Possession, and an individual or a company, not formally approved or registered within the AANDC registry system. Buckshee leases are common for campgrounds, cottages and sometimes homes. While the practice comes from traditional practices, it is not approved by Chief and Council, nor the Lands Department.
- vi) *Elder Views:* Elders have traditionally been involved in decision making within our community, including family and village decisions. Today, our Elders embody the wisdom of countless generations, including traditional use and all aspects related to our lands. When ancestral and cultural remains are found, on our land, for example, Elder advice is sought. This also means that land use and land allotment decisions can at times include our Elders.
- vii) *Collective Ownership:* Traditionally, our lands, like our resources, were managed, allotted and used according to family and village priorities. The priorities were determined by our family leaders and Elders. Today, decisions related to community held lands are made by Chief and Council, with Elder advice as required.

While we have had several traditional practices persisting since time immemorial, many of which are directly related to lands, land allotments and lands governance in general, not all are accepted today. To provide assurances to lease holders, for example, we no longer recognize “buckshee leases”. Similarly, we no longer have traditional allotments on our reserve lands. At the same time, some traditional practices continue. We still consider the advice of our Elders within certain lands-related decisions, for example. And we still view certain lands within our Traditional Territory as Traditional Holdings. Throughout our Economic Development Policy, therefore, we include consideration for some of our traditional ways.

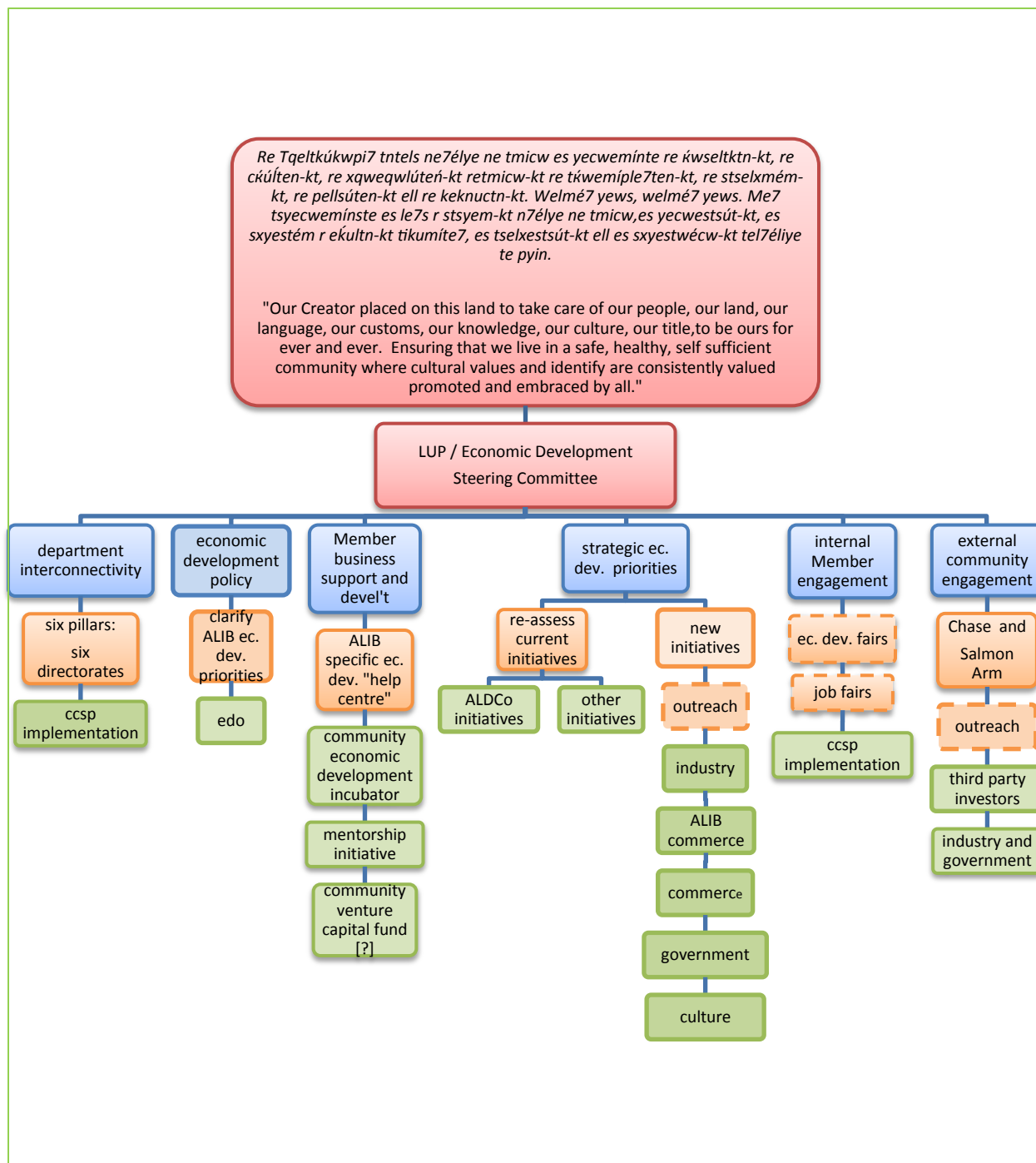
## **1. Introduction: The ALIB Economic Development Policy**

This policy brings together the vision, aspirations and ideas of the ALIB community Members, committee Members and Chief and Council, as related to economic development on ALIB reserve lands. The policy considers the ALIB community’s multifaceted “five year economic development strategy” which

outlines a roadmap that is designed to move ahead on several fronts, including a set of strategic activities that operate in concert to lead the community, through its administrative organization, towards five years of activities, restructuring, and change (figure 1). Economic development may in ALIB's case be focused on "land development" as much as on "business development", at least in the medium term. Within this strategy, ALIB (or a CP holder) would make land available to develop, or to attract business investment, and then collect revenues from the same land. This would provide a stable revenue stream for the community (and CP holder) all-the-while reducing risk. It is important to note that the ALIB economic development policy does not flow from the Economic Development Officer (EDO): *It flows from the community's economic development strategy, developed with the community's input.*

Our overarching economic development policy tenets include:

1. ALIB Economic Development initiatives should support ALIB Member opportunities;
2. ALIB Economic Development initiatives should support existing ALIB businesses and include ALIB Members;
3. ALIB Economic Development initiatives should foster internal 'ideas' competitiveness and ALIB Member 'originality';
4. ALIB Economic Development initiatives should develop an environment for innovation and entrepreneurs within the community and the wider region;
5. ALIB Economic Development initiatives should aim at being among the leaders in indigenous community economic development;
6. ALIB Economic Development initiatives should optimize how indigenous communities, policies, and investments can work to successfully reach economic goals;
7. ALIB Economic Development initiatives should aim at acquiring a reputation as a top regional location for testing new indigenous (or other) business ideas; and,



**Figure 1 - ALIB Economic Development Strategy - Roadmap**



8. ALIB Economic Development initiatives should develop community branding and iconography through planning, architecture and business reputation.

## **2. Guiding Principles**

1. Paramountcy of the ALIB *LUP*, including Phases I, II and II, the recourse to *kwétsens* – our land use definitions, and the recourse to development and variance procedures associated with the *LUP*;
2. Paramountcy of the ALIB Heritage Policy, including the preservation of heritage sites and cultural practices;
3. Paramountcy of all Federal applicable laws, including Surveyor General of Canada Surveys and Land Descriptions;
4. Economic Development activities based on social, cultural and economic sustainability;
5. Economic Development activities based on clear and measurable ‘benefits to the ALIB community’;
6. Economic Development based on fairness and equitable opportunities;
7. Economic Development based on good governance, including principles of accountability and transparency;
8. Economic Development that strives to separate politics from economic development management;
9. Economic Development that ensures that clear, logical business plans for each business endeavor is in place;
10. Economic Development that includes professional and accountable project and financial management, whether this management is from within the ALIB administrative organization, or outside the organization.

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### **3. ALIB Economic Development Focal Points**

While the ALIB (ALDCo) Economic Development focus areas have included three key sectors (Alternative Energy, Agriculture, West Harbor Village), other sectors or opportunities will be considered, depending on proposed economic development opportunities and proposals, and depending on what the ALIB community selected in the LUP Phase I, among other factors.

### **Conclusion: Land Use and Economic Development Preferences**

The ALIB reserve lands are diverse and include rich resources, natural beauty, access to key transportation, and access to services. And as highlighted earlier, each reserve is different in terms of land uses and combinations of the latter four elements. They are, however, a part of a rich cultural landscape, complete with a multitude of Traditional Use Sites. Community feedback has, not surprisingly, brought a variety of suggestions for land uses, community improvements, and economic development strategies. Primary land use preferences include member housing, mixed commercial, agricultural, selective logging, market housing, and small-scale commercial. Zone definitions of these uses are provided in the following section. Not all of the recommendations are land use specific; many are linked to land management. Each of the above reserve summaries was followed by a short set of recommendations and these are summarized together in the chart that follows.

It is not reasonable to expect that all of the community suggestions and report recommendations be implemented in the short term. On the one hand, the challenges that have already been underscored are augmented by economic factors. On the other hand, the community can only undertake land related development activities that it is ready to begin. Other strategies could be adopted, including the targeting of selective development activities (potentially at very small scales) and gradually expanding as economic climate and community needs increase.

## **5. Fees and Development Cost Charges (DCCs)**

Any fees, if any, will be assessed and based on principles of fairness, use or any arrangement made between the ALIB and individuals members, as guided by the Development Application Process.

## **6. Roles (as applicable to this policy)**

### *6.1 Roles of the Lands and Economic Development Steering Committee*

In terms of this policy, the “Lands and Economic Development Steering Committee” (LEDS) ideally is the same committee as the present LUP Committee. The LEDS Committee meets monthly to assess significant variance proposals and economic development applications. The same committee makes recommendations to the Lands Manager and the Economic Development Officer who in turn include the recommendations in their briefings to Chief and Council.

### *6.2 Roles of the Lands Manager*

In terms of this policy, the Lands Manager (LM) should promote the above tenets and policy principles and work with the ALIB community as a whole, including individual community members. The same person should serve as a gateway into the ALIB community and its economic development strategy, acting as one of the primary contacts representing the community. The LM should work closely and in tandem with the Economic Development Officer to avoid discrepancies between economic development activities under consideration and the community’s LUP. At the same time, the LM should identify any discrepancies or inconsistencies between proposed economic development activities (at all scales), that do not conform with the ALIB LUP, providing recommendations and advice to ALDCo and Chief and Council.

The LM should also be mandated to provide basic Member assistance and guidance related to land use and land-based economic development activities they may be pondering. Members should be able to approach the LM for advice, for example, on drafting economic development applications or related variance applications.

### *6.3 Roles of the Economic Development Officer*

In terms of this policy, the Economic Development Officer (EDO) should be a trained professional in the area of economic development. The EDO should report to the Band Manager (functionally) and to the Steering Committee (operationally). The EDO should promote the above policy principles and work with the ALIB community as a whole, including individual community members. The EDO should work closely and in tandem with the Lands Manager to avoid discrepancies between economic development activities under consideration and the community's LUP. The same person should serve as a gateway into the community and its economic development strategy, acting as one of the primary contacts representing the community. At the same time, the EDO should research, identify and pursue plausible and realistic opportunities, act as the main contact for industry, commerce and other interested third parties as related to economic development initiatives, provide recommendations and advice to ALDCo and Chief and Council, and develop profiles of desired economic development possibilities.

The EDO should also be mandated to provide basic Member assistance and guidance related to economic development activities they may be pondering. Members should be able to approach the EDO for advice, for example, on drafting business proposals and assessing business opportunities. The EDO should also be active in identifying and assisting in securing funding for economic development initiatives and related hard and soft infrastructural investments.

### *6.4 Roles of Chief and Council in Economic Development*

In terms of this policy, Chief and Council (Council) are elected to make decisions on behalf of the community, at times directly, and in other instances through community votes or referenda. Council represents and promotes the ALIB community as a whole, while serving as a gateway (political or otherwise) for third parties, including other levels of government, into the ALIB community and its economic development strategy.<sup>10</sup> Council, in conjunction with the ALDCo Board of Directors (see below), makes economic development decisions based on the advice and recommendations of the Lands Manager and the Economic Development Officer who together assess economic development applications.

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<sup>10</sup> Research shows that FN businesses stand a chance of having more success when they are different and separate entities from Chief and Council. See Harvard Project quotes in ALIB LUP Phase III.

### *6.5 Roles of ALDCo*

In terms of this policy, ALDCo is the economic development entity (corporation) that undertakes economic development activities on behalf of the ALIB community. Chief and Council act as a Board of Directors for ALDCo. Ideally, the ALDCo Board makes economic development recommendations to Council, based on the advice of the Lands Manager and the Economic Development Officer who together assess economic development opportunities and proposals.

### *6.6 Roles of ALIB Members in Economic Development*

In terms of this policy, the ALIB Members expect to be well briefed on economic development matters. The role of ALIB Members is to keep informed through attending regular meetings and provide input, comments and critical assessments to the Lands and Economic Steering Committee members.

### *6.7 Roles of CP Holders*

In terms of this policy, the ALIB CP Holders maintain their holdings and a great deal of decision making over the lands they hold. The primary role of CP Holders, in terms of economic development, is to ensure that ALIB LUP criteria are adhered to. This includes LUP lands definitions and permitted and / or excluded uses, as well as adherence to the development application process.



## 10. DRAFT ECONOMIC DEVELOPMENT APPLICATION PROCEDURES

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### General

The purpose of this policy and procedures section is to set out the guiding principles, policies and administrative procedures that apply to *Development* on *Cstélnec* reserve lands. *Development* is linked to land use planning as well as *Building and Construction* activities.

Once the *Cstélnec LUP* is enacted by Chief and Council, it will be necessary to apply for a 'variance' when a proposed land use is different than what the *LUP* provides. New *Developments* can provoke a need for different land uses; a *Development Permit* application can therefore at times require a *LUP variance* application. *Development Permits* are needed to make sure that development within *Cstélnec* lands meet with standards set out in the *Building Code* and our *LUP*, as well as fire and structural safety standards and other building standards.

Throughout the land related policies and procedures and the *Development* policies and procedures, the *Heritage and Archaeology* policies and procedures prevail.

### Guiding Principles

- i) Paramourncy of Cstélnec LUP.
- ii) Paramourncy of ALIB Economic Development Policy.

- iii) Building and construction that form part of *Development*, to be based on “Green” design principles, including LEED® Canada guidelines.
- iv) Building and construction that form part of *Development*, to be based on energy conservation design principles.
- v) Building and construction that form part of *Development*, to be within all applicable regulations, *Codes*, standards and laws.
- vi) Authority of *Building Inspectors*, and recourse to *Professionals*.
- vii) Recourse to *Dispute Resolution*.
- viii) Recourse to the ALIB ‘Community Emergency Response Plan’.

#### **Development Application Principles**

- i) *Development* approvals follow LUP tenets and / or *LUP Variances*.
- ii) *Development* approvals based on professional planning and design principles.
- iii) *Development* approvals based on environmental protection and conservation.
- iv) No *Development* is permitted on any *Cstélnec* land, unless the appropriate *Development Permit* is issued.
- v) No *Development* is permitted on *Cstélnec* land unless the *Building Inspector* has unfettered access to inspecting the *Work*.
- vi) *Development* on *Cstélnec* land shall be treated as *Work* activity, requiring the same level of permitting and inspections, in addition to satisfying all applicable standards, *Codes* and laws.
- vii) Installation of Mobile Homes and Manufactured Homes shall be treated as any *Work* activity, requiring the same level of permitting and inspection, in addition to satisfying all applicable standards, *Codes* and laws.

- viii) Infrastructure construction shall be treated as any *Work* activity, requiring a *Development Permit*.
- ix) Prior to excavations of any type, a pre-excavation ceremony may be held, as determined by the *Heritage Designate* and / or *Cstélnec Elders*.
- x) Licensed *Professionals* will carry out the design and subsequent certification of all *Development*.
- xi) *Building Inspectors* operating on behalf of the community will have full authority to issue directives, including *Stop Work Orders* on any *Work*.
- xii) No *Work* will be permitted without the appropriate *Fees* being paid.
- xiii) These policies and procedures apply to both *Cstélnec* community held land and *Cstélnec Member* held land, with Chief and Council appointing an agent (such as the *Lands Manager*) to act on its behalf, in the case of *Cstélnec* community held land.
- xiv) Green principles, including LEED® Canada guidelines, and energy efficiency and conservation will take precedence in any land management activity.

## **Draft Procedures**

### **1      *Development Permit Application* (chart # 1)**

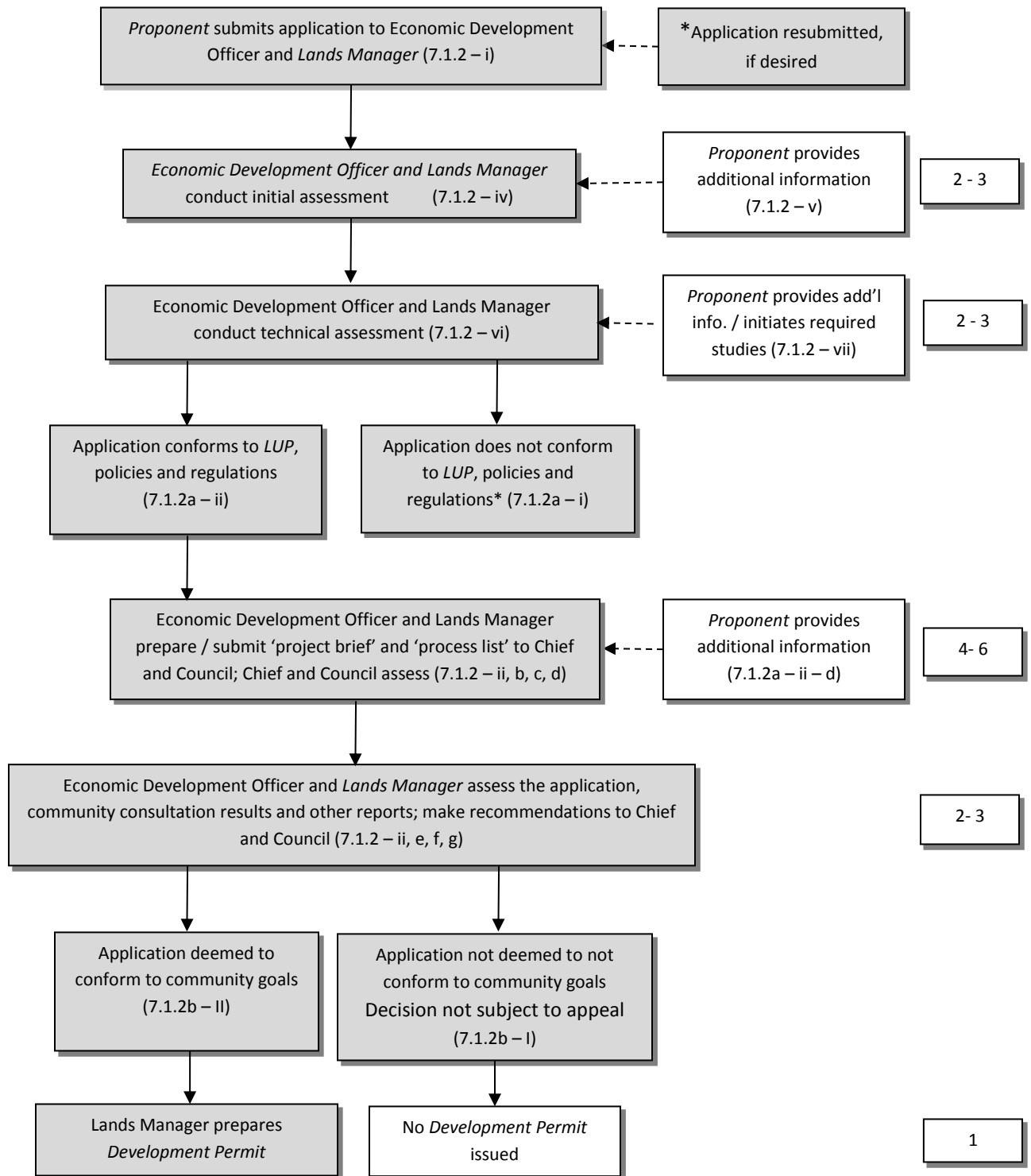
#### **1.1    *General***

- i) A *Proponent* (or *Agent* operating for the *Cstélnec*, in the case of *Cstélnec* land), may apply for a *Development Permit*.
- ii) A *LUP Variance* application may be required as part of a *Development Permit* application and / or a *Building and Construction Permit* application.
- iii) Any *Development Permit* application must include an assessment of any changes to the *LUP*, including any changes to setbacks, dimensions and other regulations within the *LUP* and its *kwéstens* section.



**Chart #1 - Cstélnec Development Permit Application Process<sup>11</sup>**

approximate  
weeks



<sup>11</sup> Diagram is for illustrative purposes only. The steps as outlined in the text prevail.

## Procedures

- i) The *Proponent* submits the appropriate *Development Permit* application package, one copy to the *Economic Development Officer* and one copy to the *Lands Manager*
- ii) The *Development Permit* application must include the following:
  - a) Three (3) copies of the relevant parcel plan or survey plan, clearly outlining legal information, set-backs, any proposed variances (if applicable), and neighboring parcels.

Written authority for the *Proponent* to act on behalf of the registered owner(s), if applicable
  - b) A written brief including the description of the present and intended use of the site.
  - c) Three (3) copies of the relevant plans, at least at a conceptual level that enables a clear assessment of the architectural elements of the project.
  - d) A model of the related project, if requested by the *Economic Development Officer* or the *Lands Manager*.
  - e) A plan for any necessary studies or assessments required by applicable regulations, *Codes* or laws related to the project.
  - f) An assessment of prior uses and impacts, such as fill, drainage, and any other impacts the *Work* may have on its surroundings.
  - g) The application *Fee*.
  - h) Any additional material or information required by the *Economic Development Officer* or the *Lands Manager*.
- iii) The *Proponent* pays the required *Fees*.
- iv) The *Economic Development Officer and Lands Manager* assess the application package for completeness.
- v) The *Economic Development Officer or Lands Manager* issues a request for additional information from the *Proponent*, if required.

- vi) The *Economic Development Officer* and *Lands Manager* assess the magnitude of the *Development* project:
  - a) The *Economic Development Officer* and *Lands Manager* assess the application for conformity with existing policies and regulations.
  - b) The *Economic Development Officer* and *Lands Manager*, with the assistance of the *Building Inspector* and other *Professionals* if required, preliminarily assesses the application for conformity with applicable laws and *Codes*.
  - c) The *Lands Manager*, with the assistance of *Professionals* if required, assesses any environmental impacts, including, among other impacts, landscape alterations and drainage.
- vii) The *Lands Manager*, with the input of the *Economic Development Officer*, instructs the *Proponent* of any additional requirements such as:<sup>12</sup>
  - a) Heritage and Archaeology assessment requirements.
  - b) Impact assessments on surrounding lands, including, for example, changes in traffic flow.
  - c) A report on Benefits to the Community, with the instructions from the *Economic Development Officer* and the *Lands Manager*.
  - d) Environmental impacts, and,
  - e) Community consultation requirements, with the instructions from the *Economic Development Officer* and the *Lands Manager*.
- vii) The *Proponent*, upon authority to proceed, initiates, develops and undertakes any assessments, studies or estimates that may be required.

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<sup>12</sup> Note that at this stage, input and approvals may be required from Aboriginal Affairs and Northern Development Canada (AANDC), Public Works Canada, Canadian Wildlife Federation (for Species at Risk Act), Health Canada, and Parks Canada (Archaeology), among other jurisdictional bodies. *Proponents* should contact AANDC for a current list of codes, standards, legislation and guidelines for guidance.

**1.2 – a            *Development Permit* application is deemed to not conform to the *LUP* and / or other laws or *Codes*:**

- i) The *Economic Development Officer* issues an application assessment to the *Proponent*, specifying the reasons for the application refusal.
- ii) The *Proponent* may make changes to the application and may resubmit the application package to the *Economic Development Officer* and the *Lands Manager*.
- iii) A fee may be levied for the application re-submission, depending on the changes made to the application.

**1.2 – b            *Development Permit* application is deemed to be conform to the *LUP* and other laws or *Codes*:**

- i) The *Economic Development Officer* and *Lands Manager* notify Chief and Council of the intent to allow the application to enter into its next phase and provides Chief and Council with a project brief and a process list of any community consultation and other assessments that are required as part of the *Development Permit* application process.
  - a) The project brief contains the Land Department's assessment of the proposed *Development* in terms of its fit within the overall policies and procedures, its effects upon the community, its impacts in terms of infrastructure capacity, and other relevant information that Chief and Council should be made aware of.
  - b) The process list contains any requirements that the *Economic Development Officer* and *Lands Manager* have established for the *Proponent* to fulfill as part of the application, including, for example, a community consultation process.
- ii) Chief and Council review the project brief and process list and provide comments to the *Economic Development Officer*.
- iii) The *Economic Development Officer* and *Lands Manager* coordinate with the *Proponent* as the latter fulfills the requirements.

- iv) The *Proponent* provides a report on any assessments or studies that may be required under any applicable laws.
- v) The *Economic Development Officer* and the *Lands Manager* assess the reports.
- vi) The *Economic Development Officer* and *Lands Manager* assess any community consultation process and results.
- vii) The *Economic Development Officer* and *Lands Manager* provide a detailed project brief to Chief and Council, summarizing the results of studies and community consultation, making a recommendation on whether or not to proceed with the issuing of a *Development Permit*.

**1.2 – b-i      *Development Permit* application is deemed to not be of Benefit to the Community:**

- i) The *Economic Development Officer* and *Lands Manager* issue an application assessment to the *Proponent*, specifying the reasons for the application refusal.
- ii) The *Proponent* may make changes to the application and may resubmit the application package to the *Economic Development Officer* and *Lands Manager*.
- iii) A fee may be leveled for the application re-submission, depending on the changes made to the application.

**1.2-b-ii      *Development Permit* application is deemed to be of Benefit to the Community:**

- i) The *Economic Development Officer* and *Lands Manager* make a recommendation to Chief and Council to issue a *Development Permit*.
  - i) Chief and Council review the permit and authorize the *Economic Development Officer* to proceed.
  - ii) The *Development Permit* is issued.

- 1.3 Permit Variance Applications** (to be utilized when a *Development Permit* has been issued, and a change is required to the approved *Work*)
- i) The *Proponent* submits the appropriate *Development Permit Variance* application package to the *Lands Manager*.
  - ii) The *Development Permit Variance* application must include the following:
    - a) Three (3) copies of the relevant site plan, clearly outlining legal information, set-backs, access for construction purposes, access after project completion, outer perimeter of all buildings encompassing the *Work*, parking areas during construction and construction related traffic route,
    - b) Three (3) copies of the construction drawings, clearly outlining the “variance” or change in the *Work*.
    - c) A written brief including the description of the present and intended variance to the *Work*.
    - d) The application Fee.
    - e) Any additional material or information required by the *Lands Manager* and / or the *Building Inspector*.
  - iii) The *Proponent* pays the required Fees.
  - iv) The *Lands Manager* assesses the application package for completeness.
  - v) The *Lands Manager* issues a request for additional information from the *Proponent*, if required.
  - vi) The *Lands Manager* assesses the magnitude of the variance *Work*:
    - a) The *Lands Manager* assesses the application for conformity with the *LUP*.
    - b) The *Lands Manager*, with the *Building Inspector* and other *Professionals* as required, assesses the application for conformity with other applicable laws and Codes.

- c) The *Lands Manager*, with any required *Professional*, if required, assesses any environmental impacts, including landscape alterations and drainage impacts.

**1.3-a**            ***variance Work is deemed to not conform to the LUP or other applicable laws and Codes:***

- i) The *Lands Manager* issues an assessment to the *Proponent*, specifying the reasons for the variance application refusal.
- ii) The *Proponent* makes changes to the application and resubmits the *Development Permit variance* application package to the *Lands Manager*.
- iii) The *Lands Manager* may levee a fee for the application re-submission, depending on the changes made to the design.

**1.3-b**            ***Variance Work is deemed to conform to the LUP, and if the new Work is acceptable to the Lands Manager and Building Inspector:***

- i) The *Lands Manager* issues a *Development Variance Permit*.

**1.4 Requirements applicable to all Work**

- i) In addition to other applicable Codes and laws, other requirements apply to all *Work* undertaken on Cstélnec lands, including:
  - a) **Landscape Drainage:** All sites must be graded in such a way that the *Work* is protected from surface water.
  - b) **Roof Drainage:** Depending on site conditions, and depending on inspection by the *Building Inspector*, the *Building Inspector* may order that perimeter drains, rainwater leaders, gutters and down spouts, or other drainage features be installed, in addition to that specified in the *Work* design.
  - c) **Site Grading:** Depending on site conditions, and depending on inspection by the *Building Inspector*, the *Building Inspector* may order that landscaping slopes be

angled in specific ways so that water runoff is controlled and not directed at neighboring parcels.

- d) **Flood Control:** Any area to be occupied for habitation purposes must be “above” flood levels, depending on the location of Cstélnec lands. When within 30 cms of the same flood level, the *Lands Manager* and the *Building Inspector* must be satisfied by the flood prevention design features. Design for all *Work* must take into account the overflow levels of the drainage systems servicing the *Work*. All responsibility for flood or water action rest with the *Proponent*, whatever the cause.
- d) **Retaining Walls:** In sloped areas, retaining walls must be designed by a Qualified Environmental Professional and Registered Professional Engineer.
- e) **Parking:** Parking, laneways, driveways and any areas destined for use by vehicles, including the storage of vehicles, must conform to, in addition to this policy and applicable Codes and laws, the *LUP*.
- f) **Traffic related features, including trails:** Curbs and such features must be installed and anchored in such a way that they are not easily displaced; traffic features damaged during the course of the *Work*, or as a result of the *Work*, must be repaired, as directed by the *Building Inspector*.
- g) **Cstélnec and Adjacent property:** All Cstélnec property and adjacent property must be protected from damage. The ALIB must be saved harmless from any damage or costs to repair damages.
- h) **Screening:** Storage, installed mechanical equipment, including equipment installed on roofs, must be screened; the screening must be clearly outlined on the working drawings.
- i) **Site Maintenance:** Construction debris, general waste, dust and other loose discarded material must be kept in appropriate bins and areas within the *Work* site. Dust must be effectively controlled. At any point, the *Building Inspector* may issue and order that such debris, waste, dust



or material be cleaned, cleared, stored or disposed of. Costs for any such work, if there are delays in carrying out the order, the *Building Inspector* may have the work done, with costs borne by the Proponent.

- j) **Workmanship:** Work and Workmanship must adhere to laws, Codes, regulations and standards, all using good practices and rules of trades and professional.
- k) **Erosion:** All efforts must be made to prevent erosion when building near water courses. Design for all *Work* must take into account the effects of the *Work* on erosion of soil.



## 11. TOOLS

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### Introduction

Analyzing business plans and economic development proposals should always be undertaken to see whether a proposed business is a good investment or lending risk, or even whether to pursue the business at all. Investors such as the ALIB or any third party need to know how much risk the business represents, financially and operationally, and what are likely to be the benefits to the community itself over long and short terms. As well, lenders need to ensure that the business has sound financial planning, is viable and has a stable income. By reviewing a business plan in detail, the ALIB administrative body will probably find that the analysis will enable a more objective view of the pondered venture.

Business plans and proposals should describe the business in detail. The finances, history, competition and potential customers should be described, determined and assessed in a realistic way. The business plan should leave few questions for the reader, while persuading the same reader that a specific market need will be addressed with the product, including exactly how the product will address the need. The competition should also be addressed within the business plan or economic development proposal. The business plan and economic development proposal that is most suitable to the ALIB will also detail how the community will be able to recover its monies and investments as the venture moves in time.

Any proposal made to ALIB Chief and Council or to the community, however ambitious, must have realistic expectations and adequate resources necessary to meet the goals of the venture. A business plan or economic development proposal must address all of the community's concerns, be they economic, social, environmental or cultural, and short / long term.

What follows are very basic tools for assessing proposals; these are meant as starting points for the assessment processes and should be modified to suit the community's needs.

11.1 *Preliminary Opportunities Assessment*  
(Does the ALIB want to get involved?)

Criteria	yes	no	comment
Does the business reflect ALIB priorities and ALIB Ec. Dev. objectives?			
Is the risk low?			
Are there long term gains?			
Is it economically sustainable?			
Are the leakages out of reserve lands low?			
Are there joint venture advantages (gradual shares of ownership, for example)?			
Are there ALIB Member employment opportunities?			
Has community input been considered?			
Is the proposed business on or off reserve lands?			
Will there be a “low” carbon footprint?			
Are “green design principles” being considered?			
Will the proposed business bring new or upgraded community amenities?			
Is the proposed business unique; does it reflect ALIB branding or a positive image?			
Have Elders and youth been considered in the proposal?			

### 11.2 *Lands Acquisition Assessment*

(Done by Chief and Council on Behalf of the Community)

<b>Criteria</b>	low	medium	high	comment
Social / ALIB Community need				
- housing				
- school				
- cemetery				
- recreational				
- protection				
Location (adjacent lands)				
Economic Development				
Environmental Concerns				
Location (reserve lands?)				
Opportunity				
Cost				

*11.3 Preliminary Screening Process for Development Applications*  
(When the applicant first approaches the Lands Manager or EDO)

<b>Criteria</b>	yes	no	comment
Does the applicant have expertise in the type of business?			
Has the applicant respected the ALIB development application process?			
Does the applicant have a formal business plan?			
Has the applicant made inquiries regarding “Benefits to the Community?”			
Does the applicant have financing in place?			
Has the applicant arranged for preliminary servicing negotiations?			
Does the business concept “fit” within the ALIB priorities and Ec. Dev. Objectives?			
Is there clear ALIB Member involvement?			
Are the risks to ALIB low?			
Are there clear gains to be had by ALIB?			
Is there community input being planned for by the applicant?			
Will the business reflect a low carbon footprint?			
Will any necessary construction include “green design principles”?			

#### 11.4 Analysis of Proposals – First Tier

(This analysis is done by the Lands Manager and the EDO, with Applicant)

Criteria	yes	no	comment
Is the Economic Development application complete?			
Is the parcel / survey plan included, complete with all relevant information?			
Is there a letter from the Proponent to act on behalf of the registered owner(s)?			
Is there a brief that includes the present and intended use of the site?			
Does the package include three (3) copies of the relevant plans, at a preliminary stage at a minimum?			
If this is a significant project, is there a model of the project?			
Is there a clear plan for any necessary studies to take place (environmental or otherwise)?			
Is there an assessment of prior uses and impacts on the land, such as fill, drainage and so on?			
Has the application fee been submitted?			
Has any other material or information requested by the Lands Manager or the EDO been submitted?			

### 11.5 Analysis of Proposals – Second Tier

(This analysis is done by the Lands Manager and the EDO, with specialists as required)

<b>Criteria</b>	yes	no	comment
Does the proposed economic development activity conform to ALIB policies and regulations?			
Does the proposed economic development activity conform to federal (and other) regulations and codes?			
Does the application address environmental impacts, including, among others, drainage, fill and landscape alterations?			
Does the application address Heritage and Archaeology assessments?			
Does the application address assessments of surrounding lands, including, for example, traffic flow?			
Does the application includes a clear “Benefits to the Community” brief?			
Does the application address ALIB community input?			

11.6 Analysis of “Benefits to the Community”  
(Done by Chief and Council on Behalf of the Community)

Criteria	yes	no	comment
Does the proposed economic development activity bring tangible “Benefits to the Community”?			
What is noted as “Benefits to the Community” by the applicant? <b>For example:</b>			
- ALIB Business Equity?			
- ALIB partnership potential?			
- ALIB Member employment?			
- New or upgraded infrastructure?			
- New or upgraded community facilities / amenities?			
- ALIB Member training?			
- Opportunities for sole-sourcing?			
- Direct monies?			
- Benefits to ALIB individuals?			
- Other benefits to ALIB community?			
- Other benefits to the community?			



### 11.7 Feasibility Study Commissioning

(To be done by third party expertise – not by proponent or applicant)

Criteria	yes	no	comment
Does the proposed economic development project require further studies?			
- Applicant assessment (financial)?			
- Prior business checks?			
- Business Plan review?			
- Capital Plan review?			
- Project Feasibility Assessment (depending on venture)?			
- Regional feasibility assessment?			
- Other assessments?			

11.8 *Competitive Analysis for ALIB Involvement (matrix example)*  
 (To be done by third party expertise – not by proponent or applicant)

Criteria	ALIB	Strength	Weakness	Competitor # 1	Competitor # 2
Product					
Pricing					
Indigenous (image)					
Quality					
Service					
Expertise					
Reputation					
Location					
Appearance					
Selection – if applicable					
Credit					
Sales method – if applicable					
Does the proposal include an exit strategy for the partners, including ALIB?					

### 11.9 *Business plan analysis*

(To be done by third party expertise – not by proponent or applicant)

Any Business Plan Analysis should be undertaken by an expert in the economic development field within which the proposal fits in. The analysis that will ultimately be utilized by Chief and Council, the Lands Manager and the Economic Development Officer, all on behalf of the ALIB community should be done separately from the proponent's analysis. The critical analysis should include, at a minimum, sections and assessments on:

- Regional Analysis;
- Projections and key concerns in the profit / loss of the venture;
- Historical comparisons with comparable ventures;
- Analysis of the proponent's sales, sale volume and price assumptions;
- Analysis of true regional needs;
- Commentary on any of the applicant's business practices, past and / or present;
- Analysis of the proponent's cost of production or manufacturing, and administrative overheads, including any margins and overheads;
- SWOT (Strength, Weaknesses, Opportunities, Threats) analysis;
- Discussion of general market assumptions;
- Determining the "realistic" element of the proposal.



## **12. CONCLUSION: NEXT STEPS & INCORPORATING the POLICY with the CCSP**

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The drafting of an Economic Development Policy and related development procedures and assessment tools has been a process involving the ALIB LUP drafting committee, including Chief and Council. It has also evolved through modeling other communities' processes, particularly as related to economic development; the processes developed by communities such as the Tzeachten First Nation, Westbank First Nation and the Tsawwassen First Nation, were sometimes used as points of departure.<sup>13</sup> This is the final report, in a series of Preliminary Reports that have lead to this draft Economic Development Policy, developer procedures, and draft tools for evaluating economic development proposals submitted to the community. An implementation strategy for the LUP to be integrated within the ALIB Comprehensive Community Strategic Plan (CCSP) and a set of broad maps also form part of the work within this project; they form part of a supplemental report.

The development of these management tools has been cumulative in that as more information was gathered and refined, further report contents were increased, forming this Final Report with the set of policy / procedures.

There is no doubt that supplementing an Economic Development Policy and its related tools to existing ALIB policies represents "good governance" and "good management". With the latter, the use of knowledgeable expertise, whether within the ranks of ALIB staff or through outside advisors, will be important. Similarly, appropriate capitalization must be put in place to adequately buttress any new economic development initiative; policy will not be enough. Finally, as the community assesses business opportunities, it will have to consider, on a case

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<sup>13</sup> Some of the policy components and development application procedures may emerge as draft by-laws. Before formal adoption, ALIB legal counsel should be provided with the opportunity to verify any legal implications and liabilities to the ALIB.

by case basis, whatever competitive advantage it might have, including location, access, resource, natural amenities and so on.

The next steps will include:

1. The refining of prime development areas for the community;
2. Working directly with CP holders on land development to achieve a cohesive development strategy; and,
3. Developing / updating specific project and action plans.