

Winnipeg's First Urban Reserve & Long Plain First Nation's Economic Development

Charlotte Bezamat-Mantes

INSTITUT FRANÇAIS DE GÉOPOLITIQUE — UNIVERSITÉ PARIS 8
SAINT-DENIS, FRANCE

On May 23, 2013, the federal government granted reserve status to a land owned by the Treaty One Long Plain First Nation in Winnipeg. Located along Madison Street near Polo Park, a large shopping centre, it is the first reserve within city limits in Manitoba. Reserves, usually located in rural areas, provide few opportunities for economic development for bands that generally depend heavily on federal subsidies. As noted by Dennis Meeches (2014a), Long Plain First Nation's Chief, Treaty Land Entitlements (TLE) are unprecedented opportunities for bands' urban economic development: "Now, after all these years, it's kind of a blessing that the government was crooked back at the early part of the century. Because now we can expand into the cities. If they would have given us all our land back in 1871, we'd have no Treaty Land Entitlement, we'd never be in the cities" (Meeches, 2014a).

Under the Addition To Reserve Policy (ATRP) conversion process, urban reserves provide a second chance to bands wishing to make their economies more dynamic, to create jobs and to develop their own revenue sources. Madison urban reserve is thus part of a territorial and economic expansion strategy intended to provide the band with revenues independent from the federal government while allowing it to control the direction of its economic and social development. In the long run, the urban reserve might give the band the means to increase its governmental autonomy and reinforce its sovereignty. Since it increases the bands' territorial jurisdiction at the expense of the federal, provincial and municipal governments, it is also the source of a power struggle between them.

The federal government also witnesses the loss of political economic pressure tools as the urban reserve provides the band with its own revenues. The creation of urban reserves is thus a trigger of conflict in two ways: on the one hand, it increases the autonomy of the TLE bands which is not necessarily desired by all; on the other hand, it represents an opportunity for TLE bands to increase their territory placed under Indigenous jurisdiction more or less where they wish while no longer having to submit to federal government's choices as has

The work in this article is part of Charlotte Bezamat-Mantes's masters thesis in Geopolitics. Correspondence concerning this article should be addressed to Charlotte Bezamat-Mantes: cbezamatmantes@gmail.com

been the case since the signing of treaties. The following three themes highlight the economic and political stakes arising from urban reserves. First, it shows how the ATRP, though a complex and lengthy process, allowed Long Plain to break away from rural isolation and gain a new direction for its economic development. Second, it demonstrates that the conversion to reserve of the parcel in Winnipeg takes place within a larger strategy implemented by the band and how it participates in achieving the latter's goals. Finally, this article addresses the obstacles left to face for the success of this strategy.

A fee simple land conversion to reserve can only occur through the Additions to Reserve Policy (AADNC, 2014). It involves four levels of government: federal, provincial, municipal and that of the band. The documents required for the process have to go back and forth between levels of government, which significantly lengthens proceedings. The band must understand that administrative procedures are dealt with by provincial and federal levels and as such, it can hardly have any influence on them. The key part for a parcel conversion to reserve in a city is then the relationship between the band and the municipal government in order to get complete a Municipal Services Agreement (MSA). Its purpose is to address issues such as the provision of municipal services, tax-loss compensation and bylaw application and enforcement. Originally a mere administrative tool aimed at preparing a working relationship with the municipal government, the MSA turned into a means of pressure in the hands of the City council that forced the Long Plain band to adapt to the demands of the city of Winnipeg and that considerably lengthened the process. Manitoba only has 6 urban reserves and five of those are located outside city limits (AADNC, 2014). It means Manitoban municipalities are not necessarily informed of the conversion process or the federal government's legal obligations under TLEs.

Between 2006 and 2009, under Chief Dennis Meeches, the Madison property was to serve as a location for the Assembly of Manitoba Chiefs' Governance House (Daniels, 2014; Paul, 2014). AMC would have rented the parcel and built a ten-storey building there. After the election of David Meeches as Chief in 2009, this project was given up without any progress in the conversion process. Factors mentioned during interviews to explain the failure of that project were: the change in the band leadership, meaning the internal politics of the First Nation; the lack of communication and cooperation between City council and the band; St. James residents' negative representations towards the creation of an urban reserve in their neighbourhood; the councillors' fears about having a disadvantaged reserve as they picture it in a rural area right in the middle of their city and the fact that they are to follow their constituents' will, generally informed by the negative ideas they held about Aboriginal people and reserves (Daniels, 2014; Fielding, 2014; MacKinnon, 2014; Paul, 2014).

From 2009 on, the band changed its tactics: it planned on developing economic activities on the property in order to generate its own streams of revenues. They decided to limit the new building's height to five floors. Long Plain and the City of Winnipeg signed the MSA in July 2010. Following the interview with the band's project manager, five factors facilitating the negotiations can be isolated: taking into account St. James councillor's demands; informing and consulting with the neighbourhood inhabitants regarding the economic development to come to promote good neighbourly relations; the settlement of third-party interests (particularly those of the businesses surrounding the property); fitting the project in the neighbourhood environment (a rather industrial area with low buildings and old houses); finally, granting enough human and financial resources to focus on the project in order to sign the MSA without delay and be able to proceed further with the conversion to reserve (Daniels, 2014). Negative perceptions about Aboriginals and reserves were neutral-

ized through the band's communication strategy and the use of an alternative terminology. The band hosted an open house meeting to inform the residents and answer their questions, and the parcel was designated as an 'economic development zone' thus avoiding negative connotations through the use of 'urban reserve' (Daniels, 2014; Fielding, 2014). The MSA is constraining for the band as it demands that the urban reserve planning be compatible with city planning and that Long Plain bylaws and potential land-related laws be consistent with the municipal bylaws. This can be interpreted as an encroachment on the band's sovereignty; others view it as a cost to do business that provides more benefits than inconveniences (Stevenson, 2014).

After the signing of the MSA (July 2010) and the fulfilment of other technical steps, the province issued an Order in Council transferring the rights, interests, mines and minerals and the property title to the federal government (March 2012). AADNC Minister then issued an Order in Council to recommend that the Privy Council grant reserve status (May 2013). The urban reserve development could then begin, seven years after the conversion to reserve started.

Long Plain's TLE and the conversion under the ATRP represent a significant step for the band: a rupture with the rural isolation that the home reserve suffers from and an access to an area of opportunity for economic development and job creation that seem impossible on the home reserve (Meeches, 2014a). Even though the conversion was costly, both in time and human means, it gave a Manitoban band the first reserve at the heart of a city, a location chosen because it matched its expectations and goals.

Winnipeg urban reserve is designed for economic use only and will not be a residential area. The former Manitoba Hydro building is currently partly rented to the Yellowquill College and a First Nation law firm is to move in during 2014. The band plans on building a band-owned gas station and smoke shop that would generate as much as \$2 million a year (Daniels, 2014). At the same time, the first floor is kept for businesses in which the band may have profit-sharing, creating an additional source of revenues along with the rents and the other four floors are for office space rental (Meeches, 2014b). Another project, 'TEST' (for Tax Exemption Treaty 1), consists in creating a depot so that customers can have goods delivered on the reserve and benefit from tax exemption in exchange for the payment of a percentage to the band (Meeches, 2014c). The band thus plans its economic development largely through cooperation with the private sector.

Second, Long Plain has been in the process of adopting a land code since January 2012 to enter the First Nation Land Management Regime. This would greatly increase the band's autonomy towards AADNC. Indeed under the regime bands do not have to wait for AADNC's slow approval, making it much easier for them to rent their land and set up leases. It also grants the Chief and Council the power to pass land-related laws and to plan their reserve land development more efficiently. According to Chief Meeches (2014b), the land code will only apply, at least at first, to the urban reserves. This underlines the fact that the land code is firstly aimed at facilitating economic development.

The creation and development of Long Plain urban reserve in Winnipeg has positive medium and long term consequences for the band and its members as well as for the First Nation community in Winnipeg and the city's First Nation entrepreneurs.

The main goal of the reserve is to generate revenues for the band to reinvest on the home community (Meeches, 2014b). The First Nation would then be able to fund the development of economic activities on the main reserve thus creating jobs and reducing the currently very high unemployment rate. Dennis Meeches' long term vision is to create a strong

viable economy on the home community in order to better the band members' living conditions. Investments on infrastructures could also be made. For example, building a new sewer and water plant to alleviate the current infrastructure's insufficiencies would allow the band to build new housings on the reserve thus reducing the current overcrowding. In the long run, the urban reserve development could make it more attractive to live on the main reserve than to leave for the city, while guaranteeing employment and housing conditions at least equal to those that are sought off-reserve.

The creation of Manitoba capital's first urban reserve is also an opportunity for the 28 285 registered Indians of Winnipeg (Statistics Canada, 2011): they could benefit from tax exemption on tobacco, gas and other products (businesses evoked as part of the economic development were: a medical clinic, a pharmacy, a cafeteria, a Tim Hortons (Daniels, 2014)) within the city limits, right next to Polo Park shopping centre. This is not the case today with other opportunities lying out of the city including Roseau River urban reserve in the rural municipality (RM) of Rosser or to Swan Lake's in the RM of Headingley. The office space on Madison reserve is also an opportunity for First Nations entrepreneurs and their staff as they will have the occasion to set their activities on reserve land and thus avoid paying property and income taxes and the tax on industrial and commercial profits.

The creation of the urban reserve can also have a direct effect on the band's political and economic independence. These newly created streams of revenues will enable the community to develop its own programs as it sees fit and that would match its needs and priorities in a timely manner. Since those revenues are independent from the federal government, the band will not be accountable to AADNC regarding the way the money is spent. Self-sufficiency through urban reserve-generated revenues enables the band to strengthen its economic development, to better its members' living conditions, and to exercise its inherent right to self-determination.

The economic development planned by Long Plain being largely based on a partnership with the private sector, the band has to present itself as a good financial manager with an economically viable project that can rapidly be developed to become profitable, and as a politically stable entity to reassure its economic partners.

Currently, bands are not necessarily seen as credible economic players by the private sector as they are often heavily subsidized by the federal government. This might act as a deterrent for obtaining the financing necessary for economic development. The existing representations regarding corruption within reserves' political systems might also discourage the business community from participating in the bands' economic projects.

Competition between bands for the means for economic development might also hurt economic activities of First nations as a whole. When the province allowed for the opening of two new casinos in 2000, some advocated for a collective ownership benefitting several bands. Instead, a harsh rivalry between bands led to the creation of two individual band-owned casinos benefitting only Opaskwayak Cree Nation and Brokenhead First Nation and its tribal council (Romanow, 2014). But to Dennis Meeches, urban reserves are an opportunity for Southern Manitoba First Nations to cooperate in order to make each band's economic development more efficient. He suggests that an organization be created to coordinate the future Winnipeg urban reserves (Meeches, 2014b). That organization could create a common legislation regarding taxes so that competition between bands does not lead them to reduce the level of taxation they apply on their own reserve. By working collectively on that topic, bands would not have to lower their tax level as a competitive lever. This would provide each band with the guarantee that the creation of other urban reserves will not lead to

competition but to the reinforcement of economic development. This kind of organization is still at an early stage and for some alliance on the economic level will never transcend bands' broader divisions (Courchene, 2014).

In the existing framework, the conversion to reserve is a lengthy and complex process that entails collaboration between the requesting band and the other three levels of government. A working relationship between the band and the municipality is crucial, even more so in a city setting, as the MSA is mandatory to convert a fee simple property to reserve and those two governments will be required to keep working together. Taking into account the City Council's anxieties, consulting with the neighbourhood residents and attempting to maintain a good neighbourly relation are three key factors paving the way for a harmonious relationship with the impacted municipality and the signing of the MSA without delay. That document is admittedly constraining for the band, but it is an indispensable condition for the creation of the urban reserve. The economic development of Madison urban reserve would be facilitated by the land code and the building of partnerships with the private sector. Those require that the band be a politically and economically viable and stable entity with a clear vision of its goals and the means to achieve them.

The development of on-reserve activities will be beneficial to Long Plain members as well as to registered Indians and the First Nation business community in Winnipeg. The revenues the band will get through these activities can be reinvested on the main reserve to reinvigorate its economic activity and better the community's living conditions. As well as being a key part in attaining self-sufficiency and providing the band with the financial means to choose its social and economic development, Long Plain's urban reserve in Winnipeg contributes to increasing the band's political independence from the federal government and represents the exertion of its inherent right to self-determination.

Urban reserves are currently scarce in Manitoba, but Long Plain's positive experience can be shared with other bands to speed up the creation of more of them. Urban reserves can be a tool to generate revenues and help address the many economic and social challenges First Nations face. They also represent the opportunity to avoid competition between bands and implement joint economic development between the various urban reserves or on collectively owned urban reserves. This, in the long run, would reinforce the self-sufficiency and political independence of each First Nation involved.

REFERENCES

- AADNC. (2014, March 12). *Urban Reserves in Manitoba*. Retrieved on April 21, 2014, on AADNC: <<http://www.aadnc-aandc.gc.ca/eng/1100100020463/1100100020464>>.
- Courchene, D. (2014, February 27). Personal Interview.
- Daniels, T. (2014, February 21). Personal Interview.
- Douzet, F., & Kaplan, D.H. (2012, 3/4). *Geopolitics: Geopolitics in the Anglo-American World. Hérodote* (146–147).
- Fielding, S. (2014, February 27). Personal Interview.
- MacKinnon, S.T. (2014, February 10). Personal Interview.
- Meeches, D. (2014a, February 21). Personal Interview.
- Meeches, D. (2014b, February 28). Personal Interview.
- Meeches, D. (2014c). Speech given at the Urban Reserve Conference co-organized by Long Plain First Nation and the Southern Chiefs' Organization, Winnipeg, Manitoba, February 26, 2014.
- Paul, A. (2014, February 18). Personal Interview.
- Romanow, J. (2014, February 12). Personal Interview.

- Statistics Canada*. (2011). Retrieved on May 28, 2014, on <<http://www12.statcan.gc.ca/nhs-enm/2011/dp-pd/prof/details/page.cfm?Lang=E&Geo1=CSD&Code1=4611040&Data=Count&SearchText=winnipeg&SearchType=Begins&SearchPR=01&A1=Aboriginal%20peoples&B1=All&Custom=&TABID=1>>.
- Stevenson, L. (2014, March 4). Personal Interview.