



## First Nations Approvals

When working on First Nations lands, it is imperative that First Nation authorities, Certificate of Possession holders, and other affected parties with legal interests such as easements and rights-of-way, are engaged with throughout the project.

First Nation authorities are specific to each community and may be the First Nation Council as a whole, or a person delegated to approve survey documents, such as a Lands Manager. If any survey document approvals cannot be obtained after 30 days, the Canada Lands Surveyor may contact the appropriate regional office of the Surveyor General Branch for assistance and advice with how to obtain approval. Prior to contacting the regional office, a surveyor should have made multiple attempts to obtain plan approval and to meet with a First Nation to determine if they have any concerns with the survey plan.

### Before you start:

- Engage with First Nation authorities, Certificate of Possession holders, and other affected parties with legal interests to:
  - Learn the intention of the parties creating the boundaries, and their schedule;
  - Determine what type of survey is needed, reviewing the registry requirements;
  - Identify potential problems and suggest solutions;
  - Confirm that the proposal meets with any planning or land use requirements of the First Nation;
  - Review any special considerations.
- If the client is a party other than the First Nation itself, clarify the roles and responsibilities of this engagement process with the client.
- Create a clear sketch of the proposed project including georeferenced aerial imagery. A surveyor could create their own custom sketch or utilize the Canada Lands in Google Earth tool provided by NRCAN which is available through MyCLSS. The purpose of this sketch is to help identify rights-of-way, potential encroachments and access requirements.
- Confirm access requirements and identify if there are other parties affected due to existing or proposed rights-of-way
- Provide the client with copies of a proposed sketch and confirm their understanding of the scope of work as well as a proposal that includes expected fees and timeframe for completion.
- Work with your client and the First Nation authority to obtain written approval to proceed from all affected parties. Suggested formats for written approval are signatures on the sketch, or signed contracts/letters of authorization. The First Nation authority may prefer that you provide these signatures of approval when requesting First Nation approval of the project; alternatively, the First Nation authority may choose to obtain these approvals for you.



- Work with the First Nation authority, such as the Lands Manager, to determine appropriate dates for the field survey, and obtain permission to enter the community on those dates.
- If applicable, as part of your proposal, offer to return to site to show the monumented boundaries to the First Nation authority and affected parties when the survey is complete.

### While on site:

- Ensure the First Nation authority and known affected parties are aware of your presence on site.
- Be prepared to answer questions about your survey to members who ask what the purpose of the survey is or have contact information available for the party who is authorized by your client to discuss the scope of the survey.
- Ensure that you have a copy of the approval to enter the reserve to perform the survey.
- Ensure survey vehicles and staff are easily identifiable.
- Have extra copies of the approved sketch on hand, as well as copies of the First Nation authority's approval, in case further explanations with affected parties are required.

### Throughout the project:

Inform the First Nation authority and affected parties if any changes are required and obtain written approvals of these changes.

### Before submitting final plans (to client or SGB):

- Provide the client with a copy of the preliminary plan (and report, if there is one); confirm their understanding of the boundary locations. Determine if the First Nation authority wishes to review a copy of the preliminary plan.
- Obtain written approval of the plan from client. Suggested formats for written approval are signatures directly on the plan, or signed letters of approval.
- If the survey establishes monuments on a jurisdictional boundary, follow regional requirements and obtain comments from the Provincial jurisdiction authority where applicable.
- Finalize and sign your plan (and report, if applicable) once all approvals have been obtained. If stakeholders or the client do not provide approvals in a timeline manner engage your regional SGB office for further assistance and instructions.
- Provide the First Nation authority with a copy of the **final, dated, CLS-signed plan** that is intended for submission for recording in the CLSR (and report, if applicable), together with the approvals you obtained.
- Obtain written approval from the First Nation authority of the **final, dated, CLS-signed plan** (and report, if applicable).
- Confirm that the First Nation is satisfied with the work completed and that there are no outstanding issues or questions.
- Should amendments to the plan be required, ensure the First Nation is informed and they have acknowledged the change in writing or provided a new approval of the plan.

**After Plan has been recorded in the CLSR:**

- Contact the First Nation authority to inform them that the Plan has been approved and recorded.
- Provide a digital copy of the recorded plan (and report, if applicable) to the client, First Nation authority, Certificate of Possession holders, and other affected parties applicable to the project. Provide paper copies of the plan if requested.