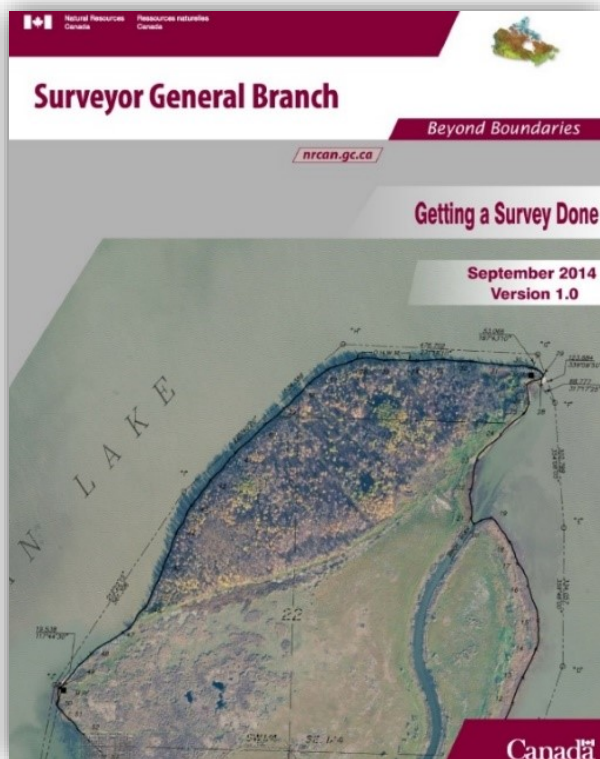


Project initiation, preliminary planning and research for performing a legal survey on First Nation Reserve Lands generally follow a series of steps to effectively conduct the survey. These steps include:



- **Initial discussion** with client (usually the Land Manager)
- **Review** of the site in person and/or with online tools and aerial photography
- **Research** all land interests
- **Research** any previous and/or adjoining surveys
- Determine an **estimate of costs**
- **Prepare a sketch** of the proposed survey
- **Obtain approvals** from the applicable First Nation representative (usually the Land Manager) and any other stakeholders
- **Submit** the sketch, approvals, and land status documents **to the Surveyor General Branch (SGB)**¹ to obtain Survey Instructions

http://www.nrcan.gc.ca/sites/www.nrcan.gc.ca/files/earth-sciences/files/pdf/geomatics/Getting_a_Survey_Done_eng.pdf

Throughout the process, many cost driving factors may come into play that can cause the cost of a survey to escalate. The following cost drivers should be reviewed with the surveyor to provide the First Nation (i.e. Land Manager) with ways to maintain or potentially reduce the budget for the survey and overall project.

¹ The Surveyor General Branch (SGB) of Natural Resources Canada (NRCan)

1. DEFINING A SCOPE OF WORK AND CLEAR END PRODUCT

Clearly defining the scope of work is the most important aspect of the project initiation as it is the foundation of an effective project. Direct and frequent communication with a surveyor, and all parties involved in the project, is crucial to clearly defining the scope of work.



The cost study report suggests that although most of the surveyors indicated that the scope of work presented to them was clear, the projects that were not clear, had on average a 31% increase in the average total labour hours per project.

Lack of clarity in the scope of work can have a significant impact, often causing delays that in turn will result in additional hours of labour which drive up the cost of a survey. Land Managers have an important role when it comes to defining a clear scope of work. The following are suggestions that Land Managers may consider in their efforts to clearly define the scope of work for a project.

- Communication with the surveyor should have as much detail as possible regarding what the project will entail and what the final product will be once completed.
- Creating a good working relationship with numerous surveyors is an effective way to become familiar with the processes as well as allowing for a second opinion on project concerns.
- Frequent communication with the surveyor about project changes, updates and any other concerns (as early in the process as possible) will allow for a project to follow a successful course.

PROJECT INITIATION

...PRELIMINARY PLANNING

...RESEARCH

2. RESEARCH ALL BASE DATA, MAPS, PLANS, EXISTING INFORMATION, REGISTRY SEARCH , LEARNING OF UNKNOWN/UNREGISTERED INTERESTS THAT MAY IMPACT WORK.

To prevent potential land interest conflicts (and potential delays), thorough research of ownership status and land interests must be conducted prior to the commencement of a survey project by the Land Manager and/or the surveyor.

Research will involve: viewing maps, survey plans, acquiring land related instruments from the Indian Lands Registry System (ILRS³) or First Nation Lands Registry System (FNLS⁴) and any other land registry or Land Titles office (LTO) depending on the jurisdiction the land is situated in.



Land Managers can familiarize themselves with the various research tools available, to generate a land status report. This can be done using the:

- Indigenous Services Canada (ISC)² Electronic Registry Index Plan (E-RIP) application: a graphical representation of the legal interests registered on Reserve lands; http://services.aadnc-aandc.gc.ca/ILRS_Public/home/home.aspx
- Accessing documents from the ILRS³/FNLS⁴: these can include, instruments for Reserve Creation, Addition(s) to Reserve, Land Designation(s), Lease Agreement(s) and other 3rd Party agreement(s); and
- Researching internal records: Land Managers should also make surveyors aware of internal document/information affecting their lands, that doesn't show up in any record system that is accessible to the surveyor to effectively plan a project. If the Land Manager conducts this research, it results in the surveyor not having to incur chargeable time to do this. Land Managers can add to their understanding and familiarity of the land interests, which in turn could lead to more efficient and effective decision making, concerning the lands involved.

² Indigenous Services Canada (ISC) previously referred to as Indigenous and Northern Affairs Canada (INAC)

³ Indian Lands Registry System – a registry of documents/instruments relating to Reserve Lands and Crown Lands managed under the *Indian Act*.

⁴ First Nation Lands Registry System – a registry of documents/instruments relating to Reserve Lands managed under a First Nation's Land Code (through the *Framework Agreement on First Nations Land Management Agreement*)

PROJECT INITIATION

...PRELIMINARY PLANNING

...RESEARCH

3. COMMUNICATION, INITIAL APPROVALS AND ADDRESSING POTENTIAL CHANGES TO THE SCOPE OF WORK.

Depending on the scope of the project, various approvals from Band Council, government agencies, and community planning will need to be considered prior to the commencement of a survey. These processes can take time and if they are not accounted for, they can lead to unnecessary delays in the project. Land Managers should familiarize themselves with these processes to effectively schedule time that will enable better project planning. The Land Manager can also pro-actively ensure that a surveyor receives approvals from all parties promptly and request updates pertaining to any complications or anticipated delays.



4. SCHEDULING – INVOLVEMENT OF APPROPRIATE AUTHORITIES AND/OR PROFESSIONALS OR DISCIPLINES.



Much of the time a surveyor invests in a project comes at the front end of the process and the initial conversations about the project. Costs can accelerate when there are multiple “touch points” – people and agencies a surveyor must liaise with to complete the project. The various parties that may be involved in a project include (but are not limited to): Engineers, Planners, Geo-technicians, architects, real-estate appraisers, lawyers etc.

The Land Manager can play an active role when it comes to consulting with the various parties that may have an interest in the project.

- Consider hosting a meeting or conference call with all parties together, early in the project planning stages. This will give all parties a better idea if the project is feasible or if any unforeseen components of the project were not accounted for.
- Acquiring a timeline from the various parties for their involvement is a prudent way to schedule and make decisions pertaining to the project. A clear concise schedule allows the Land Manager to keep the various parties in order and follow up with any deliverables that the parties were obligated to provide.
- Communication is a vital aspect to the success of scheduling a project so that it is more likely to be on-budget and on-time.