# **First Nations Consultation and 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 consulted 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 consult with the appropriate regional office of the Surveyor General Branch for assistance and should be providing evidence of attempts to obtain approval of the plan and any documented concerns from the First Nation Council for assistance.

## **Before you start:**

* Consult 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;
  + 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.
* Create a clear sketch of the proposed project - using the Canada Lands on Google Earth feature on MyCLSS will help identify rights-of-way and 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 all affected parties with the proposed sketch and confirm their understanding of the scope of work and expected fees and timeframe for completion.
* 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.
* Provide the First Nation authority, such as the Lands Manager, with your proposed dates of field survey, and obtain permission to enter the community on those dates.

## **While on site:**

* Ensure the First Nation authority and affected parties are aware of your presence on site.
* 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.
* Offer to show monumented boundaries to the First Nation authority and affected parties.

## **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 all affected parties with 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 all affected parties. 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 obtain comments from the Provincial jurisdiction authority.
* Finalize and sign your plan (and report, if there is one) once you are confident that all parties have been consulted and are satisfied.
* Provide the First Nation authority with your final, signed plan as intended for submission for recording in the CLSR (and report, if there is one), together with the approvals you obtained from the affected parties.
* Obtain written approval from the First Nation authority of the **final, CLS-signed plan** (and report, if there is one).
* Should amendments to the plan be required, ensure the First Nation is informed and they have acknowledged the change.

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## **After Plan has been filed:**

* Contact the First Nation authority to inform them that the Plan has been approved and filed.
* Provide digital copies of the approved plan (and report, if there is one) to First Nation authorities, Certificate of Possession holders, and other affected parties. Provide paper copies of the plans if requested.
* Confirm that the First Nation is satisfied with the work completed and that there are no outstanding issues or questions.