

Terms of Reference:

First Nations Environmental Assessment Technical Working Group

Purpose

The British Columbia First Nations Environmental Assessment Technical Working Group (FNEATWG) acts as a resource body on environmental assessment (EA) practices for interested First Nations, First Nations organizations, the federal and provincial governments, and other concerned agencies and organizations.

Objectives

The BC First Nations Environmental Assessment Technical Working Group:

1. Advises First Nations, First Nations organizations, and federal and provincial government agencies on issues relating to environmental assessment, including First Nations, provincial and federal EA processes;
2. Develops recommendations on initiatives and strategies to assist First Nations, and the federal and provincial government to facilitate and support effective First Nations environmental assessment practices;
3. Provides a forum for First Nations, First Nations organizations, and the federal and provincial government to share information, improve communications and comment on EA-related initiatives of mutual interest;
4. Facilitates networking on environmental assessment practices and policies between First Nations governments, First Nations organizations and government agencies;
5. Supports the development of environmental assessment professional and technical capacity within First Nations governments and organizations;

Disclaimer

First Nations' and other governments and organizations appoint representatives to the FNEATWG without prejudice to their respective positions on aboriginal title and rights. Meetings of the FNEATWG and exchanges of information and correspondence and communications between FNEATWG members and the federal and provincial government do not in any way contribute to fulfilling governments' obligations with respect to consultation with First Nations.

Conduct of meetings

The FNEATWG is intended to provide for full and open-ended discussion of First Nations environmental assessment issues. As such, participants in FNEATWG meetings will treat other participants with respect and will listen to and consider the views of other participants.

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Yearly Workplan and Budget

The objectives of the FNEATWG will be implemented through a yearly work plan and budget developed by the parties.

Linkage to EA Advisory Committee

The FNEATWG will appoint two technical representatives to the BC EAO Advisory Committee.

Participation

The FNEATWG is open to participation from:

- Professional/technical staff or contractors involved or interested in environmental assessments on behalf of First Nations governments and organizations, and appointed in writing by First Nations governments or organizations;
- Representatives of the provincial government, including the BC Environmental Assessment Office, the Ministry of Energy and Mines, and the Ministry of Sustainable Resource Management;
- Representatives of the federal government, including the Canadian Environmental Assessment Agency, Fisheries and Oceans Canada, and Indian and Northern Affairs Canada;
- Other individuals with experience in First Nations Environmental Assessment at the invitation of the FNEATWG.

Funding

The FNEATWG will provide funding to First Nations participants for travel costs (including accommodation and meals) in accordance with applicable government policies and subject to availability of funding. The FNEATWG may seek funds for projects and initiatives from other agencies and organizations.

Reporting

The FNEATWG will prepare a written report every year which will be distributed to participating First Nations governments and First Nations organizations. The FNEATWG will request an opportunity to present the report to the BC First Nations Summit and the Union of BC Indian Chiefs. The annual report will also be provided to the EAO, the Canadian Environmental Assessment Agency and other interested government agencies.

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Co-chairs

The FNEATWG will annually (at its first meeting of each year) appoint two members as co-chairs. One co-chair will be selected from among the representatives of First Nations governments and organizations; the second co-chair will be selected from among the representatives of provincial and federal agencies. The co-chairs will establish meeting dates, locations and agendas. The co-chairs and/or the Co-ordinator will be a point of contact for First Nations governments and organizations considering participating in the FNEATWG.

Administration

FNEATWG administration will be provided by a legally-incorporated First Nations organization appointed by motion at a regular meeting of the FNEATWG in accordance with terms negotiated by the steering committee. The responsible First Nations organization will identify a staff person as FNEATWG administrator.

Steering Committee

The FNEATWG steering committee is comprised of one representative each from the FN, federal and provincial government sectors (including the two co-chairs) the FNEATWG administrator, and the senior FNEATWG staff person. The steering committee will:

- Provide direction to the administrator and FNEATWG staff between FNEATWG meetings;
- Approve Requests for Proposals for consultant services;
- Select consultants to undertake FNEATWG-mandated projects.

Working Groups

The FNEATWG may, by motion, establish working groups to develop and manage specific projects and initiatives. Working groups will report on their work at each FNEATWG meeting.

Meeting Location

Meetings will normally be held in Vancouver, B.C. or by teleconference.

Frequency of meetings

There will be 1 to 4 meetings per year (subject to funding). Dates for the next meeting will be determined at the end of each meeting.

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Record of meetings

Agendas (developed by the Co-ordinator in consultation with the FNEATWG co-chairs) and will be distributed prior to each meeting. Minutes will consist of a summary of action items and decisions. Minutes will be considered final two weeks after circulation unless changes are requested by members.

Guests

Guests may be invited to meetings at the invitation of the FNEATWG co-chairs. FNEATWG participants may suggest possible invited guests to the co-chairs.