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Engagement of First Nations by WPACs

WPAC Forum
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Nisku, AB

Engagement

Engagement refers to the process in which WPACs communicate with interested parties during the course of their work.

Engagement can happen at various phases of a WPAC's formation, operation, watershed assessment, watershed planning, implementation and evaluation.

Engagement can occur with the public, WPAC membership and other parties interested in the work of WPACs.

The Role of WPACs in FN Engagement

Steps to consider in First Nations Engagement:

- Early engagement:
 - Engage First Nations early in your process
 - Determine which First Nations to engage
- Clarity on role:
 - Determine First Nations board participants based on bylaws
 - Ensure First Nation participants understand their role as a board member (perspective, representative, individual), and ensure the Board understands the nature of First Nations participation (perspective, representative, individual)
- Good communication:
 - Keep all First Nations being engaged updated throughout your process

Crown-led First Nations Consultation

- ***Crown-led Consultation*** refers to consultation undertaken by the Government of Alberta (Crown has a legal duty to consult with First Nations on decisions that could adversely affect Aboriginal or treaty rights).
- The determination is conducted by the Crown of whether, with whom, and to what extent consultation is required.

The Role of Government of Alberta and Alberta Environment

- The Province encourages First Nations participation and engagement early and throughout your process
- Alberta Environment participates in reviewing Terms of Reference for Watershed Management Plans
- Alberta Environment and other government departments can receive recommendations from the WPAC in a Watershed Management Plan

WPAC Recommendations and FN

- If WPAC recommendations to the GOA are deemed to have a *potential to impact First Nations rights and traditional uses*, Alberta considers the potential scope and scale for Crown-led First Nations consultation in accordance with *Alberta's First Nations Consultation Policy and Guidelines for Land and Resource Management*.
- The rights are currently *legally* defined as 'maintaining the ability to hunt, trap and fish for food on unoccupied Crown Land'

WPAC Role

- WPACs provide a forum for respectful sharing of ideas, facts and perspectives, and move recommendations forward to decision-makers based on consensus agreement of members.
- WPAC may not be an appropriate venue to enter into legal debates on FN rights and traditional uses in particular, and legal debates on other items, in general.

Summary

- Alberta encourages WPACs to engage with all interests, including First Nations
- WPACs should record all incoming concerns and comments to demonstrate good process with all interested parties, including First Nations
- To maintain process transparency, meeting minutes and documentation of issues raised should be available for all WPAC members
- Existing processes, such as multi-stakeholder processes, can be relevant to First Nation consultation
- A WPAC is a means by which First Nations' concerns can be identified, heard and discussed for the further consideration by Alberta Environment decision-makers
- Alberta will consider and determine whether further consultation in addition to participation in existing processes is necessary

Questions?

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