

First Nation and Métis Consultation Participation Fund Criteria

Saskatchewan's *First Nation and Métis Consultation Policy Framework* (CPF) acknowledges the province's duty to consult when it is contemplating decisions and actions that have the potential to adversely impact the exercise of:

- Aboriginal and Treaty rights such as the right to hunt, fish and trap for food on unoccupied Crown land and other land to which First Nation and Métis people have a right-of-access for these purposes; and
- Traditional uses of land and resources such as gathering plants for food and medicinal purposes and carrying out ceremonial and spiritual observances and practices on unoccupied Crown land and other land to which First Nation and Métis people have a right-of-access for these purposes.

Government recognizes that First Nation and Métis communities may require financial assistance to meaningfully engage in consultations arising from the duty to consult. First Nation and Métis communities that have received a notification, along with an invitation to apply for funding from Government that the duty to consult has been triggered, may apply to the First Nations and Métis Consultation Participation Fund.

The fund supports project-specific consultations when a duty to consult has been triggered, and the community has received a notification letter from the Government of Saskatchewan.

1. Application Process

First Nation or Métis communities which have received an official notification from government that a duty to consult has been triggered, along with an invitation to apply to the First Nations and Métis Participation Fund, may apply for funding.

First Nation and Métis communities can contact the Aboriginal Consultation Unit (ACU), at the Government of Saskatchewan, for the grant application. Staff from the ACU can work with applicants to prepare and finalize an application, budget, and Grant Agreement for the proposed project. Applications should be submitted to ACU within 30 calendar days of the notification letter being deemed received.

Completed applications will be reviewed and processed within seven calendar days. Applications will be reviewed to ensure accuracy and timeliness. Once an application has been reviewed, a Grant Agreement Offer will be prepared and sent to the community for signature. Once the Grant Agreement is signed, an initial payment will be sent to the community. The final payment will be sent after the financial and consultation activity reports are received and reviewed.

2. Responsibility to Participate in Consultation

Government is responsible and ultimately accountable for managing and implementing the duty to consult. This includes determining whether the duty to consult has been triggered, the level of

consultation required, providing notification to First Nation and Métis communities, and participating in the consultation process in good faith.

First Nation and Métis communities are responsible for participating in the consultation process, making their concerns known about potential adverse impacts on Aboriginal and Treaty rights and traditional uses, and responding to Government notifications within a reasonable timeframe as set out in the CPF.

3. Eligibility

Funding applications must:

- Include a copy of the notification letter from the government that a duty to consult has been triggered which includes an invitation to apply for funding;
- Be limited to activities specifically related to the project identified in the notification from government; and
- Be submitted within 30 calendar days after the notification letter has been deemed received.
- Applications can be made by:
 - The Chief and Council of a First Nation;
 - The President of a Métis Nation – Saskatchewan Local or a potentially impacted Alberta or Manitoba Métis community; or
 - Community authorized delegates, such as a regional or provincial First Nation or Métis entity where the elected leadership has delegated this authority through its constitutional decision-making process and has provided a written, signed copy of the authorization (e.g. Band Council Resolution).

4. Activities Eligible for Funding

Funding applications must be specific to the project identified in the notification letter from government. Activities undertaken before signing a Grant Agreement or after the decision date are not eligible for funding.

Funding will be considered for the activities noted below.

Co-ordination and Communication

Costs to engage individual(s) to:

- Coordinate, manage and participate in consultation events;
- Liaise with government and elected leaders;
- Research and gather information;
- Prepare and coordinate information packages and communications for consultation events, including:
 - Summarize and report on consultation outcomes to First Nation or Métis leadership, the community and government; and
 - Provide administration services such as registration, payroll, correspondence, invoicing and accounting;
- Rent office space, furnishings and equipment; and
- Purchase office supplies and equipment as approved and/or pay for telephone services, printing and copying costs.

Professional Fees and Services

Costs to engage independent professionals and consultants to:

- Prepare information packages or reports to inform First Nation or Métis members of the project;
- Travel to and participate in consultations with community leaders and members;
- Gather information about traditional uses in the project area;
- Help community leaders and members understand scientific, technical, and legal documents and other project information provided to them;
- Analyze the impact of the proposed action, decision or project on the community's ability to exercise its Aboriginal and Treaty rights and traditional uses;
- Facilitate community consultations;
- Engage in discussions with the consulting ministry and the proponent about potential adverse impacts and recommended actions that may be required to avoid, minimize or mitigate these impacts;
- Report back to government about any potential adverse impacts that the proposed project, action or decision may have on Aboriginal and Treaty rights or traditional uses;
- Report on consultation activities and grant expenditures; and
- Complete accounting-related duties.

Consultations and Participation

Costs for:

- Facility rental, catering and refreshments;
- Travel, accommodation and meals in accordance with the Government of Saskatchewan's established rates for:
 - Consultation Coordinators attending meetings with provincial officials to discuss project consultations;
 - Consultation Coordinators attending community consultations; and
 - First Nation and Métis traditional users, Elders, Knowledge Keepers and community members, including elected officials, attending consultations to discuss the project and provide information about current and traditional uses of the land in the project area;
- Equipment rental associated with site visits;
- Honoraria for Elders and Knowledge Keepers to participate in consultation activities providing information on current and traditional uses of the land in the project area; and
- Translation and transcription services used to facilitate consultations and provide an accurate record of discussions.

Activities not included above may be considered on a case-by-case basis. Applicants are encouraged to contribute in-kind resources such as office or meeting space, or administrative support.

5. Costs Not Eligible for Funding

The costs not eligible for funding include:

- Costs not directly related to project-specific consultation activities;
- Comprehensive traditional use studies, land use and occupancy studies, archaeological and ethnological research, archival research or oral histories from Elders and Knowledge Keepers outside the scope of the project;

- Annual core funding for consultation capacity including full-time annual salaries/wages and benefits for consultation staff;
- Honoraria for elected officials;
- Purchase of property, vehicles and office furniture; and
- Litigation or Freedom of Information requests.

6. Approval of Grants and Payments

Successful applications will result in a Grant Agreement that describes the approved activities and outlines the grant amount, payment schedule and reporting requirements.

Funding is conditional on the First Nation or Métis applicant(s) meeting the terms and conditions of the Grant Agreement.

7. For More Information

All inquiries may be directed to:

Government of Saskatchewan
Director, Aboriginal Consultation Unit
Lands and Consultation Branch
410-1855 Victoria Avenue
REGINA, SK
S4P 3T2
Toll-free: 1-877-879-7099
Email: Aboriginal.Consultation@gov.sk.ca