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Contracting for Surveys, Appraisals and Environmental Assessments

Alberta First Nation Lands and Economic
Development Training Symposium

November 25, 2015



Canada



Indigenous and Northern
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et du Nord Canada

Contracting for Surveys, Appraisals and Environmental Assessments

Presented by:

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Land Management Officer

Community Opportunities, INAC

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Lands Project Officer

Community Opportunities, INAC

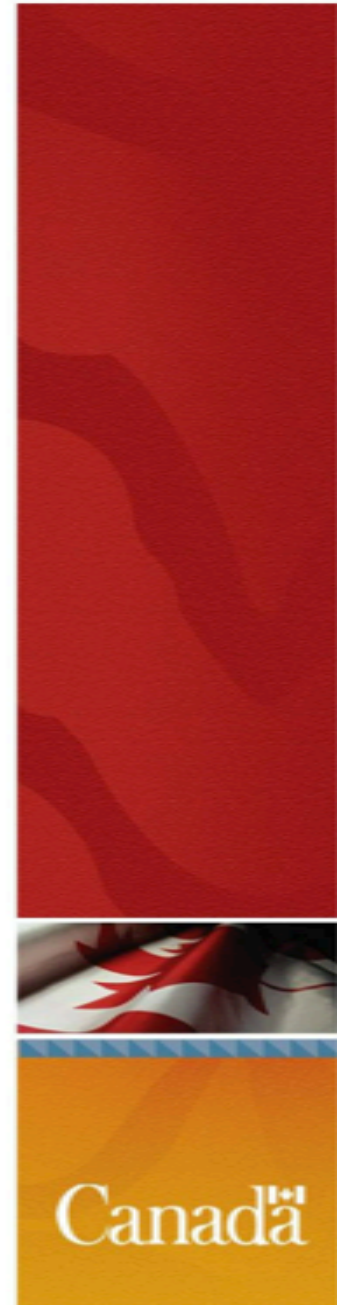


Canada



Preparatory Phase

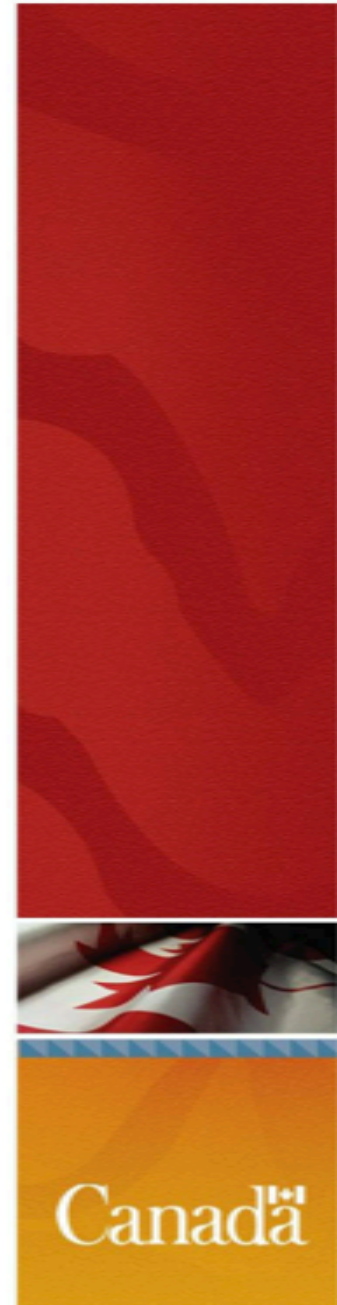
- So you want to do a Land Designation...
- Where to start?
 - Define the scope of the project.
 - Identify the land to be used.
 - Identify timelines.
 - Appoint a project manager.
 - Consult with INAC.





Getting Started

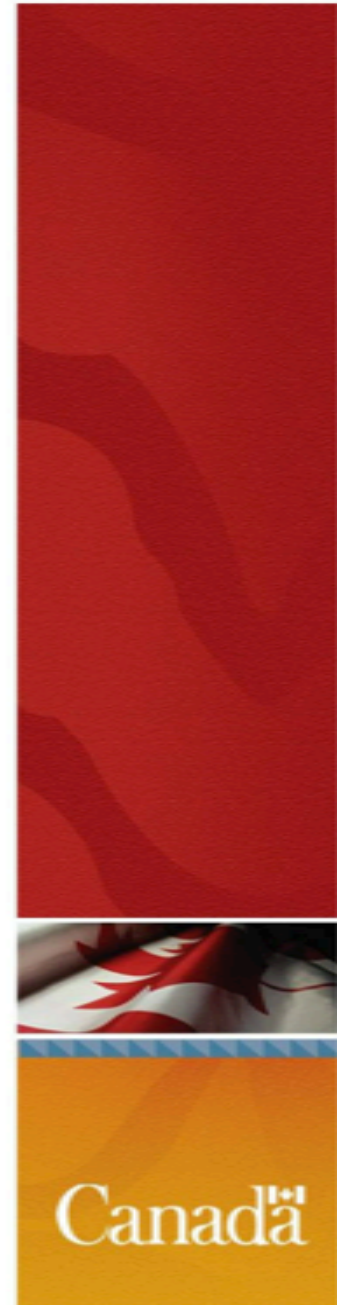
- Prior to finalizing Designation documents:
 - Completed Land Survey (registered with NRCAN)
 - Completed Land Appraisal and report.
 - Completed Environmental Site Assessment Phase I and report.





LEDSP

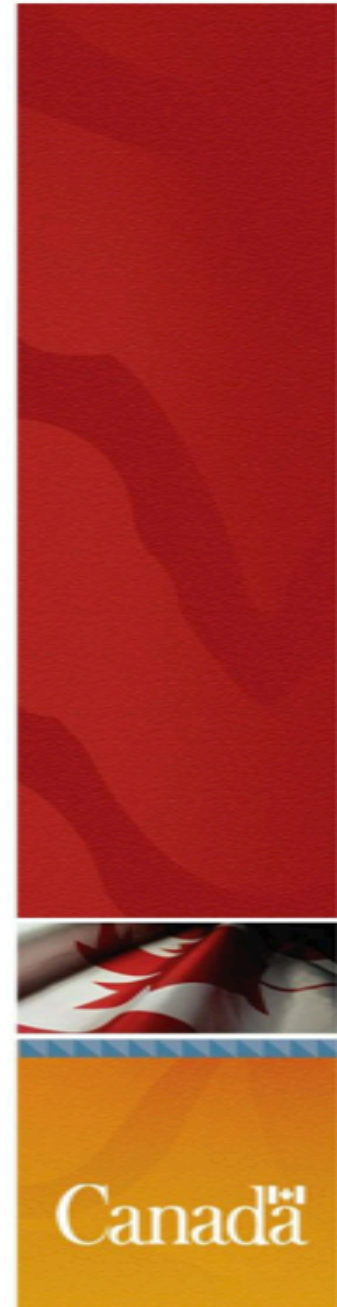
- Resources available to assist with Designation costs:
 - Lands and Economic Development Service Program (LEDSP).
 - Proposal driven.
 - Examples of eligible expenditures:
 - Land Survey
 - Land Appraisal
 - Environmental Site Assessment Phase I
 - www.inac.gc.ca (search 'LEDSP')





Property Rights – Reserve Lands

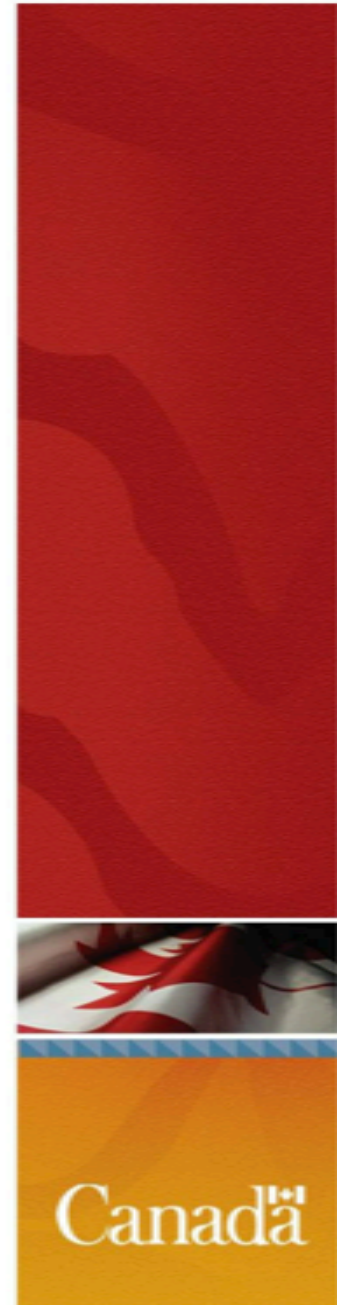
- Indian Reserve lands are lands whose legal title is vested in Her Majesty the Queen in Right of Canada for the use and benefit of First Nations.
- INAC manages the property rights for Indian Reserve Lands.
- Obligations derive from the *Indian Act*, as well as the *First Nations Land Management Act (FNLMA)*.





Property Rights – Reserve Lands

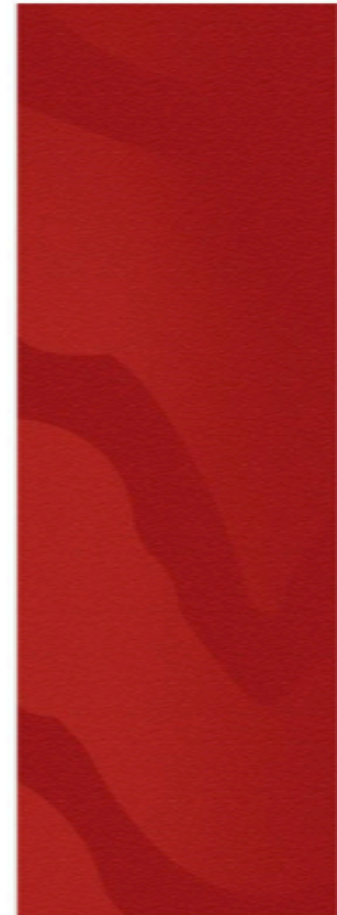
- Most following land management authorities have been delegated to regional offices:
 - Prepare surrenders, designations and expropriations, including the Governor in Council submissions.
 - Manage additions to reserves.
 - Review and approve land transactions among band members on reserve.
 - Negotiate (with the First Nation), prepare and execute leases, licenses and permits to non-Aboriginals on reserve.
 - Monitor Leases, licenses and permits in place on reserve land.
 - Provide advisory services to First Nations performing land management tasks.





Land Surveys

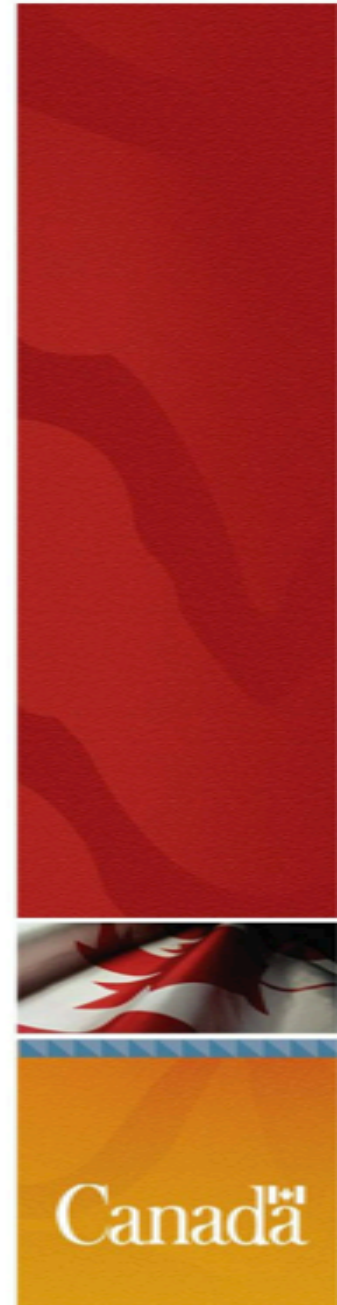
- Legal surveys provide clear definition of the extent of property rights and boundaries.
- Two basic types of surveys:
 - Surveys of unsurveyed Crown lands.
 - Surveys done on privately owned lands.
- Original Crown lands surveys established a basic survey framework that must be respected in all subsequent surveys.
- On Canada lands all surveys are regulated by the Canada Lands Survey System (CLSS) under the *Canada Land Surveys Act*.





Legal Surveys Division (LSD)

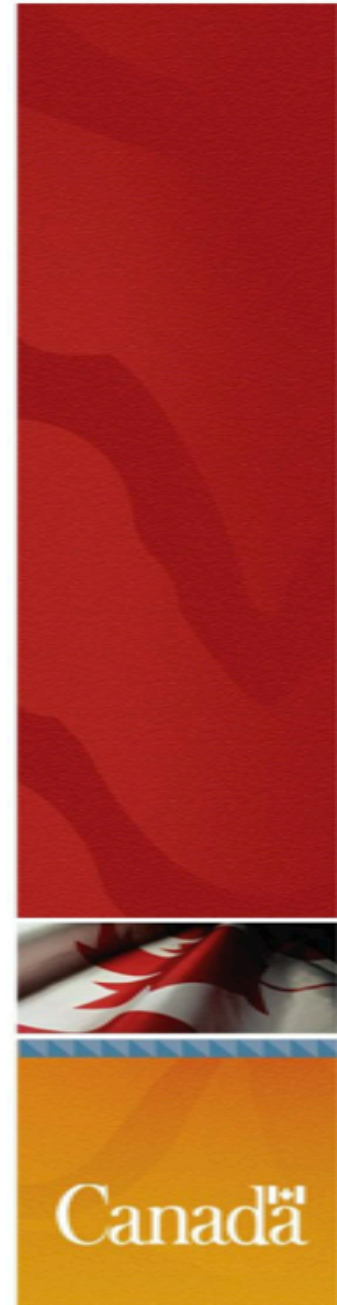
- The Surveyor General's Office of Natural Resources Canada (NRCan) provides:
 - Standards and a Regulatory Regime
 - The Canada Lands Surveys Records
 - Advice and Consultation
 - Project Management
- Fulfill survey-related obligations of several Land Claims including:
 - Participation in the land selection process
 - Managing legal survey programs
 - Preparing land descriptions
 - Facilitating the land transfer process





Survey Background Information

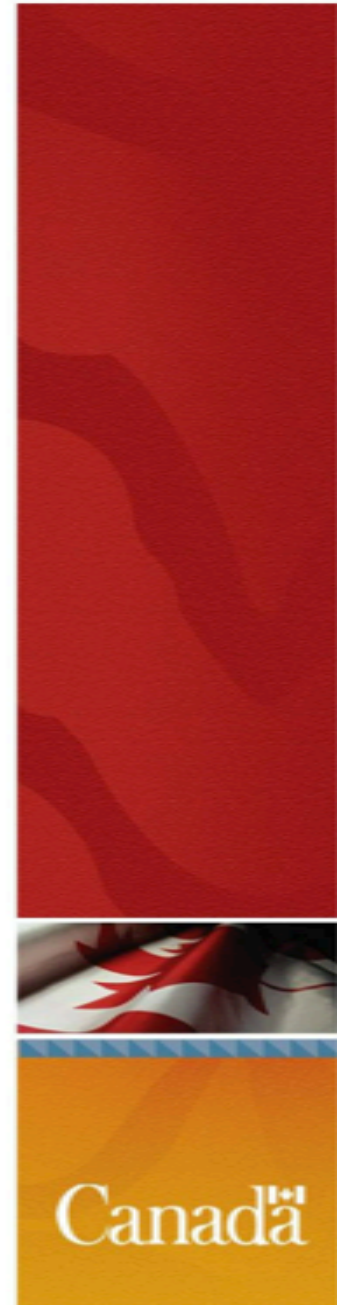
- A surveyor defining a legal boundary must:
 - Take into account the rights of the stakeholders.
 - Assess previous survey evidence and court decisions.
 - Discharge this responsibility fairly and equitably.
 - Carefully analyze the results of this survey and of any prior surveys.





Survey Background Information

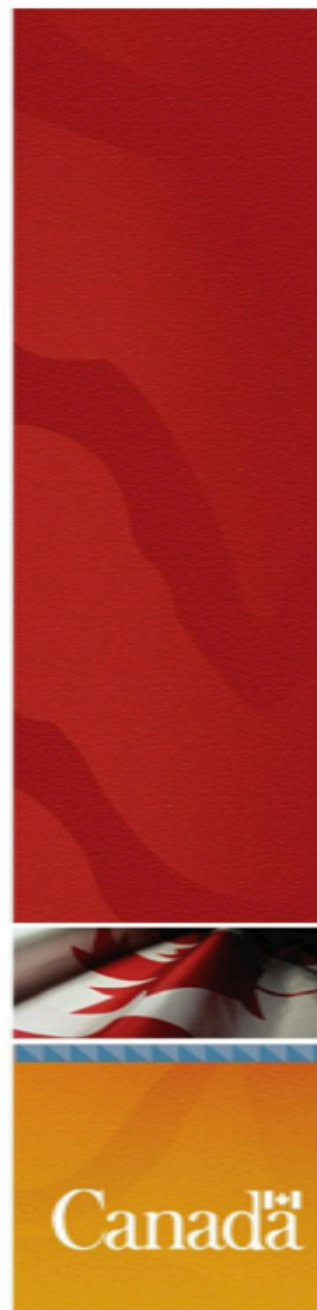
- Legal surveys across Canada can only be carried out by qualified and licensed professional surveyors:
 - If the legal survey deals with a boundary between an Indian Reserve and provincial land, the surveyor must be a licensed provincial surveyor **AND** a Canada Lands Surveyor (CLS).
 - In any other cases on Canada Lands, the surveyor must be a licensed Canada Lands Surveyor (CLS).





Canada Lands Surveyor (CLS)

- What is a CLS?
 - Only individuals holding a CLS Commission and an ACLS License are authorized to practice cadastral surveying on Canada Lands.
- How do I find an Accredited CLS?
 - Association of Canada Lands Surveyors (ACLS)
 - www.acls-aatc.ca





- [ACLS Home](#)
- [What is a CLS?](#)
- [About ACLS](#)
- [Aboriginal Expertise](#)
- [Offshore Expertise](#)
- [Careers](#)
- [Contact Us](#)

NATIONAL SURVEYORS CONFERENCE 2015

[Becoming a Canada Lands Surveyor](#)

[Member Services](#)

[Find a Surveyor](#)

[Conferences and Events](#)

[Shopping cart](#)

[Store](#)



News and Events

- Examinations
19/10/2015
- National Surveyors
Conference 2016
04/05/2016

[Home](#)

Find a Surveyor (ACLS Licence Holders)





Alberta Lands Surveyor (ALS)

- What is an ALS?
 - Only individuals holding an ALS Designation are authorized to practice cadastral surveying on Provincial Lands.
- How do I find an Accredited ALS?
 - Alberta Land Surveyors' Association (ALSA)
 - www.alsa.ab.ca



Username:

Password:

Submit

NEED A SURVEY? CLICK HERE TO SEARCH.

PUBLIC INFORMATION

The Alberta Land Surveyors' Association (ALSA) is a self-governing professional association legislated under the Land Surveyors Act.

The Association does not perform surveys but regulates the standards and practices of those who do.

The Alberta Land Surveyor is an important professional involved in any land transaction. Click on a topic to get answers to commonly asked questions.

MEMBER RESOURCES

Members of the Alberta Land Surveyors' Association have access to current and historical legislation, manuals, ALS News issues, Council Reports and AGM reports of proceedings.

If you are on your mobile, go to alsa.ab.ca/mm

Some member resources require you to login and access the MyMember page.

CAREERS

Alberta Land Surveyors apply their educational skills to a wide variety of surveying disciplines. Land surveyors are involved in oilfield work, land use planning and development and in other related activities involving determination of property boundaries or assembly and analysis of land related information.

It is an exciting career of changing technology, computers and satellites. Alberta Land Surveyors are in the centre of it all! In this career, computer literacy is essential. Strong math skills, an interest in sciences are important assets. Land surveyors also usually have an interest in the law, history and business.

[Register of Members](#)
[Permit to Practice Register](#)
[Land Surveying History](#)
[Order Brochures](#)
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In the News

[BLM Red River Land Grab is Far From Over \[OpEd\] Newstalk1290](#)

[COLUMN: City-county boundary dispute? Just add water www.brantnews.com](#)

[Why Africa Must Resolve its Maritime Boundary Disputes ISN](#)

[James Henry Martineau, surveyor par excellence Eastern Arizona Courier](#)

On the Road

[Visit "Surveying the Summits" at the Whyte Museum](#)

[Book the Travelling Museum Exhibit](#)



Username:

Password:

Submit

Public Information

Member Resources

Careers

Find A Company

This "permit to practice" page is for non-members who wish to determine whether an organization is authorized to provide land surveying services in Alberta.

Landowners

Landowners who require the services of an Alberta Land Surveyor can enter the type of survey they require (ie: real property report, lot grading) under specialties and enter the name of the city where the land surveyor is located. If you live in a smaller community, enter the name of the next largest community in order to find the name of an organization.

Other Listings

The Alberta Land Surveyors' Association produces an annual register of members, surveyor's corporations and surveyor's partnerships as of April 30, 2015 in accordance with the Association's bylaws. The [annual register of members](#) is not updated throughout the year but the searchable listing below is.

Also available is the [Numerical Membership Listing](#) (as of July 14, 2015).

ALSA Members

For ALSA members who want detailed contact information for other members, please log in and click on MyMember and then Member Search.

Acts, Regulations and Manuals

ALS News

Articled Pupil

Associate Membership

Corporations and Partnerships

AGM and Council Report

Employment Opportunities

Events

Labour Mobility for Licensed Land Surveyors in Canada

Pictures

Post Orders

Reference Material

AGM

Company Name

Permit #

Specialties



City

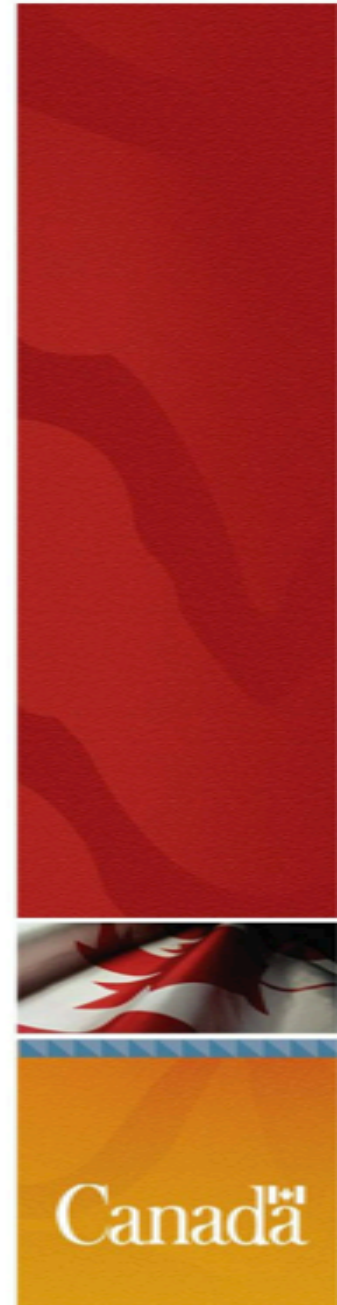
Search

Reset



Choosing A Surveyor

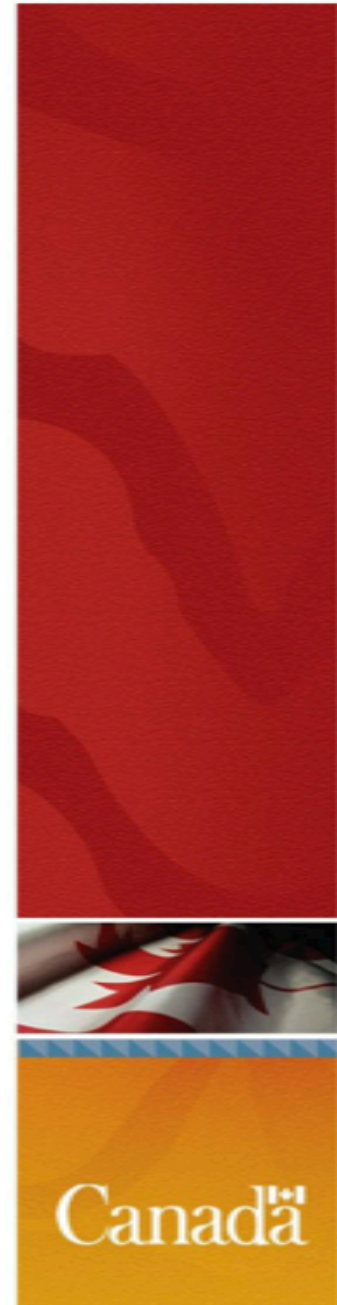
- Things to consider:
 - Qualifications:
 - For any surveys on reserve the surveyor must be an accredited Canada Lands Surveyor (CLS).
 - If the survey deals with any provincial boundaries the survey must be both an accredited Alberta Lands Surveyor (ALS)
AND a Canada Lands Surveyor (CLS).
 - Experience:
 - What previous experience does the surveyor possess? Does it suit your proposed project? Do they have experience on reserve?





Choosing A Surveyor

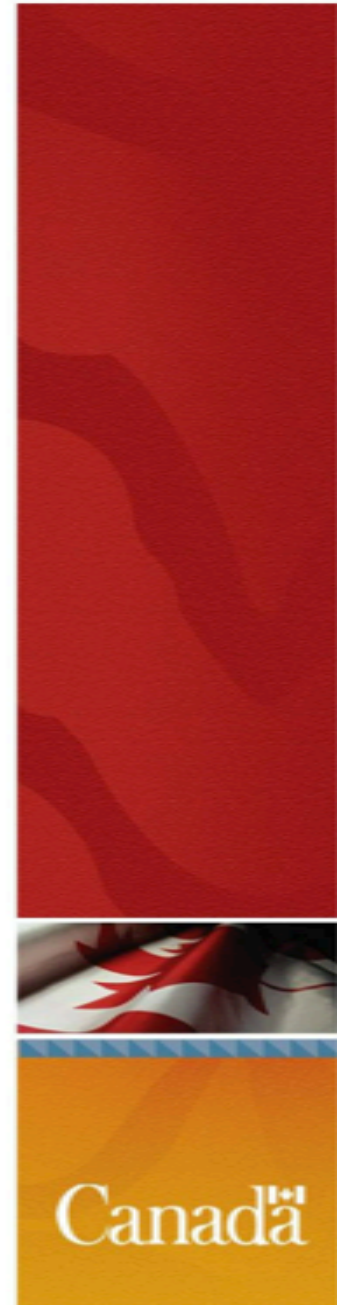
- Things to consider:
 - Estimated time frame for survey completion.
 - Cost estimate to complete the project:
 - Projects submitting proposals for LEDSP/CORP are asked to provide three quotes.
 - In certain instances appropriate justification can be made to sole source the project
 - (ie: the proponent previously completed work on site and is familiar with the location).





Starting Your Project

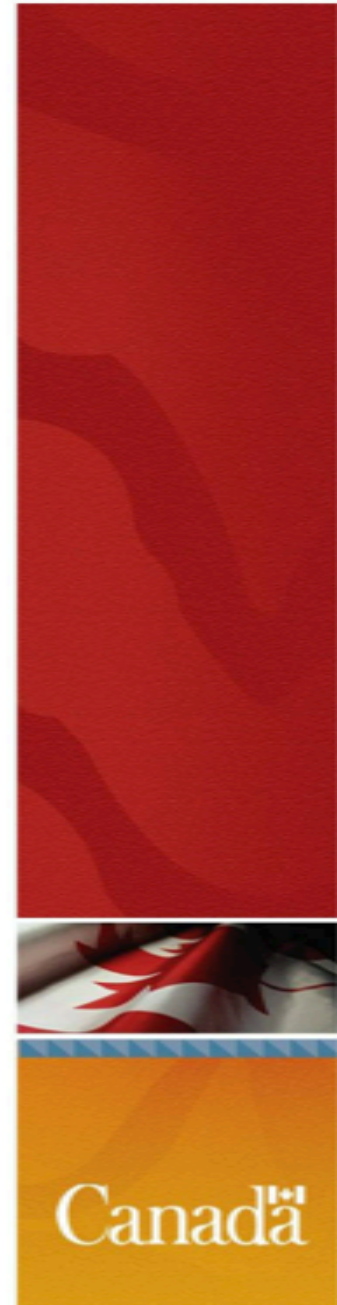
- Once a surveyor has been chosen they will require the following:
 - A detailed sketch plan of the project location, this should include:
 - Area to be surveyed
 - Number of lots to included in the project
 - Location and layout of lots





Starting Your Project


- Upon receiving pertinent project details the surveyor contacts NRCAN.
- The Surveyor General at NRCAN will issue survey instructions to the surveyor pertaining to the project.
- Upon completion, the surveyor will submit the finished survey plan to NRCAN for registration.
- Note: a designation vote cannot proceed until such time as a survey plan is registered in the CLSS.
 - The current service standard for this at NRCAN is....

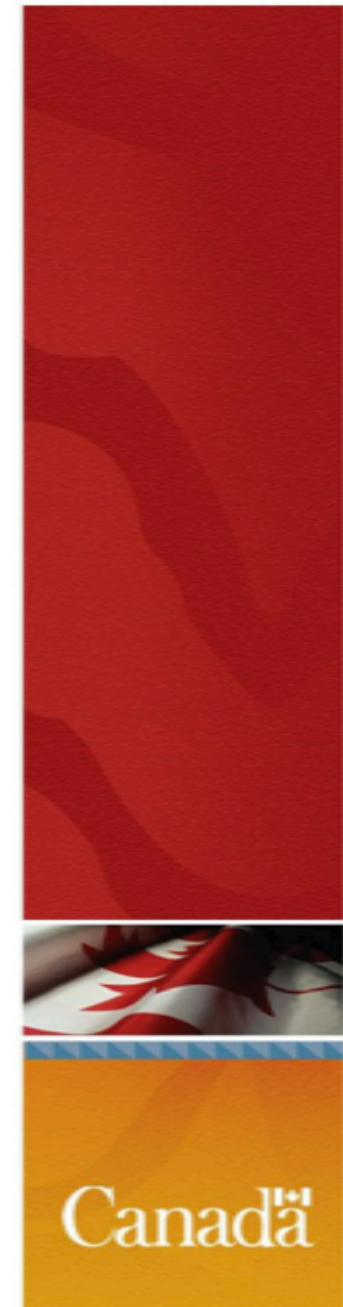


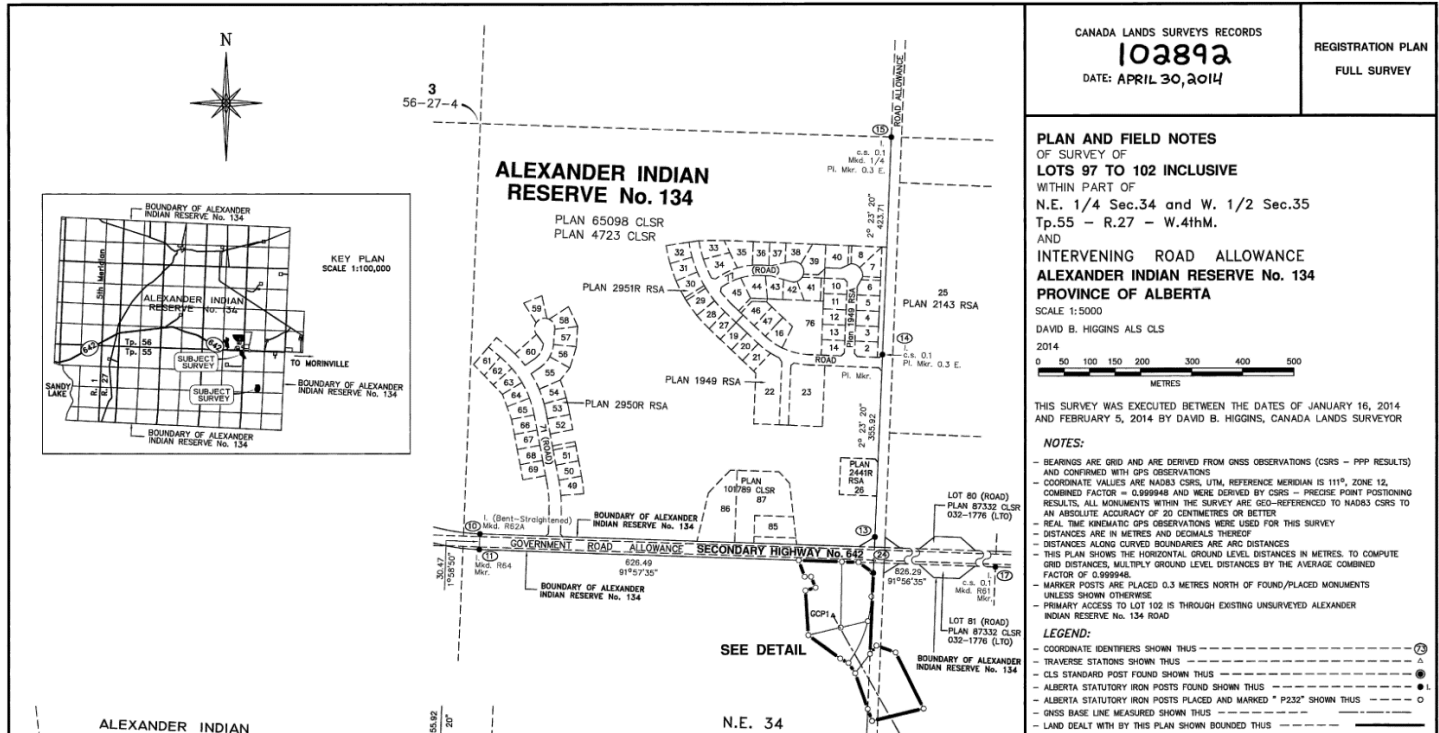


Deliverables

- A registered survey plan of the project area:

<p>CANADA LANDS SURVEYS RECORDS 102892 DATE: APRIL 30, 2014</p>	<p>REGISTRATION PLAN FULL SURVEY</p>
<p>PLAN AND FIELD NOTES OF SURVEY OF LOTS 97 TO 102 INCLUSIVE WITHIN PART OF N.E. 1/4 Sec.34 and W. 1/2 Sec.35 Tp.55 – R.27 – W.4thM. AND INTERVENING ROAD ALLOWANCE ALEXANDER INDIAN RESERVE No. 134 PROVINCE OF ALBERTA SCALE 1:5000 DAVID B. HIGGINS ALS CLS 2014</p>  <p>0 50 100 150 200 300 400 500 METRES</p> <p>THIS SURVEY WAS EXECUTED BETWEEN THE DATES OF JANUARY 16, 2014 AND FEBRUARY 5, 2014 BY DAVID B. HIGGINS, CANADA LANDS SURVEYOR</p>	





CANADA LANDS SURVEYS RECORDS
10289a
DATE: APRIL 30, 2014

REGISTRATION PLAN
FULL SURVEY

PLAN AND FIELD NOTES
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WITHIN PART OF
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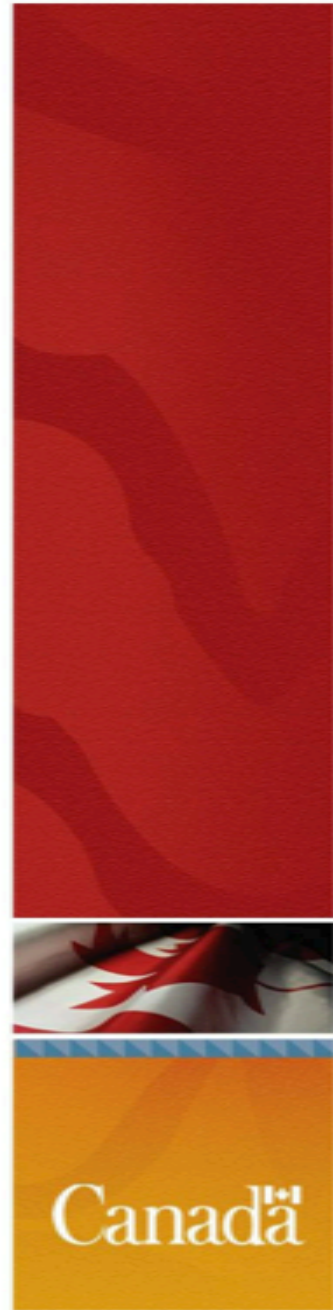
AND
INTERVENING ROAD ALLOWANCE
ALEXANDER INDIAN RESERVE No. 134
PROVINCE OF ALBERTA

DAVID B. HIGGINS ALS CLS
2014

THIS SURVEY WAS EXECUTED BETWEEN THE DATES OF JANUARY 16, 2014 AND FEBRUARY 5, 2014 BY DAVID B. HIGGINS, CANADA LANDS SURVEYOR

- BEARINGS ARE GRID AND ARE DERIVED FROM GNSS OBSERVATIONS (CSRS - PPP RESULTS) AND CONFIRMED WITH GPS OBSERVATIONS
- COORDINATE VALUES ARE NAD83 CSRS, UTM, REFERENCE MERIDIAN IS 111°, ZONE 12, COMBINED FACTOR = 0.999948 AND WERE DERIVED BY CSRS - PRECISE POINT POSITIONING RESULTS. ALL MONUMENTS WITHIN THE SURVEY ARE GEO-REFERENCED TO NAD83 CSRS TO AN ABSOLUTE ACCURACY OF 20 CENTIMETRES OR BETTER
- REAL TIME KINEMATIC GPS OBSERVATIONS WERE USED FOR THIS SURVEY
- DISTANCES ARE IN METRES AND DECIMALS THEREOF
- DISTANCES ALONG CURVED BOUNDARIES ARE ARC DISTANCES
- THIS PLAN SHOWS THE HORIZONTAL, GROUND LEVEL DISTANCES IN METRES. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.999948.
- MARKER POSTS ARE PLACED 0.3 METRES NORTH OF FOUND/PLACED MONUMENTS UNLESS SHOWN OTHERWISE
- PRIMARY ACCESS TO LOT 102 IS THROUGH EXISTING UNSURVEYED ALEXANDER INDIAN RESERVE No. 134 ROAD

- COORDINATE IDENTIFIERS SHOWN THUS Δ
- TRAVERSE STATIONS SHOWN THUS \triangle
- CLS STANDARD POST FOUND SHOWN THUS \bullet
- ALBERTA STATUTORY IRON POSTS FOUND SHOWN THUS \circ
- ALBERTA STATUTORY IRON POSTS PLACED AND MARKED "P232" SHOWN THUS \circ
- GNSS BASE LINE MEASURED SHOWN THUS ---
- LAND DEALT WITH BY THIS PLAN SHOWN BOUNDED THUS ---





Appraisal

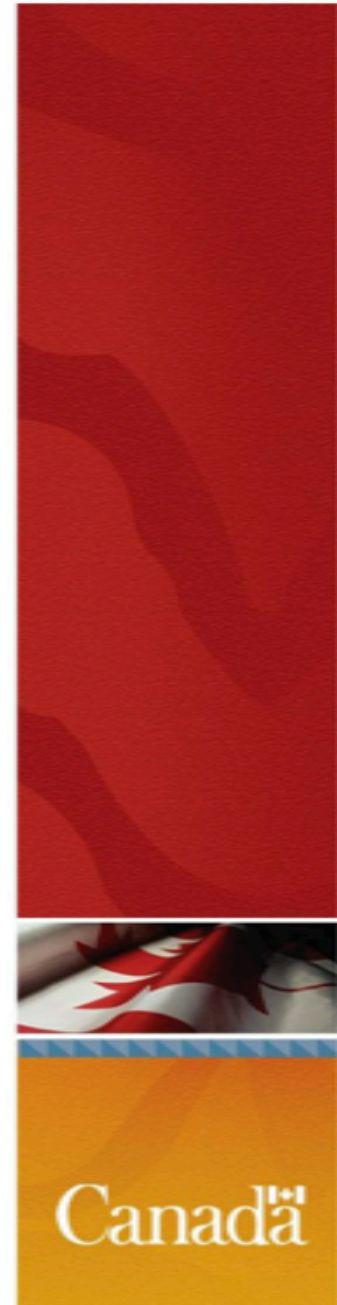
- An appraisal is an estimate of market value of an adequately described property at a specific date supported by relevant data.





What is an appraiser?

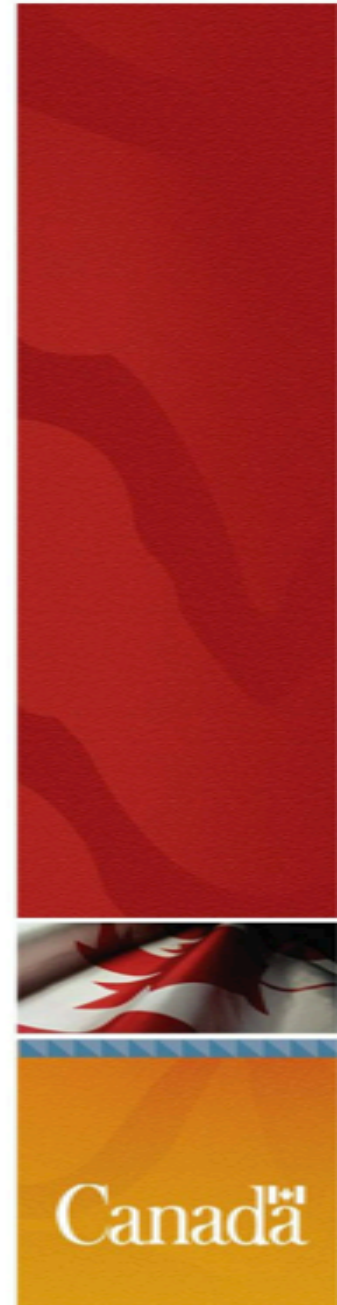
- A real estate appraiser is a specialist, an objective observer whose training, knowledge, skill and experience are directed to real estate matters requiring an unbiased estimate of value.
- There are three types of accredited appraisers in Canada:
 - Fee Appraisers
 - Institutional Appraisers
 - Government Appraisers





Fee Appraiser

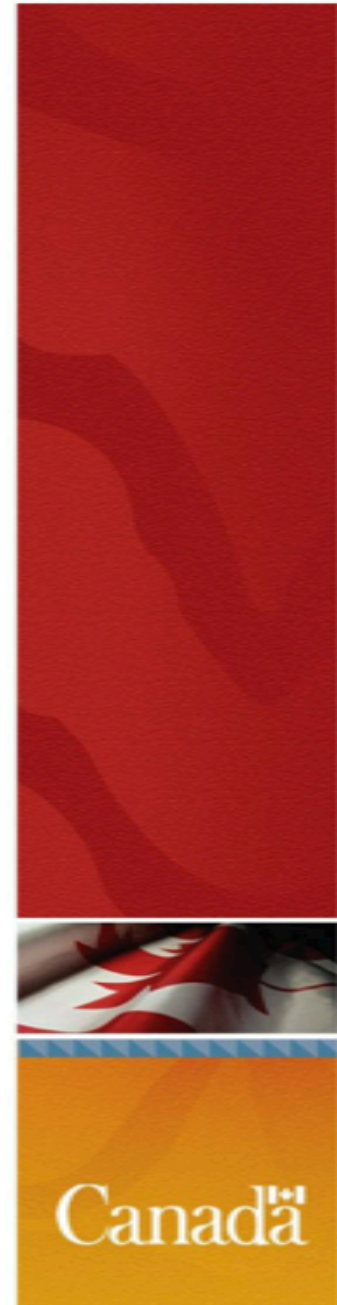
- The type of appraisals required for Designations and Leasing on reserve are provided by Fee appraisers.
- Fee appraisers are self-employed professionals in private practice who are often employed by either the First Nation or INAC or both, to appraise market rents.





Finding an accredited appraiser

- The Appraisal Institute of Canada is a resource that provides information about the appraisal process and a listing of accredited and qualified appraisers.
 - www.aicanada.ca





Alberta

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city/town

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province

Alberta

or search by last name

start search »

ABOUT US

OUR ROLE

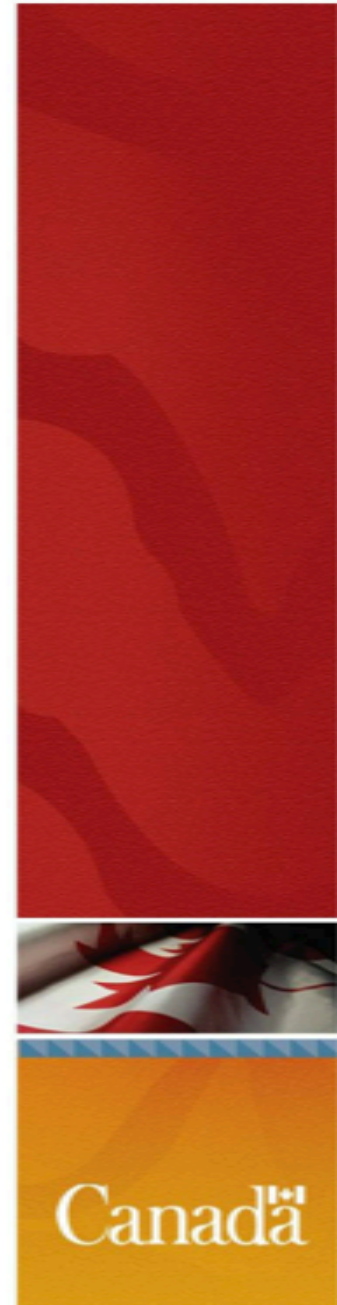
AIC- AB is the first point of contact for those in Alberta and Northwest Territories wishing to join the AIC. AIC-AB will:

- Help individuals become a member of AIC by:
 - Reviewing education and experience of prospective members
 - Providing necessary application forms
 - Processing the applications for Student and Candidate Members



Choosing an Appraiser

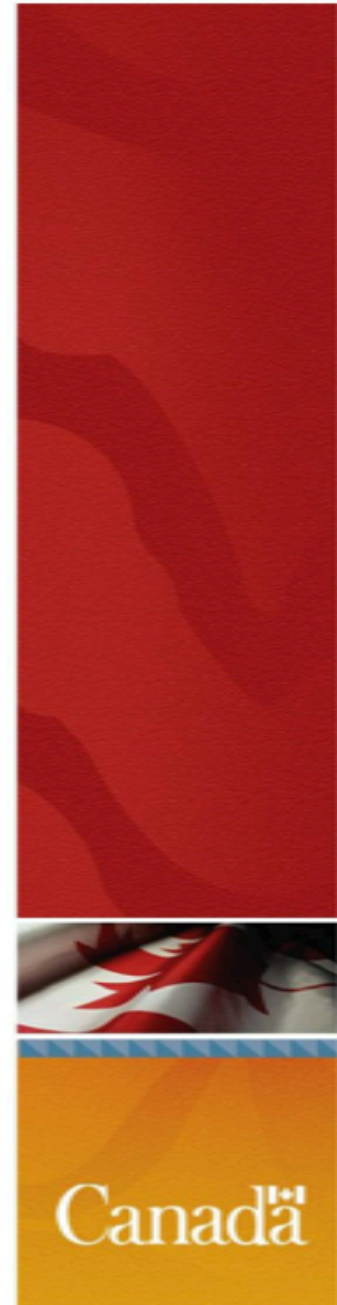
- Things to consider:
 - Qualifications (AIC members hold one of two designations):
 - Accredited Appraiser Canadian Institute (AACI)
 - Permitted to perform both commercial and residential appraisals.
 - Canadian Residential Appraiser (CRA)
 - Specializes in residential properties.
 - Experience:
 - What previous experience does the appraiser possess? Does it suit your proposed project? Do they have experience on reserve?





Choosing an Appraiser

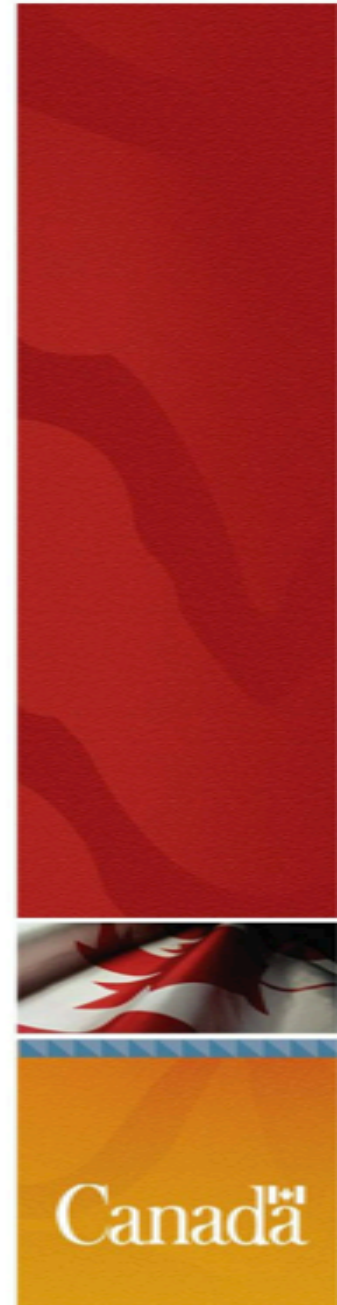
- Things to consider:
 - Estimated time frame for appraisal completion.
 - Cost estimate to complete the project:
 - Projects submitting proposals for LEDSP/CORP are asked to provide three quotes.
 - In certain instances appropriate justification can be made to sole source the project
 - (ie: the proponent previously completed work on site and is familiar with the location).





Starting Your Project

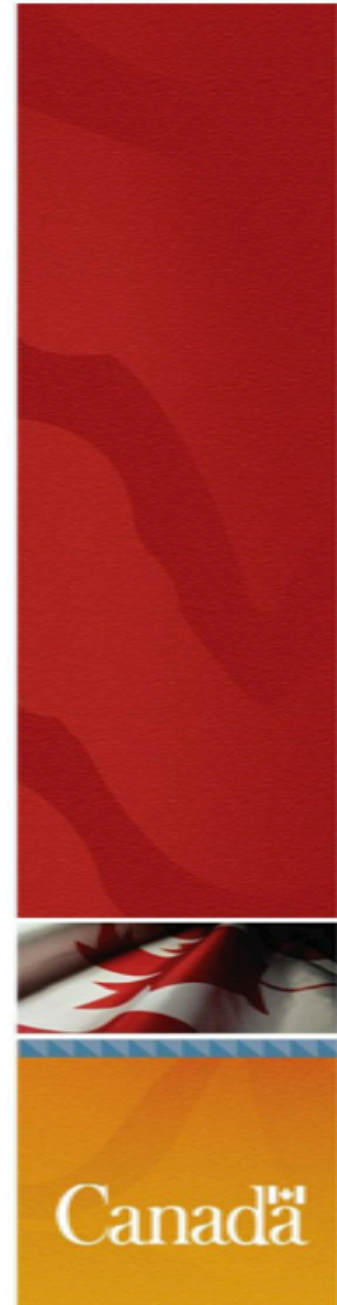
- Once an appraiser has been chosen they will require the following:
 - A detailed sketch plan of the project location and proposed use, including:
 - Area to be appraised
 - Proposed lots included in the project
 - Location and layout of lots
 - Proposed use of the area





Starting Your Project

- In order to complete the appraisal, your appraiser will require Terms of Reference provided by INAC.
- The Terms of Reference will assist the appraiser to determine the market value/rent of the property by identifying specific appraisal criteria.





Market Value

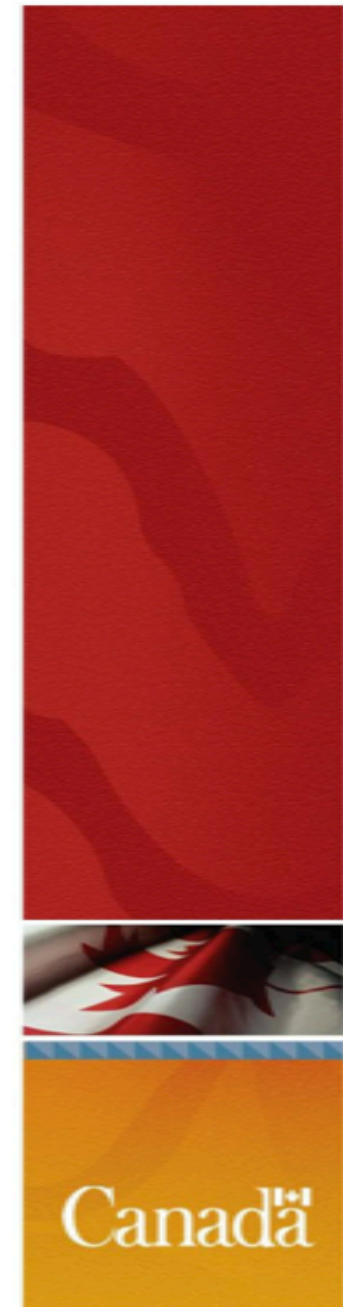
- Market Value/Rent is the highest price paid for a piece of property on an open market with a willing buyer and a willing seller each acting prudently, knowledgeably and assuming that neither party is under duress.





Terms of Reference

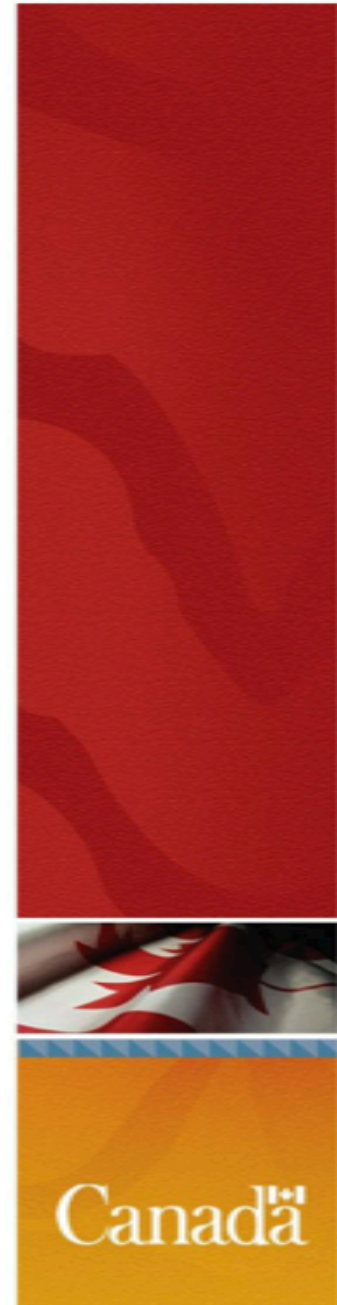
- Market value must consider and identify the following:
 - Assume fee simple interest;
 - Market value must be estimate as raw, un-serviced land for the entire parcel;
 - Detailed analysis of the Highest and Best Use of the property;
 - Identify the anticipated length of time the entire parcel would be on the market;
 - Identify a development horizon period;
 - Determine the per acre market rental rate for the vacant unserviced parcel derived rates.





Terms of Reference

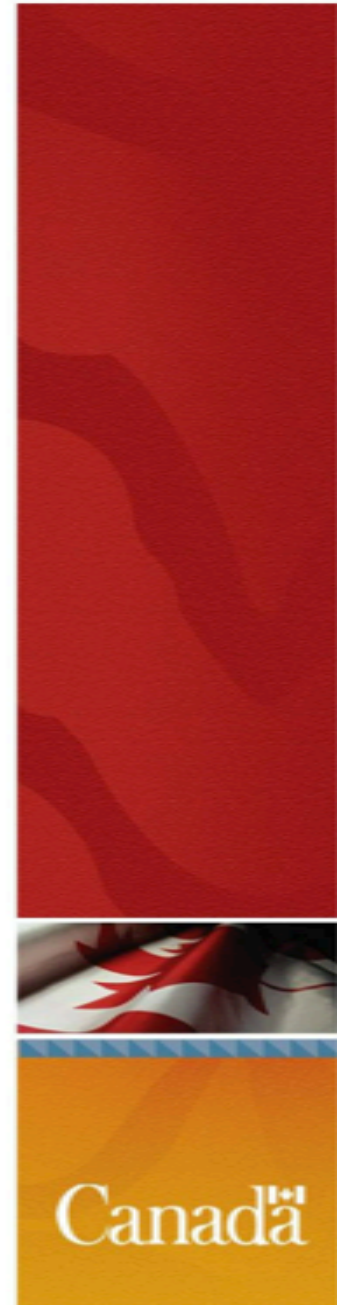
- Appraisal Criteria:
 - The subject lands are to be valued as though held under fee simple title and freely saleable in the open market. Specifically this valuation should:
 - Use fee simple land sales of serviceable lands which are not yet serviced in adjoining municipal districts, ignoring the subject property's reserve status; and
 - not contemplate any reflections of the special status of the Reserve lands (i.e. freedom from taxation, land use controls, etc.) in the valuation process.
 - The valuation is to exclude all mines and minerals.
 - The effective date of the valuation will be the date of inspection.





Receivables

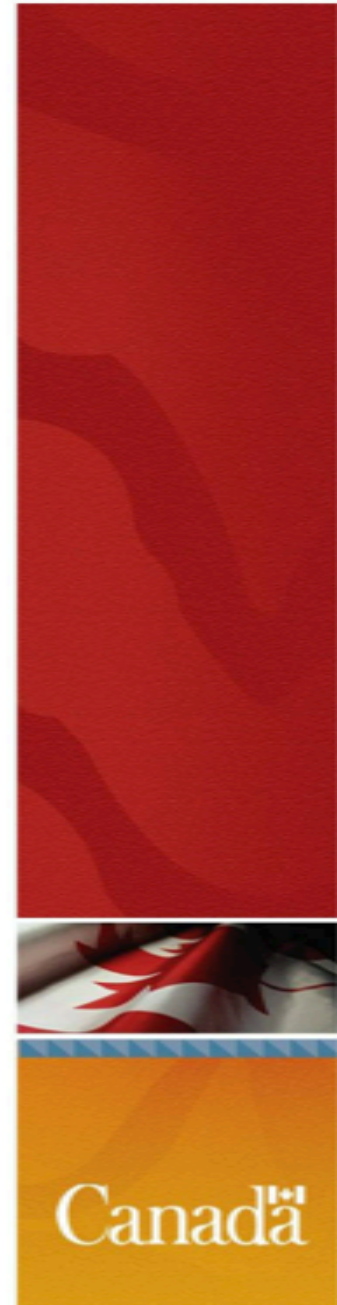
- The Final Appraisal Report must at a minimum include the following:
 - An adequate description of the property being assessed.
 - The purpose of the appraisal and a definition of the value estimate.
 - The effective date of the appraisal.
 - A statement of the estimated highest and best use of the subject property.
 - Reasoning supporting the value conclusion together with such data as may be considered necessary within the scope of the assignment.
 - The final estimate of value.
 - Special limiting conditions, if any.
 - The appraiser's certification and signature.





Environmental Work for Designation and Projects

- Two types of environmental work required:
 - These two pieces can be done concurrently if desired.
 - Environmental Site Assessment Phase I (ESA)
 - Environmental Review





Environmental Site Assessment

- What is an ESA Phase I?
 - The ESA is a requirement for any land designation project.
 - The ESA is used to determine if there were any activities on the land in the PAST that may have caused contamination.
 - ESA's cannot be conducted in winter, as the ground must be visible to view stains and determine if the vegetation is stressed.





Environmental Reviews

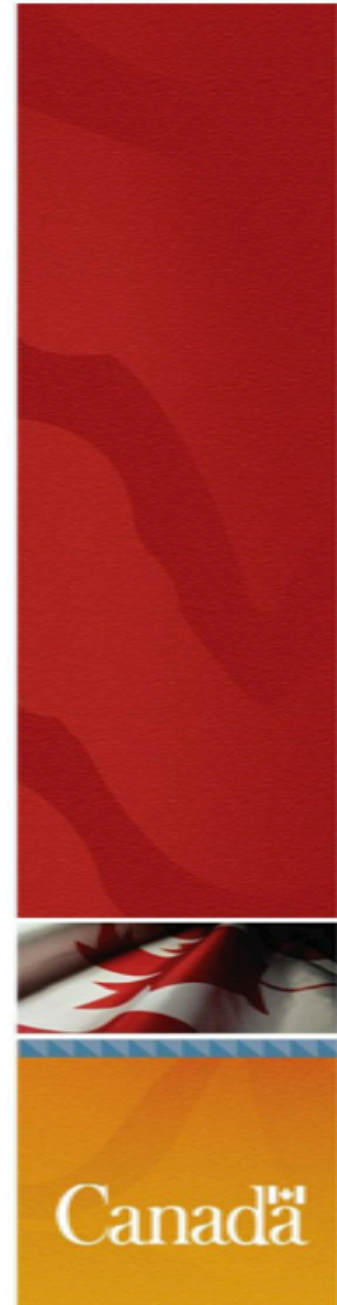
- What is an Environmental Review (ER)?
 - ERs look at the FUTURE and are required for projects BEFORE construction begins.
 - ERs are used to determine the potential environmental impacts a of a project.





Environmental Reviews

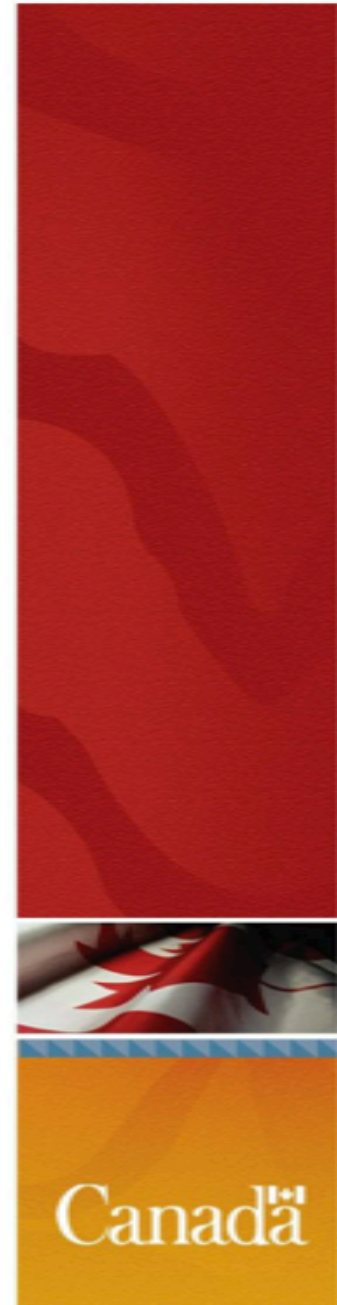
- Prior to the completion of an Environmental Review, INAC must be notified.
- INAC will complete a Project Description with pertinent project details (scope, use, location, contact information, etc...).
- Upon completion, the Project Description will be submitted to an Environmental Officer at INAC who will determine the scope of the review required.





Choosing an Environmental Consultant

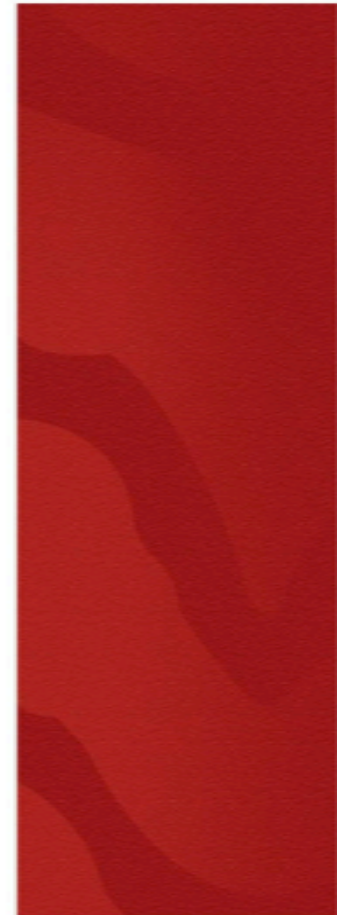
- Unlike Surveyors and Appraisers, there is not a unique professional association for Environmental Consultants.
- http://www.manta.com/world/North+America/Canada/Alberta/environmental_consultant--A62EC7N5/





Choosing an Environmental Consultant

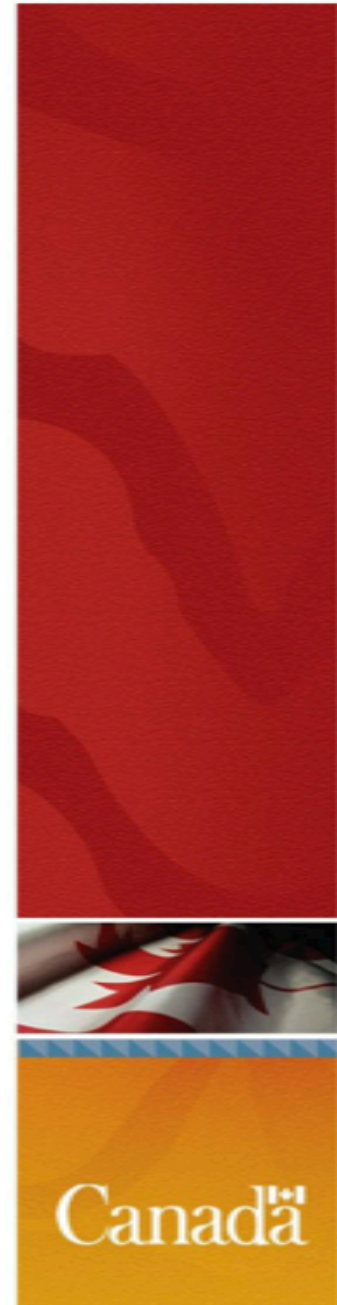
- Things to consider:
 - Experience:
 - What previous experience does the environmental consultant possess? Does it suit your proposed project?
Do they have experience on reserve?
 - Education:
 - What do they specialize in?
 - Does a review your project require a certain type of certification?





Choosing an Environmental Consultant

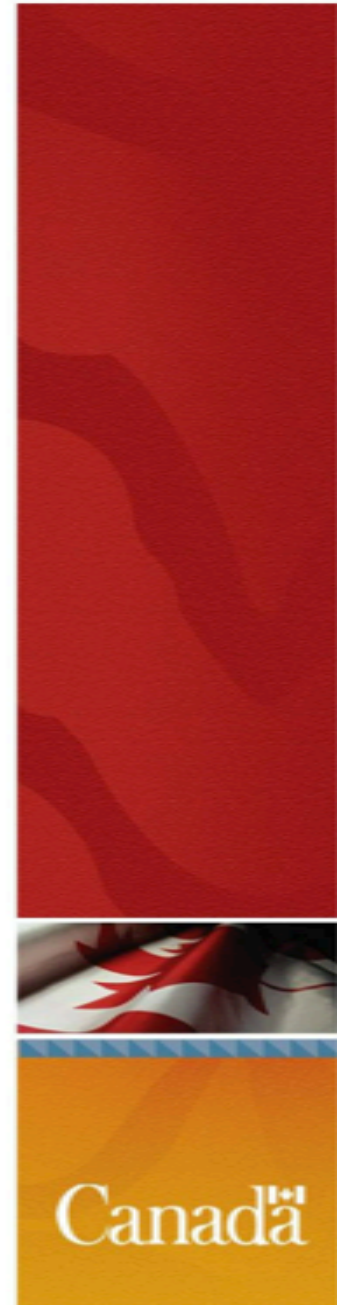
- Things to consider:
 - Estimated time frame for ESA or ER completion.
 - Cost estimate to complete the project:
 - Projects submitting proposals for LEDSP are asked to provide three quotes.
 - In certain instances appropriate justification can be made to sole source the project
 - (ie: the proponent previously completed work on site and is familiar with the location).





Deliverables

- Environmental Site Assessment Phase I
 - A report summarizing the review of:
 - Historic land use
 - ILRS searches
 - Aerial photographs
 - Band & INAC records and databases
 - Interviews with senior staff and/or occupants,
 - A physical assessment of site conditions.
- Environmental Review
 - A report with deliverables determined by the Environmental Officers at INAC.





Contact

Mitchell Reynaud

Land Management Officer, INAC

Phone: 780-495-2779

mitchell.reynaud@aandc.gc.ca

Daniel Silbernagel

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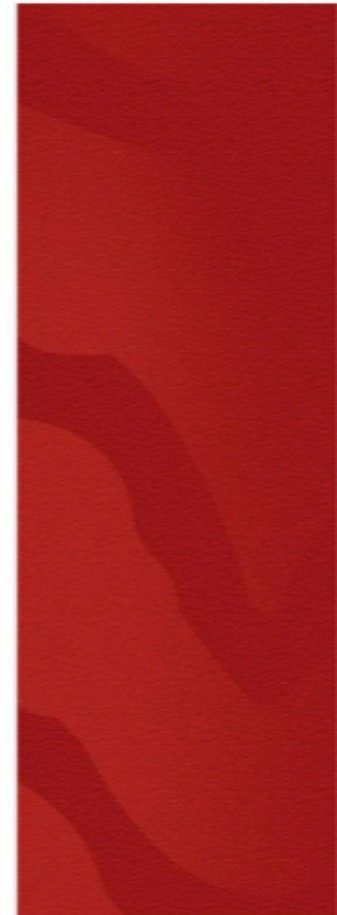
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