

## SPRINGBANK OFF-STREAM RESERVOIR (SR1) PROJECT

### TERMS OF REFERENCE FOR THE JOINT LAND USE ADVISORY COMMITTEE

#### 1. Introduction / Background

This Terms of Reference document sets the terms that guide the Joint Land Use Advisory Committee in the development of a land use plan in the Springbank Off-stream Reservoir (SR1) project development area (Map 1).

This Terms of Reference document envisions a working relationship between Indigenous groups, local communities and Alberta Environment and Parks (AEP) in good faith, collaboration, mutual respect, trust and humility.

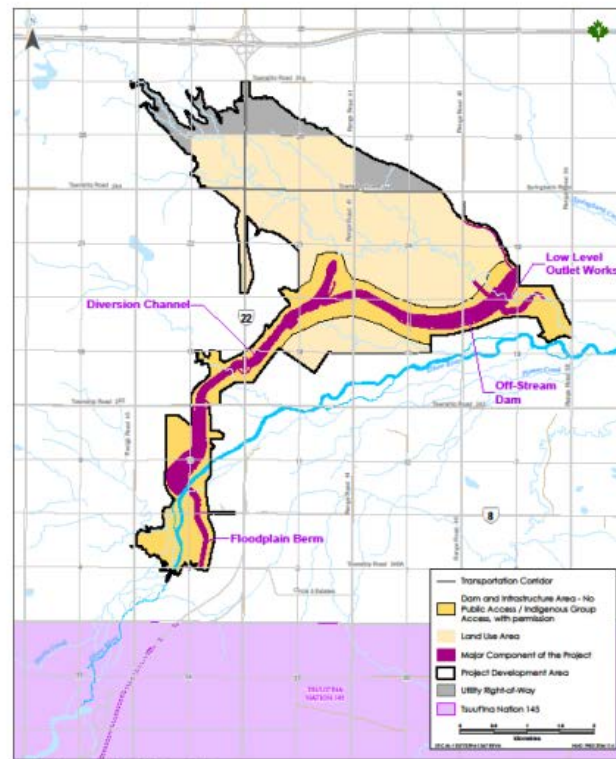
The SR1 project will reduce the effects of flooding along the lower portion of the Elbow River. It was initiated in response to an extreme weather and flood event in 2013. During that flood event, extensive damage occurred to infrastructure, watercourses and buildings, which changed the lives of many along the waterway. The SR1 project is a dry reservoir that will help manage large flooding events by temporarily retaining water.

Alberta Transportation led the application process to construct an off-stream reservoir in the Springbank area. The project was approved by both the provincial Natural Resource Conservation Board (NRCB) and provincial Cabinet, and the federal Impact Assessment Agency of Canada (IAAC). Their conclusions were that the project was in the public interest and would not cause significant adverse environmental effects. Conditions on approval were issued by both levels of government, which are to be delivered throughout the development of the project. The conditions and deliverables listed below are the key drivers to the work and include:

- Establishing a Joint Land Use Advisory Committee to assist in developing a land use plan for the project development area.
- Developing and completing the land use plan by spring 2023, at least one year prior to operation of the SR1 infrastructure.
- Using the *Guiding Principles and Direction for Future Land Use* document to guide the land use plan. This will require approaches that balance desired social, economic, environmental and cultural outcomes.
- A follow-up program that addresses:
  - effectiveness of the land use plan in supporting and prioritizing First Nation' practice of traditional activities in the project development area.
- Providing suggestions for naming the new Crown land area.

Map 1: Springbank Off-stream Reservoir location. Source: Alberta Transportation; 2022.

## Terms of Reference



## 2. Purpose / Scope

The Government of Alberta will collaborate with Indigenous communities, landowners, local community groups and interested stakeholders, in the development of a land use plan for the SR1 project area.

The purpose of the Joint Land Use Advisory Committee will be:

- To provide recommendations and direction into the drafting of the land use plan. The *Guiding Principles and Direction for Future Land Use* document will provide the foundational elements to be considered in preparing the draft land use plan recognizing that:
  - The primary use of SR1 will be for flood mitigation on the Elbow River, to provide temporary storage of water for flood mitigation to communities and infrastructure downstream.
  - The exercise of First Nations' Treaty rights and traditional uses will occur.
  - Other uses and activities will be considered where they align and are compatible with the intended use of the project development area, including but not limited to vegetation and habitat management, grazing, and non-motorized recreation.
- To discuss the use of firearms within the land use area, as identified by an NRCB approval condition (NRCB 3b).

The scope of work will be guided by the NRCB and IAAC conditions as outlined in their decisions, and the provincial Cabinet decision.

## Terms of Reference

The Joint Land Use Advisory Committee will not provide input on:

- Water management of the SR1 project.
- Land use direction on private lands within the project development area, or surrounding lands.
- Infrastructure design and construction activities.

The Joint Land Use Advisory Committee will operate in an advisory capacity and in collaboration with Government of Alberta on the development of a land use plan. Government of Alberta will retain the final decision-making authority and will ultimately be responsible for approving the land use plan. All efforts will be made to seek consensus and agreement within the planning timeframe in order for a collaborative decision to be made.

### 3 Goals and Objectives

The Goals and Objectives for the Joint Land Use Advisory Committee are outlined in this section. Ultimately, the work of this committee is to support the ecological, cultural and social inclusion and sustainability measures necessary for the use of the project development area and for enabling the exercise of Treaty rights and traditional uses. The objectives described below will also guide the scope of the discussions of the committee.

**Goals:**

- To support the development of the SR1 land use plan for the land use area within the time period outlined in the NRCB and IAAC decisions.
- Ensure First Nations can exercise Treaty rights and traditional land uses within the project development area.

**Objectives:**

- Address secondary land uses that will not inhibit the operations and maintenance activities of the entire project area.
- Consider recreation and use in the project development area, meeting public interests and the safety of all users.
- Consider restoration and reclamation activities to support species conservation and management of cumulative effects.
- Discuss the use of firearms in the project development area and its impact on public safety.
- Address seasonal restrictions and timing to ensure the lands are not impacted inadvertently by human use.
- Consider socio-economic opportunities and potential environmental impacts for the project development area.
- Create education, interpretive and cultural opportunities.
- Consider potential impact of user activities on the exercise of Treaty rights and traditional uses.
- Suggestions for naming the new Crown land area.

### 4. Membership

## Terms of Reference

The Joint Land Use Advisory Committee will provide opportunity for participation from:

### **Community Groups/Local Landowners**

- Springbank Community Association
- Bragg Creek Community Association
- Local landowners

### **Municipalities**

- Rocky View County
- City of Calgary
- Town of Cochrane
- Redwood Meadows Townsite

### **Recreation Stakeholders**

- Alberta Fish and Game Association/ Local Fish and Game Association
- Backcountry Hunters and Anglers
- Outdoor Recreation Coalition of Alberta
- Springbank Trails and Pathways Association

### **Conservation Organizations**

- Bow River Basin Council
- Alberta Wilderness Association

### **Indigenous communities and Groups**

- Métis Nation of Alberta Region 3
- Métis Nation of British Columbia
- Ktunaxa Nation Council
- Foothills Ojibway Society
- First Nations Land Use Advisory Committee members

In order to keep the committee at a size that supports collaboration and discussion, each identified individual or group or organization can have a primary and secondary member participate in the committee. These two committee members will work closely to keep each other informed and work collaboratively throughout the process. Representatives on the committee will inform AEP immediately if they no longer can participate in the land use plan development, to allow time to find a replacement.

The Joint Land Use Advisory Committee will be dissolved once the land use plan is finalized, or at a later date at the discretion of AEP.

## **5. Responsibilities and Accountabilities**

## Terms of Reference

The **Joint Land Use Advisory Committee** representatives will work collaboratively together to review and consider all ideas in the context of public safety, environmental sustainability and societal needs of multiple users on the project development area. These committee members are expected to work through a diversity of perspectives and interests and arrive at mutually agreed upon recommendations, where feasible.

**Responsibilities:**

1. Members will seek to foster a safe, respectful and productive environment.
2. Members will understand the process and scope of work through the review and acceptance of these Terms of Reference and commit to moving forward together as a team.
3. Members will make every effort to prepare for and attend all meetings, understanding that each meeting builds on the work of previous meetings, including previous decisions and discussions.
4. Members are accountable to their communities by relaying information and seeking advice where needed.
5. Members will become familiar with environmental, social and economic conditions in the project development area and share new relevant information with the advisory committee. This enables the advisory committee to develop a comprehensive, common set of information with which to solve problems and make decisions.
6. Alternate members must be informed of progress to date and be prepared to move forward. Alternates are expected to have the authority to actively participate, including in consensus-building and decision-making, so participation can be productive and efficient.

**Alberta Environment and Parks** staff will lead the land use planning process and provide secretarial, logistical, and planning-related duties associated with the committee. Such administrative support may include but is not limited to:

- meeting coordination, communication, facilitation, logistics, online technical support and facilities;
- provide subject matter experts to support discussions and clarify questions;
- secretariat functions, including compilation, provision and distribution of materials, meeting documentation, and document retention and storage; and
- reporting functions with IAAC, NRCB and Alberta Transportation (AT).

Other Government of Alberta staff may be invited to participate to provide support or expertise to the process.

## 6. Committee Meetings

## Terms of Reference

The development of the land use plan is governed by timelines set out by the approval conditions outlined in the IAAC and NRCB and provincial Cabinet decisions. As a result, the planning process will be fast paced and involve numerous meetings occurring within a short timeframe. AEP will endeavour to provide information and details in a timely manner to allow committee members to be informed and able to participate.

**Planning timeline:**

- Formation of the Joint Land Use Advisory committee will commence in April 2022.
- The committee will work through the land use planning process from April 2022 through May 2023. IAAC conditions direct completion of a land use plan by spring 2023.
- After approval of the land use plan, the current advisory committee will be dissolved or later at the discretion of AEP (the Operator).

There will be a minimum of five meetings held during the planning timeline that will be full or half-day sessions. Timing and dates will be confirmed and finalized with advisory committee members at the initial meeting. Provision for a committee site visit is anticipated, pending this can be conducted safely and aligned with public health directions to address COVID. Additional meetings may be required and will be confirmed with committee members.

Due to the current COVID situation, all meetings will be conducted online until health restrictions are adjusted. In-person meetings will only be held when deemed safe to do so and are agreed upon by committee members. This will be monitored on an ongoing basis.

**Meeting Rules of Conduct**

The rules of conduct are established to articulate a set of expected behaviors during the committee meetings and conversations. They are to ensure that discussions are spirited and passionate without descending into argument, make certain that everyone is heard, and that committee members work together toward a greater understanding.

**1. Respect:**

Committee members are expected to show respect for each other's time, personal integrity, perspective, contribution and priorities. Respect means listening carefully with the intent of clearly understanding what the other is saying before responding. It means treating one another with professional cordiality, even if there is disagreement over stated positions on a topic.

**2. Seek Clarification**

Committee members will seek clarification on questions, roles, intent and direction in a manner that focuses on solutions and greater understanding. This enables the committee members to have conversations in which members can understand everyone's point of view and be curious about the differences in their views. Members will show a willingness to adapt with new knowledge and changing conditions, while remaining consistent with the spirit and intent of the land use plan.

**3. Transparent Communication**

Committee members will focus on open, collaborative, respectful and transparent communication within the advisory committee, with AEP, and with the public.

## 7. Documentation and Reporting

The Joint Land Use Advisory Committee will be guided through facilitated discussions at each meeting and/or field sessions by AEP and strive towards consensus-based recommendations. Conversations will be documented and shared with committee members.

- Meeting summary minutes, action items and follow-up items will be captured by an independent note taker and placed on an internal website for committee members for review and reference.
- Decision tracking, incorporation of information received, rationale for inclusion or non-inclusion of recommendations into the land use plan and direction taken to resolve issues will be included in the meeting records.
- Drafts of the land use plan sections will be available for review on the advisory committee website, with the final draft land use plan completed by fall 2022 prior to broader public engagement.
- Public engagement summaries on the draft land use plan will be shared with the committee within one-month of engagement closure to discuss and finalize amendments to the land use plan.
- An annual report on the progress of the committee will be completed to support IAAC reporting conditions.

## 8. Information Sharing

AEP will provide:

- Access to background information related to the land use plan development process. This information will be located on the internal Joint Land Use Advisory Committee website site.
- Links to additional SR1 information (e.g. Alberta Transportation documents) will be provided on the internal website.
- Follow-up requests for information through direct email correspondence.

## 9. Monitoring and Evaluation

Ongoing monitoring of the terms of reference and related activities will occur during the land use planning process by evaluating post meeting surveys and group or individual conversations.

## 10. Acceptance and Sign-Off