
**BRAS D'OR
COLLABORATIVE ENVIRONMENTAL PLANNING INITIATIVE (CEPI)**

TERMS OF REFERENCE

Preamble:

The Collaborative Environmental Planning Initiative (CEPI) comprises a group of partners committed to the preservation and sustainable development of the ecosystem of the Bras d'Or Lakes and watershed lands. The Terms of Reference of CEPI are outlined below, with supporting detail included in the attached appendices. These Terms of Reference will be periodically reviewed to ensure that they reflect the intent and scope of CEPI. The background and history of CEPI is contained in Appendix 1.

Vision:

To lead a unique collaboration of partners that incorporate both traditional and western perspectives in order to foster a healthy and productive Bras d'Or Lakes watershed ecosystem.

The vision to be achieved through CEPI has been formed through various workshops and planning studies concerning the Bras d'Or Lakes over the past 30 years and specifically articulated through the two large workshops held in Oct. 2003/2004 and the 2016 CEPI People of the Lakes Speak Sustainable Practices Conference.

Purpose:

To develop an overall management plan for the ecosystem of the Bras d'Or lakes and watershed lands and to facilitate its implementation by governments and other relevant stakeholders.

The management planning process as outlined in the Spirit of the Lakes Speak document, seeks to address the existing environmental issues, and to anticipate and plan for the mitigation of other issues that may affect this unique and valued environment. The management planning process includes all planning stages including development, implementation, monitoring and evaluation. Part of this work is to ensure that the diversity of efforts underway in this area are better coordinated and supported.

Objectives:

A balance of environmental, social, cultural, and institutional objectives will be pursued to ensure the health and sustainable use of the Bras d'Or lakes watershed ecosystem.

1. *Institutional:*

- a) Support the development and implementation of the management planning process as outlined in the Spirit of the Lakes Speaks;
- b) Build capacity for CEPI to facilitate management planning and sustainable development;
- c) Provide support where possible to other groups working toward the same objectives as CEPI;
- d) Facilitate access to financial and in-kind support for CEPI and its partners; and
- e) Foster decision-making that considers “seven generations”.

2. *Social/Cultural:*

- a) Engage Mi’kmaq and non-Mi’kmaq partners in the spirit of reconciliation and two eyed seeing;
- b) Ensure multi-stakeholder participation (especially youth and Elders);
- c) Promote increased communication, education, and awareness; and;
- d) Foster integration of traditional and western knowledge and perspectives.

3. *Environmental:*

- a) Improve or maintain healthy aquatic ecosystems, including water quality (i.e. marine, freshwater, drinking water);
- b) Improve or maintain healthy terrestrial ecosystems;
- c) Improve or maintain air quality over the Bras d'Or Lakes watershed; and
- d) Understand, educate and promote awareness and action on the impacts of climate change, including mitigation and adaptation.

4. *Economic:*

- a) Promote sustainable development practices of our natural resources through dialogue, education, and applied and practical research;
- b) Promote the growth of a green economy by encouraging sustainable practices in natural resources sectors (e.g. forestry, fishery and aquaculture, tourism, agriculture, and mining), by advancing new sectors (e.g. renewable energy, clean technologies), and by supporting policy development that aligns with CEPI; and;
- c) Reduce economic losses from threats such as invasive species, habitat destruction and pollution.

Guiding Principles:

The following principles help guide the work and approach of CEPI. Supporting detail of each principle is included in Appendix 2:

- 1) *We are part of Nature, not owners of her.*
- 2) *We will assist in healing previous damages.*
- 3) *We will consider the impact of our present actions on future generations.*
- 4) *We will pay attention.*
- 5) *We will cause no net loss of habitat.*
- 6) *We will work together.*
- 7) *We are accountable.*

Governance Structure:

The main components of a governance structure for CEPI are included below. A Functional Chart is outlined in Appendix 3.

- **Senior Council**
- **Management Committee**
- **Steering Committee**
- **Elders and Youth Councils**
- **Task Teams**
- **Secretariat**
- **Broader Community**

Senior Council:

The Senior Council is the principal body responsible for advancing the objectives within CEPI's Terms of Reference. The role of the Council is to provide strategic direction to the initiative, as well as government support and feedback in order to advance mutual priorities in the Bras d'Or Lakes watershed. Senior Council will be responsible for reviewing and approving annual work plans and budgets.

The Senior Council, consisting of the five Cape Breton First Nation Chiefs, Federal Regional Directors General, Provincial Deputy Ministers and Mayors and Wardens, meets at least twice a year to review and endorse CEPI's activities and overall direction.

The Senior Council shall appoint two co-chairs for the Management Committee from among the Committee members who will also serve as co-chairs for the meetings of the Senior Council and Steering Committee.

Their signatures on the Bras d'Or Charter, as illustrated in Appendix 4, indicate the commitment of Members to the CEPI Process.

Management Committee:

The Management Committee is responsible for the general management functions of the CEPI process. The Committee consists of one appointed representative (or alternate) from each of the four government partners that was a signatory to the Bras d'Or Lakes Charter and three ex-officio members: the CEPI Coordinator, the Executive Director of the Unama'ki Institute of Natural Resources (UINR) and the Director of Administration for UINR.

The CEPI Management Committee will report to the Senior Council and it will be responsible for the following activities:

- Annual work and financial planning;
- Budget preparation and funding issues;
- Preparation of job competencies and duties, selection and recruitment of CEPI staff and review of performance evaluations of CEPI staff;
- Senior Council meeting preparation;
- Steering Committee meeting preparation and approval of membership;
- External and internal communications;
- Support/direction to Task Teams;
- Reporting and evaluation; and
- Other functions as required.

The CEPI Management Committee will meet on a monthly basis (except for the month of August).

Steering Committee:

The CEPI Steering Committee is a committee that represents the diversity of government, First Nations and other stakeholders in the Bras d'Or lakes and watershed. To include diversity of views membership consists of representatives from the following groups:

- First Nations
- Federal Government
- Provincial Government
- Municipal Governments
- Industry
- NGO/Community
- Academia
- Other

This committee meets quarterly in Eskasoni. A schedule of meetings will be prepared annually. Its role is to provide information exchange, input, advice and feedback to the Senior Council and Management Committee.

Elders Council:

A council consisting of Elders from at least each of the five First Nations communities, which is convened on an ad hoc basis. Issues are discussed and advice and guidance provided to the Senior Council and Management Committee.

Youth Council:

The inclusion of youth, both Mi'kmaw and non-Mi'kmaw, will be encouraged through the Youth Council. The Youth Council discusses issues and provides advice to the Senior Council and Management Committee. The Youth Council meets on an ad hoc basis.

Task Teams:

Task Teams are created by the Management Committee to address specific aspects of the work plan and its implementation. Each task team will be required to develop a terms of reference to define the roles of its members and the work to be completed. The terms of reference will feed into the annual work plan; align with CEPI's priority sub-objectives as well as direction from Senior Council.

The Task Teams are accountable to the Management Committee and are supported by the Steering Committee, Elders Council and the Secretariat for coordination, communications, and potentially to help secure funding. Members of Task Teams may include Steering Committee members, subject experts, and representatives of the Stakeholder bodies. A member of the Steering Committee chairs each Task Team.

Secretariat:

The Secretariat is based at UINR and is comprised of a Coordinator and support staff. The general roles of the Secretariat include:

- Coordination and Administration of CEPI process;
- Communications;
- Liaison with communities (First Nation and non-First Nation) and government;
- Support to the Senior Council;
- Support to Management Committee;
- Support to Steering Committee;
- Support to the Elders Council;
- Support to the Youth Council; and
- Support to Task Teams.

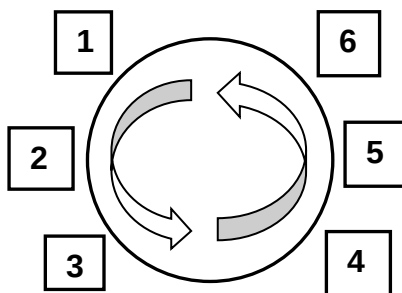
The Secretariat is comprised of the CEPI Coordinator and support staff, with administrative support from UINR.

As part of the Secretariat, UINR provides the following services to CEPI: financial management and reporting, office space and equipment, support and administrative services and other assistance as required.

Broader Community:

The Broader Community represents all people or groups with an interest or stake in the environment of the Bras d'Or lakes and watershed lands. Consultation with and input from this broad group forms a crucial foundation to CEPI and is solicited through workshops, smaller kitchen-table meetings, facilitated sessions, questionnaires, or other means as appropriate. Community meetings may be held annually or more or less frequently as needed, for information purposes. The concerns, opinions and feedback obtained from this broad range of stakeholders helps CEPI set priorities.

The Work and Financial Planning Cycle:



CEPI will use a circular planning model based in part on the Medicine Wheel, and in part on the practices of modern planning process theory. This circular planning operates on a one-year cycle.

1. The starting point of the work and financial planning cycle is the November meeting of the Senior Council. The Management Committee will inform Senior Council members ahead of time about the issues to be presented. The agenda will include:

- A report card on the previous year's projects and activities, including any known results;
- A discussion and decision on recommended priority sub-objectives for the next fiscal year, proposed by the Management Committee;
- A notional work plan and budget for the next fiscal year, aligned with recommended priority sub-objectives. The notional work plan will include proposed projects and activities; and
- A mid-year discussion on the status of the current year's financial budget and work plan implementation.

2. In November of each year the Management Committee, with support of the CEPI Secretariat, will update the notional work plan based on Senior Council direction and consults with the Steering Committee and Elders/Youth Councils for consideration and advice. Notional budget and work planning documents will be updated, as appropriate.

3. In March, the Senior Council will meet a second time. The Management Committee will inform Senior Council members ahead of time about the issues to be presented. Agenda items to include:

- Status of the financial accounts in order to close the current fiscal year; and
- The final work plan and balanced budget for the upcoming fiscal year for approval.

4. Once financial and work planning documents are approved by Senior Council, the Task Teams Chairpersons will receive their mandate on priorities for action and associated budgets. The Task Team Chairpersons coordinate the work of participating government staff and volunteers, taking into account their respective resources and abilities to contribute. Projects are expected to run year-round as required. Chairpersons provide quarterly updates on projects to the Management Committee. Some projects, by their very nature, require more than one year to complete, but progress reports will continue to be provided quarterly.

5. In preparation for the November Senior Council meeting, the Management Committee consults with the Steering Committee and the Elders/Youth Councils during focused meetings held in September or October. The agenda for these focused meetings will include issues and plans proposed for Senior Council by the Management Committee. These meetings are the normal avenue through which members can access the Senior Council. The Agenda may also include items raised by members of the Steering Committee or by the Elders/Youth Councils. These consultations form the initial phase of the next planning cycle.

6. Approximately every five years, and/or upon a decision by Senior Council, CEPI will hold public workshops for information and consultation purposes. At these workshops, CEPI will report on achievements, and present updates on the issues and gaps being addressed. Proceedings of these workshops will include reports on progress made against mutually agreed objectives through measurement in the environment. By assessing feedback, suggestions and advice collected during these workshops, CEPI can assess whether it is still making progress or if a change in focus is required. The Proceedings of this gathering will be made available to individuals and organizations through the CEPI web site (www.brasdorcepi.ca)

Minutes, as well as a summary of the minutes, stating issues and decisions by the Senior Council are prepared by the CEPI Secretariat and approved by Senior Council. The summary minutes are posted on the CEPI website

Work and Financial Planning:

An annual work plan and budget is to be prepared by both the CEPI Management Committee and CEPI Secretariat and reported on quarterly to Senior Council with respect to progress.

Senior Council, upon recommendation from the Management Committee, will approve which sub-objectives from the Terms of Reference document will be selected as priorities for advancement for the annual work plan. The prioritization of sub-objectives will align with CEPI's resources and focus on achieving tangible deliverables in the coming year. Indicators will be developed for each priority sub-objective to measure progress in achieving results and facilitate progress reporting.

The work plan will provide a description of the activity and/or project, the sub-objective it is advancing, the project lead and contributors, deliverables, key milestones and identify project funds and costs. Additional details on multi-year project proposals can be attached as an appendix to the annual work plan.

The budget presented to Senior Council for approval will be balanced, based on known revenue, and reflects identified priorities. It will take into account any remaining funds available from the previous fiscal year.

APPENDIX 1

BACKGROUND

Background:

Since 2003, federal, provincial, municipal governments, First Nations, and the broader community of the Bras d'Or (including industry, non-governmental organizations (NGOs), academia, residents, etc.) have been working together to develop a common understanding and approach to better managing the ecosystem of the Bras d'Or Lakes and surrounding watershed. Two workshops, held in October 2003 and 2004 and attended by more than 250 people, along with other meetings and discussions have helped lay the foundation for moving this initiative forward. The Unama'ki Institute of Natural Resources (UINR), representing the five First Nation bands in Cape Breton, has been instrumental in facilitating this process, with support provided by various government departments, local NGO's, industry, and others.

History of Initiative:

In February of 2003, the First Nation Chiefs met with the Federal Regional Directors General of Fisheries and Oceans Canada, Environment Canada, and Indian and Northern Affairs Canada to discuss how these agencies could assist in addressing the worsening condition of the Bras d'Or ecosystem. It was agreed that an overall management plan was required for this area to address the many issues present and to coordinate many of the existing efforts. The first step in this process was to develop an agreed to and common approach among the various governments involved in managing the Bras d'Or. The Bras d'Or Partnership Committee (an intergovernmental and intersectoral group, organized by the Unama'ki Institute of Natural Resources, to address environmental issues in the Bras d'Or) assumed the role of planning this work. In October 2003, a workshop with over one hundred senior members of government (municipal, provincial, federal and First Nation) came together to discuss the issues and reach agreement on how to move the initiative forward. This included having the Unama'ki Institute of Natural Resources play a key role in helping coordinate the work required. Once the government partners agreed to a common vision and way of moving forward, the broader community was to be engaged into the discussion. This occurred in October of 2004 at another workshop where over one hundred and fifty people attended. Here participants had the opportunity to discuss the issues present, learn about existing initiatives, and develop an approach for moving forward.

APPENDIX 2

THE GUIDING PRINCIPLES

The Guiding Principles offer a moral compass, or theme, which will influence how decisions are made and which actions are to be undertaken. These guiding principles ought to live up to the spirit and intent of the Charter, which calls for *Understanding, Respect* and *Cooperation*, now and into the future.

We must try to understand and respect all components of the Bras d'Or Lakes ecosystem. The health of the Lake must be improved. On-going damages must be stopped, the waters must be cleaned, and once-abundant species must be encouraged to return. Once this is achieved, maintaining the health of the Lakes should be the most important focus.

We must understand, respect, and cooperate with the people who interact with the Bras d'Or Lakes, directly and indirectly. For those of us who live in the watershed, any improvements we can make to the system will make us happier and healthier. We must find a balance between a healthy ecosystem and the need for people to provide for their families through the creation of jobs and wealth.

With this in mind, we propose the following principles to guide people's considerations, decisions, and actions while interacting with the Bras d'Or Lakes and collectively managing her resources. These principles are for all to observe, whether you are a government decision maker, a visitor, or a permanent resident of the watershed. We all have the responsibility to assist the Bras d'Or Lakes in healing.

These Guiding Principles do not contradict any current laws, regulations, or rules that govern human activities within the Lakes. Instead, they are meant to provide guidance in their application and understanding, leading to a more healthy relationship between all involved, and to changes needed to protect the integrity and health of the Lakes.

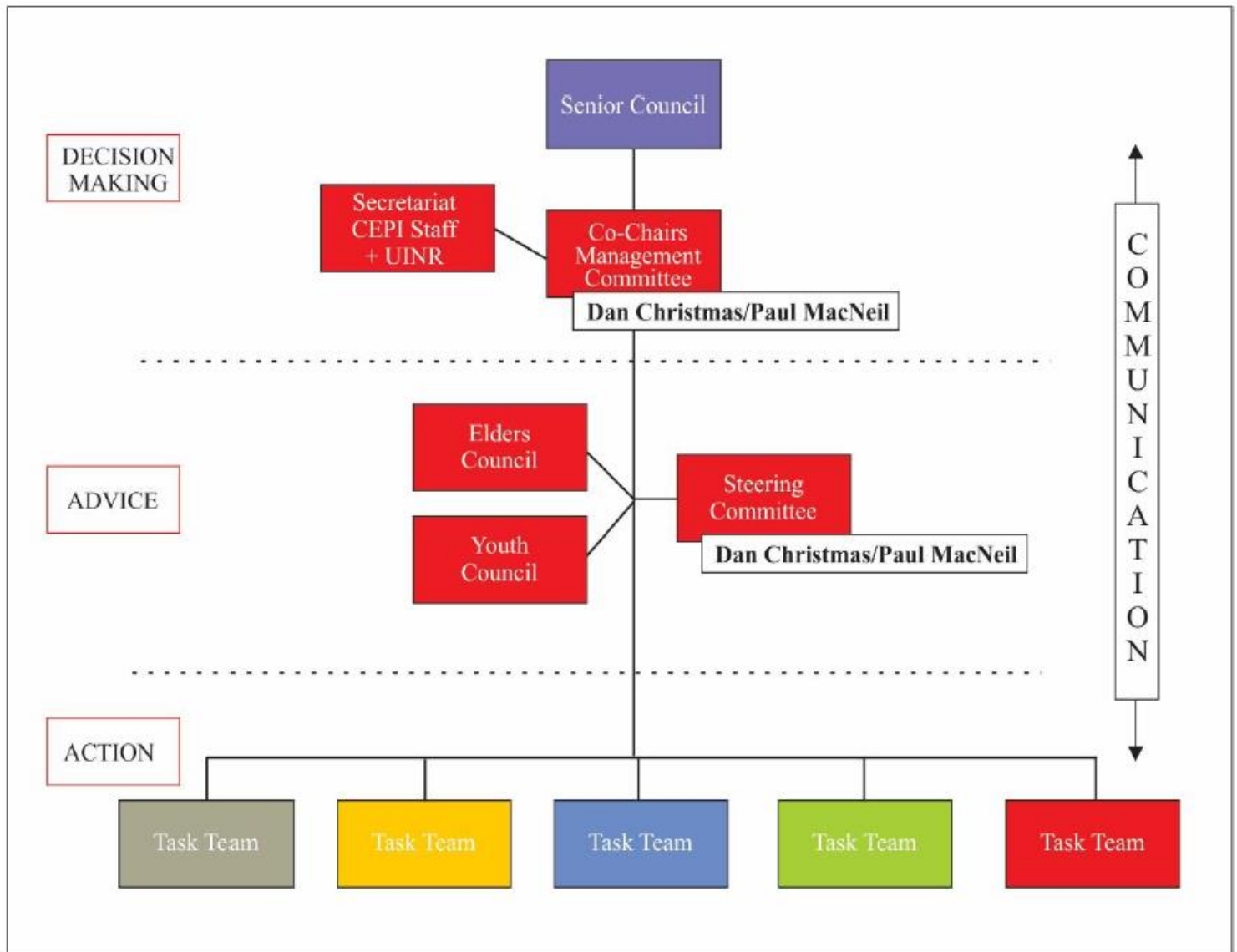
The Principles:

- **We are part of Nature, not the owners of Her.** We acknowledge and respect the trees, the birds, the fish, and all our relations with whom we share the Bras d'Or. We are grateful for their important role in maintaining a balance in our natural world.
- **We will assist in healing previous damages.** We will use Traditional Ecological Knowledge combined with the tools of modern science to assist the Lakes in healing former injuries and work to restore fish and shellfish to their former abundance. We will try to restore their habitats when we discover losses or degradations in them.
- **We will consider the impact of our present actions on future generations.** We, the current generation, will think and live in a manner that will ensure that inhabitants seven generations into the future will continue to benefit from the Bras d'Or as we have.
- **We will pay attention.** We will refrain from decisions and actions that would knowingly harm the Bras d'Or. We will work with authorities to ensure that any proposed alteration is thoroughly reviewed, and will only proceed if the ecosystem shall remain the same or benefit from the change.

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- **We will cause no net loss of habitat.** We will use the best practices available to ensure that, as we benefit from the use of the Lakes' resources, we can ensure the restoration or creation of habitats to compensate for any damage we may cause to the land, the water, or native species.
 - **We will work together.** We shall be patient and work together in a spirit of mutual respect for the social, economic, and spiritual wellbeing of our Bras d'Or friends and neighbours.
 - **We are accountable.** Our actions will be transparent, we will measure our progress, we understand our responsibilities to the Bras d'Or Lakes and to its people, and we are prepared to be judged by our peers and by future generations for our actions.

APPENDIX 3
CEPI GOVERNANCE STRUCTURE

Functional Chart



APPENDIX 4

BRAS D'OR LAKES CHARTER

