Merritt
FLOOD MITIGATION

STUWI(x) Naturalization Project Steering Committee

TERMS OF REFERENCE

Version 13.0 as of April 1, 2025

Table of Contents

1. Land Acknowledgement 3
2. Background 3
3. Assumptions 3
4. Vision Statement 3
5. Project Scope 4
6. Traditional Knowledge and Protocols 4
7. Anticipated Schedule and Project Phases 4
8. Steering Committee Functions 4
9. Membership and Governance 5
10. Meetings and Communication 7
11. Member Remuneration 8
12. Agreement and Amendments to this Terms of Reference 8

1. Land Acknowledgement

1.1. The Nicola Valley is the traditional, ancestral and unceded territory of the Nleʔkepmx and Syilx Nations, including the Shackan, Nooaitch, Lower Nicola, Coldwater, Cook's Ferry, and Upper Nicola Bands. We acknowledge the Nleʔkepmx and Syilx Nations and their connection to this land, and we aim to incorporate their collective knowledge, values and traditions regarding environmental management and stewardship practices.

2. Background

2.1. Following severe flooding in late 2021, the City of Merritt (the City) prepared a Flood Mitigation Plan (see City website) which was then adopted by City Council. As the Plan will take an estimated $109 million to construct in its entirety, the City is implementing projects as funding can be secured and accessed, treating critical repair and mitigation work as priority.

Funding has now been secured to begin the revitalization of the lands at the end of Pine Street which were inundated with flood waters, and to permanently establish the river channels/stream beds that connect and make up the confluence of the Coldwater and Nicola Rivers. See Figure 1 for the location. The overall project has been initially titled as the STUWI(x) (st-OO-wh-EE-k) Project: sʔuyuʔsúps (s-EE-UP-s-EE-Ups) tmíxʷ (ti-MU- k) Urban Westside Indigenous (x) Project. The working name is the **STUWI(x) Naturalization Project.**

The City wishes to engage with Indigenous groups of the area in delivering the project (see the Flood Mitigation Indigenous Engagement Plan for further details on engagement). In particular, the City is inviting local Indigenous groups, among others, to participate in a Steering Committee that will guide and direct the STUWI(x) project. This initiative has led to the development of this draft Terms of Reference (TOR) for the Steering Committee which will be finalized collaboratively by the members.

3. Assumptions

3.1. The following assumptions should be considered as the Steering Committee develops its vision statement and the scope of work for the project:

- 3.1.1. The City will remove all infrastructure from the property.
- 3.1.2. The project must be able to be funded by identified funding partners.
- 3.1.3. The project can be implemented within approximately $1,100,000.
- 3.1.4. The project must be able to be permitted by relevant authorities.
- 3.1.5. The temporary dike along the Coldwater River (south of the site) will be removed.
- 3.1.6. The final land use must not restrict public access.
- 3.1.7. The site ideally would not have any permanent buildings.

4. Vision Statement

4.1. Our vision is to rewild and restore the riverscape, creating thriving habitats for all while reconnecting people with the land and its stories. We envision a space where traditions are respected, ceremonies are renewed, and nature and community grow together in unity for future generations.

Note: The Vision Statement will be reviewed on a regular basis at the request of the Steering Committee.

5. Project Scope

5.1. The intent of the STUWI(x) project is to restore and rewild the lands to the northeast of Pine Street as a naturalized area at the confluence of the Coldwater and Nicola Rivers. The project intends to re-establish the connection with the historical floodplain during high water events. The establishment of riparian habitat is intended to reduce flow velocities and the risk of future flooding of other neighbouring and downstream properties. The exact scope of the site works is to be determined by the Steering Committee, who will then provide executive direction and oversight to ensure the project realizes its vision and objectives.

6. Traditional Knowledge and Protocols

6.1. The members of the Steering Committee acknowledge that the STUWI(x) project may incorporate Traditional Knowledge and traditional and cultural protocols and practices of the participating Indigenous groups.

6.2. All members of the Steering Committee, including the City of Merritt, will work to uphold the traditional and cultural protocols of all participating Indigenous groups as they apply to the STUWI(x) project and the functions of the Steering Committee.

6.3. All members of the Steering Committee will protect the sensitive and/or confidential nature of any Traditional Knowledge or other information as it may be presented by or requested of the contributing parties, following the principles of Ownership, Control, Access, and Permission.

6.3.1. Recognize that some material or information shared verbally should not be recorded in meeting summaries.

7. Anticipated Schedule and Project Phases

7.1. A preliminary schedule has been estimated as follows; however, the duration of the project is highly dependent on the scope of work determined by the Steering Committee and therefore this schedule may change. Also see Figure 2.

Phase	Activity	Proposed Date(s)
Property Acquisitions	Appraisals	March – May 2024
	Approvals Processes	March – July 2024
	Implementation	May – September 2024
Steering Committee Activities	Develop Project Scope	June – October 2024
	Ongoing Involvement	October 2024 – Dec. 2025
	As-Needed Involvement	January – August 2027
Design & Engineering	Preliminary Archaeology	March – August 2024
	Preliminary Environmental Assessment	March – August 2024
	Design	October 2024 – July 2025
	Permitting	March – September 2025
Implementation	Construction	July 2025 – August 2027
	Opening Ceremonies	August 2027

8. Steering Committee Functions

8.1. The primary functions of the Steering Committee are:

8.1.1. To provide cultural and technical leadership, guidance, and direction on the overall project vision, project objectives and constraints, and project scope, ensuring they are aligned with local cultural and Traditional Knowledge, protocols and practices.

8.1.2. To determine and recommend the final scope of work for the project.

8.1.3. To strive for alignment between the City's Flood Mitigation Plan and projects and the different concerns and priorities of participating groups.

8.1.4. To work to build and maintain effective relationships and communications with all project parties, including the City, advisors, all Indigenous groups of the area, and other residents of the area.

8.1.5. To provide guidance on key project deliverables such as archaeological and environmental reports, design drawings and documents, etc.

8.1.6. To monitor project implementation to ensure cultural considerations are satisfactorily incorporated.

8.1.7. To assist in the resolution of issues or concerns that may arise throughout the design and implementation of the project and have project scope impacts, cultural or ecological considerations, or major budget or schedule concerns.

8.1.8. To provide final endorsement and summary of project completion.

9. Membership and Governance

9.1. Steering Committee Structure

9.1.1. It is envisioned that the Steering Committee will consist of representatives from the six (6) Indian Bands in the region, Elders and/or other Knowledge Keepers or cultural advisors from the region, the City of Merritt, technical advisory groups such as engineers, environmental specialists, archaeologists, and others as the Committee deems appropriate. The group will work together to balance its representation and expertise. The proposed structure of the Steering Committee is visualized in Figure 3.

9.1.2. The City will provide a Chair and Facilitator who will work together to moderate and manage the Committee as a whole.

9.2. Facilitator

9.2.1. A Facilitator will be retained by the City of Merritt to work with the Chair and to facilitate Steering Committee meetings and discussions.

9.2.2. The Facilitator will work with the Chair and Steering Committee to establish the final membership, finalize the Terms of Reference and complete other preliminary/ commencement activities as required.

9.2.3. Throughout the project, the Facilitator will facilitate meetings; ensure that there is progress in discussions and action items; and work to achieve satisfactory resolution of any issues, as required.

9.3. Chair

9.3.1. The City of Merritt's Indigenous Engagement Manager will act as Chair and non decision-making member of the Steering Committee for the duration of the project.

9.3.2. The Chair will work with the Facilitator to call Steering Committee meetings; prepare agendas and meeting summaries; provide direction as required to the membership regarding Committee responsibilities; and, as required, request independent advice on different aspects of the project.

9.4. Decision-Making Membership

9.4.1. It is anticipated that the decision-making membership will include one (1) representative from each of the six (6) local Bands and the City of Merritt, collectively providing a balance of technical, environmental, cultural and Traditional Knowledge.

9.5. Advisory Membership

9.5.1. It is anticipated that the advisory membership will include technical experts (such as engineers, environmental specialists, archaeologists, constructability advisors), local cultural advisors, Elders, Knowledge Keepers, City representatives, community members and/or others as the group sees fit, and provide a balance of technical, environmental, cultural and Traditional Knowledge.

9.6. Membership Details

9.6.1. Steering Committee members are anticipated to be selected for the duration of the project. As noted in Section 7.1, the schedule is highly dependent on the scope of work. However based on the estimated schedule, core Steering Committee involvement is from approximately June 2024 to late 2025, with as-needed involvement following until late 2027 (dependent on the construction schedule). Membership should remain consistent as much as possible from start to finish of the project.

9.6.2. It is preferred that members are non-elected individuals or representatives. However, regardless of affiliation, all members will make best efforts to remain unbiased, and provide input and decisions in the best interests of the project and the region as a whole.

9.6.3. Steering Committee members will be responsible for providing regular updates to their respective leadership (e.g., City Council, Chief and Council).

9.7. Decision Making

9.7.1. It is intended that a consensus decision-making process be used by the Steering Committee; meaning, that the group will come to a general agreement on decisions and that no member is in opposition. For clarity, the following positions may be taken by each of the decision-making members and documented in a meeting summary:

9.7.1.1. Endorsement of a decision (in agreement)

9.7.1.2. Acceptance of a decision (not in disagreement; decision may carry)

9.7.1.3. Opposition to a decision (in disagreement)

Should consensus not be achieved on a decision, the group will discuss other options for moving the process forward, such as obtaining more information, seeking expert guidance/opinion, deferral, etc.

9.7.2. It is envisioned that members will participate as a member or delegate of their Band or community and feel empowered to make decisions in the best interest of their community and the project as a whole.

9.7.3. In order for decisions to be made, a minimum level of participation and/or representation will be required. Once established, the Steering Committee will determine the requirements for decision-making, considering items such as: How many members must be present? What groups or knowledge types must be represented? Which decisions are major and which are minor?

9.7.4. Steering Committee members will respect the positions and decisions of all parties, including any limits or protocols that must be adhered to.

9.8. Project Delivery Team

9.8.1. The City of Merritt's Project Delivery Team consists of staff in the Flood Mitigation department.

9.8.2. The Project Delivery Team will retain the required technical expertise to implement the project such as project managers, engineers, contractors, etc.

9.8.3. Should tasks be identified that fall outside of the original funding, timing and permitting parameters, the Project Delivery Team will work with the Steering Committee to endeavor to find solutions.

9.8.4. Any required qualified professionals will be retained, scheduled and managed by the Project Delivery Team and engaged with the Steering Committee as needed.

9.9. Steering Committee Responsibilities

9.9.1. The Steering Committee members will work together, with the Facilitator and Chair, to develop shared expectations and responsibilities that all members agree to and that will be documented here. These may consider matters such as meeting expectations, principles of mutual respect and responsibility, use of appropriate skills, objectivity, and judgment, confidentiality, conflicts of interest, etc.

10. Meetings and Communication

10.1. Meeting expectations are as follows:

Frequency of Meetings:	The Committee will hold regular meetings (up to bi-weekly) for the duration of the project. The schedule of meetings will be set in advance by the Steering Committee.
Meeting Format:	Combination of in-person (Merritt, surrounding communities, on-site), virtual and hybrid
Time and Duration:	Regular frequency to be determined by project parties; duration 1-2 hours
Quorum:	4 Steering Committee members or their alternates.
Observers:	Steering Committee meetings are open to public and can be attended by other representatives (and occasionally required subject matter experts) from the Bands, City or other relevant organizations. In addition, observers may attend to listen and ask questions but may not participate in decision-making processes.
Meeting Documents:	The Chair and Facilitator will prepare and distribute meeting agendas and summaries before and after each meeting. Members can request an addition to a meeting agenda by writing to the Chair.

10.2. All communication related to or required beyond regular meetings will flow through the Chair. Timely responses to requests for information or decision received by e-mail and other means are required.
10.3. Steering Committee members will regularly keep the Chair apprised of their membership status, meeting attendance, decisions and other matters related to the project.
10.4. The Steering Committee, upon agreement, can elect to go in-camera for any discussions of confidential or sensitive material.

11. Member Remuneration

11.1. The City of Merritt will be offering remuneration for Elders, community members, and non-employees of the representative groups participating in the Steering Committee.
11.2. Steering Committee members who are receiving remuneration from a Band or other organization will have their organization reimbursed for their time, via invoice, at agreed upon rates.
11.3. Other Steering Committee members, not specifically associated with an organization will be reimbursed directly at equivalent consultant rates.
11.4. Reasonable mileage claims for attending meetings and events will be reimbursable per Canada Revenue Agency (CRA) guidelines.

12. Agreement and Amendments to this Terms of Reference

12.1. Following finalization and acceptance of this Terms of Reference, Steering Committee members may only propose revisions by requesting the item be added to the next meeting agenda (see Section 10 Meetings and Communication).
12.2. Any proposed revisions to the Terms of Reference or other Steering Committee documents must be considered, discussed and approved by the Steering Committee (see Section 9.7 Decision Making).

Figures

Figure 1 – Coldwater Renewal Plan (STUWI(x) Identified)

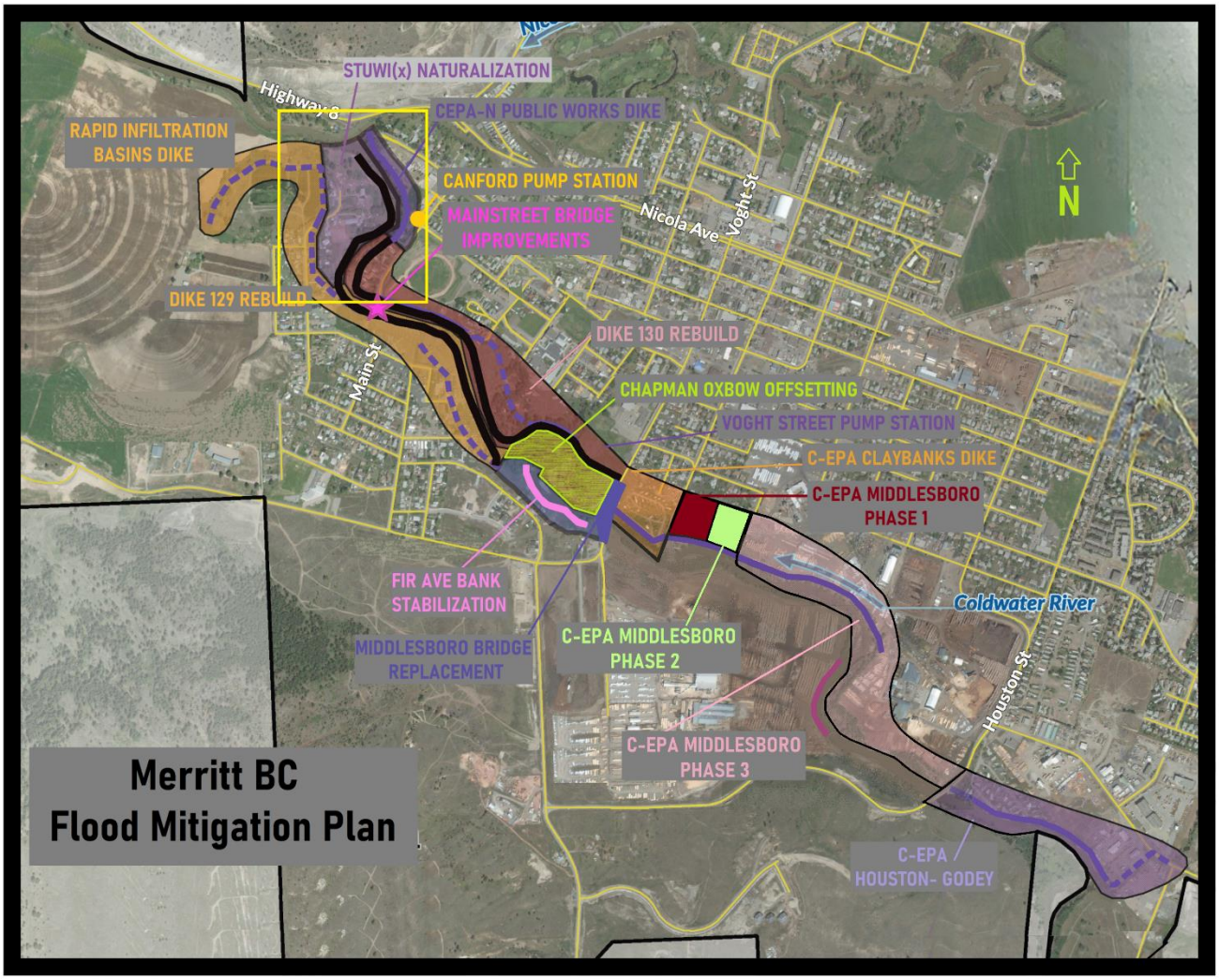

Figure 2 – Estimated Project Schedule and Activities

	Spring 2024	Summer 2024	Fall 2024	Winter 2025	Spring 2025	Summer 2025	Fall 2025	Winter 2026	Spring 2026	Summer 2026	Fall 2026	Winter 2027	Spring 2027	Summer 2027
Steering Committee	Invitations Sent	Committee Established	Scope Established	Ongoing Involvement				As-needed Involvement						Opening Ceremonies
Initiation Activities	Appraisals													
	Preliminary Design, Approvals													
	Property Acquisitions													
Design	Preliminary Archaeology/ Environmental Work		Hire Engineers	Preliminary Design										
					Final Design									
					Permitting									
Implementation						Hire Contractors								
							Construction (duration to be confirmed)							Completion / Opening Ceremonies
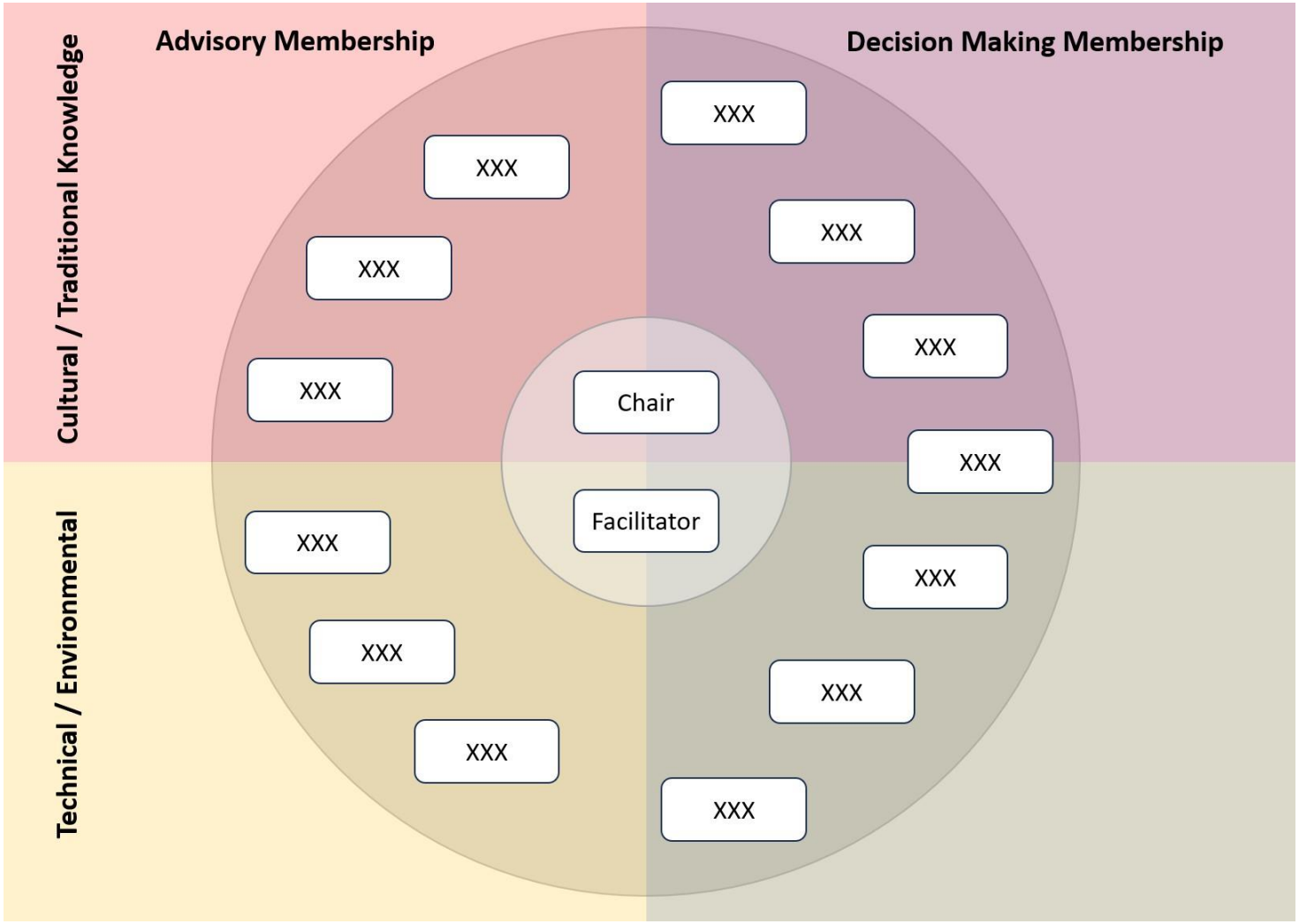
Figure 3 – Proposed Steering Committee Structure