



BRITISH COLUMBIA
ASSEMBLY OF FIRST NATIONS

1004 Landooz Road, Prince George, BC V2K 5S3

July 13, 2018

Dear First Nations Leaders:

Re: Environmental Assessment Reform - Update

BC Environmental Assessment Revitalization

As you may be aware, the BC Government has embarked on a process to reform the BC environmental assessment process. First Nations in British Columbia have called for such legislative reform for many years, and the current government has agreed to table a new EA bill sometime this fall.

From May 29-31, 2018, the First Nations Energy and Mining Council (FNEMC), with the support and participation of the First Nations Leadership Council (BC Assembly of First Nations, First Nations Summit and Union of BC Indian Chiefs), hosted meetings with more than 90 First Nations to discuss both federal and provincial environmental assessment reforms. This process included an internal caucus session to discuss issues, concerns and a strategy to ensure real change occurs.

The provincial process has been collaborative and was developed by the BC Environmental Assessment Office (BCEAO) working with the FNEMC. We held 8 regional workshops, one province-wide forum, and were involved in establishing the Environmental Assessment Advisory Committee and the development of the EA Revitalization Discussion Paper.

This Discussion Paper is available for public comment until July 30th and **we encourage all First Nations in British Columbia to review the Discussion Paper and provide written submissions. Submissions received sooner rather than later will likely carry more influence than those submitted closer to or on the 30th.**

The Discussion Paper may be found at:

<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/environmental-assessments/environmental-assessment-revitalization/public-engagement>

To assist you with drafting a submission we have attached a 3-page list of key outstanding issues. In addition there is a more detailed paper by an environmental organization, which can be found at:

<https://www.wcel.org/sites/default/files/publications/2018-06-bc-ea-background-vision-dp-comparison-final.pdf>





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The FNEMC proposes to host a follow-up province-wide forum with the BCEAO in late September 2018 and is working to confirm details. An update on the EA revitalization process will also be presented at the BC Cabinet-First Nations Leaders Gathering to be held in November 2018.

Federal Environmental Assessment Reform

The federal process to reform the *Canadian Environmental Assessment Act* and *National Energy Board Act* has been much less collaborative. Despite significant commitments by the government to work with Indigenous peoples to review federal laws and policies to ensure they respect Indigenous peoples' rights, the federal government has not included First Nations meaningfully in the process to develop the new *Impact Assessment Act* or the *Canadian Energy Regulator Act* (both proposed through the omnibus Bill C-69). Bill C-69 has now completed Third Reading in the House of Commons and will move to the Senate for final approval in September 2018. We have identified a number of issues and concerns with the draft legislation, but substantive changes have not been made in response to our submissions. We propose to provide further submission to the Senate committee once a schedule is released, to ensure that our concerns are on record. We have also raised this matter with the relevant Ministers, seeking a more engaged and appropriate process to ensure our rights are respected in any new legislation and related regulations.

Sincerely,
BC ASSEMBLY OF FIRST NATIONS

Regional Chief Terry Teegee

Encl. 2017.07.13 – *Communique to Chiefs re: Environmental Assessment Reform*

