

April 16, 2018

BC First Nations Energy and Mining Council

**“What We Heard” Paper
Summary of First Nations Regional Workshop Input and Recommendations
on
Environmental Assessment Revitalization**

Prepared for
Environmental Assessment Office

1. Preface

Government of British Columbia Premier John Horgan has stated on many occasions, and as set out in his mandate letter to the Minister of Environment and Climate Change Strategy George Heyman (“Minister”), that the government “will fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)”.

First Nations and Energy Mining Council views reform of the *Environmental Assessment Act* (“EA Act”) as the legislative centerpiece to adoption and implementation of UNDRIP in British Columbia. Announced by the Minister on March 7, 2018, the process for reform of the EA Act, known as environmental assessment revitalization, will “contribute to our government’s commitment to fully implement the United Nations Declaration on the Rights of Indigenous Peoples. We will be working with Indigenous groups at every step of the revitalization process”.

The First Nations Leadership Council (“FNLC”) and its delegate, the First Nations Energy and Mining Council (“FNEMC”), have engaged with the Minister to ensure that First Nations have a central role in the design of a new environmental assessment process in BC. This includes collaboration to develop a workshop process to receive views of First Nations, and to jointly establish an environmental assessment (“EA”) advisory committee to provide recommendations to the Minister and the FNLC for reform. FNLC also encourages government-to-government discussions between First Nations and the Crown to ensure every opportunity for First Nations to provide input and recommendations on what is required for an effective EA process.

Also on March 7, 2018 FNLC released a statement as follows:

“First Nations in BC have long called for a complete overhaul of the BC Environmental Assessment Act,” said BC Assembly of First Nations Regional Chief Terry Teegee. He added, “There is little trust in the current provincial environmental assessment process, which has largely failed to adequately protect First Nations’ rights. We look forward to working with BC First Nations, the Province, industry and the public, to restore confidence in the provincial environmental assessment process.”

In recent years, First Nations such as Tsleil-Waututh, the Stk'emlupsemc te Secwepemc, and Squamish, have opted to conduct their own impact assessments of major projects, based on traditional laws and practices, due to inadequacies of the provincial and federal environmental assessment processes. Some BC First Nations have participated in provincial environmental assessments, only to find that the process inadequately involves them, and does not meaningfully address their inherent rights. As an example, First Nations, British Columbians and the Tsilhqot'in National Government watched in frustration as the previous BC government approved the Prosperity (Fish Lake) mining proposal, despite a federal review which rejected the project proposal.

“Environmental assessment is fundamentally important – it is used to assess the impacts, both good and bad, of proposed development projects in our territories. However, environmental assessments have often been flashpoints of conflict, because the Province’s legislation does not recognize First Nations as decision makers in either the process or outcomes of environmental assessment,” explained Robert Phillips of the First Nations Summit Political Executive. He added, “Previous governments watered down the environmental assessment process, fostering an atmosphere of court challenges and protests. It is time to create a reformed process that is transparent, free of political interference, embodies the important standards in the UN Declaration, and supports First Nations-led environmental assessments where desired. This will ultimately lead to greater predictability for all.”

Conflict over the outcomes from environmental assessment processes in BC has led to dozens of court challenges in British Columbia, causing many projects to be delayed, quashed by judicial decisions or cancelled.

“The current process is largely proponent-driven, and there is a serious lack of independent, credible information. This has led to distrust of the process and the BC Environmental Assessment Office, as there is a deeply held view that most provincial assessments lead to ‘yes’, even where affected First Nations have determined that impacts on their inherent title and rights will be too great,” stated Kukpi7 Judy Wilson, Secretary-Treasurer of the Union of BC Indian Chiefs. Kukpi7 Wilson continued, “There are also many types of activities that are not assessed at all. This includes cumulative impacts of multiple resource uses and developments over time. A reformed process needs to foster an understanding of ecological limits, and must assist us to determine past, present and future infringements to fully assess impacts”. Kukpi7 Wilson concluded, “First Nations seek a reformed provincial environmental assessment process that serves as a planning tool that helps us choose the best option for our communities and the land, including the option of not proceeding, reflecting our role as decision-makers and our inherent right of free, prior and informed consent.”

2. Introduction

This “what we heard” summary report (“Report”) fulfills a deliverable of the Shared Cost Arrangement agreement (“Agreement”, dated for reference January 31, 2018 between FNEMC and EAO. This Report summarizes workshop input and recommendations from participants of

four recently held First Nations regional workshops as part of the process to identify recommendations to reform the government of British Columbia's environmental assessment process. The workshops were jointly planned and co-delivered by FNEMC and EAO.

This Report provides a summary of what we heard from presentations and discussions at the workshops on the government of British Columbia's Environmental Assessment ("EA") Revitalization process. The workshops were held in a span of less than two weeks starting on February 23, 2018 in Terrace, February 27, 2018 in Nanaimo, March 1, 2018 in Kamloops and ending March 7, 2018 in Prince George. The first workshop was planned and delivered in less than three weeks. Mark Blom (logistics) and Arnie Bellis (First Nations communities liaison), Jessica Clogg (presenter), Stacey Edzerza-Fox (presenter), Nathan Braun (presenter) and Mark Podlasly (workshop facilitator) contributed significantly to the successful delivery of the workshops. Appendix #2 summarizes efforts to advertise workshops.

Each workshop generated a large volume of substantive discussion on the failings of the current EA Act, its regulations and policies and on solutions to address such failings. The caliber of knowledge of participants on EA Act and EA processes at the workshops was varied; leaders and technicians generally had an intimate understanding of the current EA process. Workshop participants were provided a suite documents in hard copy and USB formats (see Appendix #3).

Discussion at the 2018 regional workshops almost exclusively focused on matters set out the "Out of Scope Comments for Discussion Purposes" and "Additional Recommendations for Next Steps" in the July 25, 2017 paper, *FNEMC & EAO's Joint Recommendations for Enhancements to the Environmental Assessment Process*. These matters were intentionally excluded from discussion in early 2017 by the EAO as the previous Liberal government did not provide the EAO a mandate for legislative change.

3. Major Themes of First Nations Workshop Participants

The common thread for workshop discussions was the collective need to take care of the land. The importance of Mother Earth was concisely stated by a participant as, "We take care of the land and the land takes care of us". Dozens of issue, concerns and solutions were passionately presented and discussed with approximately 80 First Nations leaders and technicians, who were members of more than 60 Indigenous groups in the four workshops. The central, dominant theme was of that of EA decision-making, in particular decision-making in all phases of the EA process. The implementation of UNDRIP and the need to articulate clear, unambiguous descriptions of the power, duties, roles and responsibilities of First Nations in the EA decision-making process was the starting point of discussion in all workshops.

How the government of British Columbia works with First Nations in the coming months to affect legislative change respecting all the principles of UNDRIP, and to fulfill the First Nations Leadership-BC Commitments Document remains to be seen (under review by the BC Cabinet at the time of writing this Report). EA is one of three commitments agreed to by First Nations leadership and the BC Cabinet. If EA revitalization is done right, with full adoption and implementation of UNDRIP as promised by the government of British Columbia, then a template will have been created for use by First Nations on other government matters.

4. Workshops Themes

The undercurrent of the need for transformative change in the EA process permeated the workshops. A repeated message delivered by EAO was that the Minister is moving forward to “bring the principles of UNDRIP into action”. The view of some workshop participants was that acceptance of UNDRIP by the BC government is also the acceptance of Aboriginal rights and title.

Another message FNEMC heard from First Nations is the current EA process has failed First Nations. It is broken and the EAO is one of the most mistrusted agencies of the BC government. The message from First Nations participants was clear: the government can no longer dictate to First Nations what to do, nor can the government impose their laws on First Nations.

Numerous comments were made by leadership and technicians on the alarming decline in the environment. Non-existent salmon runs, devastating forestry and logging practices, loss of oolichan runs, significantly decreased moose and caribou populations and the ongoing destruction and desecration of land by energy, mining and resource extraction activities appear to have taken BC’s environment to the point of no return. The alarming decline of certain caribou populations in particular underscored the lack of protection of habitat and the environment.

5. Workshop Observations and Comments

Observations, comments and quotes of workshop participants are summarized under the following headings:

1. United Nations Declaration on the Rights of Indigenous Peoples
2. Funding
3. Land Use Plans, Regional EAs and Cumulative Effects Assessments
4. First Nations Led EAs
5. First Nations Monitoring, Compliance and Enforcement

Additionally, workshop participants requested that FNEMC:

- set-up and maintain a website with EA revitalization documents, complemented with email reminders to leadership and technicians to review documents, and
- engage in further conversations with First Nations and that FNEMC return to provide an update on the EA revitalization process and to receive further input.

1. United Nations Declaration on the Rights of Indigenous Peoples

The government of British Columbia objective to fully adopt and implement UNDRIP permeates, indeed infuses, all aspects of EA revitalization. First Nations view UNDRIP as a long overdue international instrument of a baseline of globally defined rights that must be incorporated into British Columbia, and Canadian, law. What extent, and with what granularity,

are UNDRIP articles to be incorporated into Canadian law looms large in discussions with First Nations leadership and communities.

The following summarizes workshop comments and discussion on UNDRIP and its central tenet, decision-making. Paraphrasing of comments and discussion from the workshops have been kept to a minimum so as to retain the context and substance as much as possible.

- a. Decision-making processes: it's all about recognizing and using traditional, indigenous decision-making processes.
 - i. Specify the design of informed decision-making with the objectives of transparency and accountability.
 1. Indigenous decision-making must be explicit.
 2. First Nations must be involved at the earliest opportunity.
 3. The "environment" is THE priority.
 4. "We need to be in a place where Indigenous decision-making authority becomes a new reality; sometimes when tension is real, it is hard to talk about "changing the game"; we need to see a different way to transform the way things happen; things not covered by EAs need to be considered; we need to consider how to address issues that slip through the cracks."
 5. "We will not have someone from somewhere else, tell us what needs to occur here; every area is different and unique."
 - ii. The need to demonstrate the balanced weighing of western science with traditional knowledge.
 1. How best to determine what is the best information, and the best science on which to base decisions?
 2. It is important to "raise the scientific bar"; science and the collecting and analyzing of information must be independent.
 3. All science currently generated and presented in EAs is by industry and government.
 4. Proponent consultants support projects they are retained for as their goal is to assist the proponent to obtain an EA certificate.
 - a. First Nations are very skeptical of "proponent driven biology".
 5. Proponent misinformation tactics are a concern.
 - a. Misrepresentation by proponents calling industry created information as being derived from traditional knowledge.
 - b. The values of industry are driven by money, and not the people and the land.
 6. A holistic approach is required recognizing that the air, ground and everything in the food chain is linked – "you cannot take away one piece."
 7. "We have to find a situation where science is independent so we have sound science."
 8. "When we are looking at EA – when a project goes ahead, it should not be based on a stock market/false economy. The fish are more important than any gold pulled out of the earth."
 - iii. UNDRIP and decision-making must be written into legislation.

1. Proponents spend hundreds of millions of dollars to design and develop a project and then come to First Nations to “choose the colour”.
 2. Need a “co-managed body to oversee reformed EA process”.
 3. First Nations must have the right to say “no” to a project.
 4. While consultation needs to be defined, First Nations consent is at the heart of decision-making; need to “indigenize” the EA process.
 5. “UNDRIP – it is everything – just do it.”
- iv. Western “value components” versus First Nations values.
1. Western “value components” do not meet Aboriginal objectives
 2. Need to “revitalize” land use plans; old land use plans did not consider Aboriginal rights and title.
 3. Sustainability test required for short term and long term impacts.
 4. Government must be “arm’s-length from science”.
 5. There is need for new methods to protect the abundance and distribution of First Nations values.
- v. FPIC “needs to be implemented”.
1. EAs are not a pathway to “yes”; the starting point for assessing a project is “no” with the proponent showing how to get to “yes”.
 2. Reverse onus is required - it should be the *Crown that needs to prove* Aboriginal rights and title *do not* exist, and *not First Nations to prove* to the Crown that Aboriginal rights and title exist.
- vi. Critical need for independent decision making.
1. “We need an independent decision-making body. That has to be the foundation to this. You cannot continue to draft regulations and monitor the environment. We are here for the winged, four-legged and the ones that swim in the rivers and oceans. That is what this is about – creating an environment for humans and those we are the stewards for. When you are the decision-maker and have all the authorities and you care about how much money reaches the Provincial Government coffers in general revenue, it is an inherent conflict of interest. This is a conflict of interest that needs to be removed by creating an independent body to oversee EAs in BC.”
 2. First Nation-Crown disputes: require arbitration.
 3. Overlapping claims between First Nations: require a dispute resolution mechanism.
- vii. Government as proponent is an irreconcilable conflict of interest: who assesses the government? And how?
- viii. Create an Indigenous EAO.
- b. Do not water-down UNDRIP
- i. Need a new road map where First Nations are at the front of the process and not the middle or end.
- c. “Many government agencies are unaware of the UNDRIP or TRC Calls for Action.”
- d. The Royal Commission on Aboriginal Peoples recommended the federal government harmonize its laws with First Nations’ laws.
- e. EAs need to be retrospective as well as prospective – currently EA is only prospective; no legislative mechanism to go back and address effects.

- f. “The new EA process should cover old decisions.”

2. Funding

Funding, or the absence thereof, has resulted in First Nations not having a voice, much less decision-making powers or the capacity to participate in EAs. The EA playing field is tilted in favour of industry. Even as this EA revitalization process unfolds, First Nations are provided minimal support from the Crown to participate in and contribute to EA processes. Insufficient funding means the duty to consult is nowhere near discharged, and certainly no First Nations consent provided.

The following summarizes workshop comments and discussion on funding. Paraphrasing of comments and discussion from the workshops have been kept to a minimum so as to retain the context and substance as much as possible.

- a. EA funding is too little and too late.
- b. “Funding should come from governments and proponents, when projects are in the “thought” stage - before proponents even set foot on the land.”
- c. Opportunity to change funding – change all legislation “across the board”
 - i. A nation with 38 houses and five clans needs properly funded involvement in an EA.
- d. No funding, means no capacity and no capacity means no consultation and no consent.
 - i. Impoverished nations do not have the budget or capacity to address proposed projects under EA.
 - ii. First Nations do not like going “hat in hand” for funding as they “feel like beggars” in their own land.
- e. Funding must allow for First Nations to be proactive, not reactive.
- f. Funding must be provided early with no strings attached; early means when proponents first begin to envision the project on the drawing board; First Nations need tools to be prepared.
- g. Funding should come from proponents.
- h. Funding can also come from sharing of 50% of FrontCounter BC revenues.
- i. “Funding is part of UNDRIP; it is paramount that First Nations have the tools to do the proper job.”

3. Land Use Plans, Regional EAs and Cumulative Impacts Assessments

Land use planning is viewed by First Nations as integral to responsible project development. The patchwork of legally enforceable/non-enforceable and old/new land use plans in BC has contributed to the distrust of the EA process. The lack of regional EAs was viewed as an opportunity. First Nations concepts of comprehensive watershed-scale assessments could address the priorities of multiple s Aboriginal rights and title holders. While the government of British Columbia has recently created a cumulative effects framework with a interim policy, cumulative impacts assessment are limited to large projects.

The following summarizes workshop comments and discussion on land use plans, regional EAs and cumulative impacts assessments. Paraphrasing of comments and discussion from the workshops have been kept to a minimum so as to retain the context and substance as much as possible.

- a. Land use plans (and marine spatial use plans) must be modernized and legislated
 - i. There are key regions of the province that do not have land use plans, whether enforceable or not.
- b. Projects must be assessed in a regional context – that is, beyond the immediate footprint; indigenous knowledge plays a role.
- c. Why are certain projects excluded from EAs?
 - i. There should be more mines subject to EA review.
 - ii. Why is forestry excluded from EA?
 - iii. One of First Nations’ biggest problems are trillions of particles of micro-plastics and plastics pollution generally – what is the oversight?
 - iv. Salting of highways in winter with spring run-off damaging salmon habitat.
- d. No one knows how to truly carry out a cumulative impacts assessment.
- e. How much is too much? For example, the transit of 59,000 trains per year with dangerous goods passing through Tsimshian territory immediately adjacent from one of BC’s most prolific salmon rivers, the Skeena, is not subject to EA.
- f. Regional EAs are viewed as a placeholder, but have potential.
 - i. Regional EAs are an opportunity for five or six nations to come together.
 - ii. Co-managed EAs are favoured.
- g. Need for “no-go” zones where project development should not be approved.
- h. Critical to look beyond the project footprint.
- i. “Death by a 1,000 cuts” - regions such as northeast BC are heavily impacted by all resource sectors.

4. First Nations Led EAs

The recent success of First Nations led environmental assessments is well documented. The Squamish Nation assessment process approving, with conditions, a liquefied natural gas project¹ and the Secwépemc te Secwépemc review process declining a base and precious metal mine project² are examples of First Nations led assessments. Such assessments are more accurately labeled as impact assessment or a project assessment which are more comprehensive than the BC EA process. First Nations led assessments dovetails with UNDRIP, applies Aboriginal rights and title and supports First Nations with exercise of their consent duties and powers.

The following summarizes workshop comments and discussion on First Nations led EAs. Paraphrasing of comments and discussion from the workshops have been kept to a minimum so as to retain the context and substance as much as possible.

- a. “... it seems like all roads of the EA lead to “yes”. There is no road that leads to “no” and that will turn down a project.”

¹ <http://www.ratcliff.com/publications/squamish-nation-assessment-process-getting-consent>

² <https://stkemlups.ca/files/2013/11/3-2017.03.04-SSN-Joint-Council-Decision-Document-.pdf>

- b. “The new EA process must be First Nations driven, as we are the authority on the land.”
- c. “We are democratic and will not have government or industry telling us what to do.”
- d. “We have identified First Nations’ values; we will develop standards and protocols on how to assess First Nations values, and how to develop management direction or thresholds.”
- e. An EA should be a “living document”.
- f. Lack of equitable sharing of revenues derived from Aboriginal lands must be addressed.
 - i. Erroneous reports of industry “experts”.
 - ii. “Checking the box” exercise by industry and the Crown is not acceptable.
- g. Government always talks of “certainty” for industry – the first question government should ask is how to establish certainty *for First Nations*.
- h. Health impacts and impacts on women are not addressed; see the federal government start to address project gender impacts.
- i. First Nations-led assessments are broader than an EAO process.
 - i. Colonial governments need to respect First Nations jurisdiction and laws.
 - ii. First Nations laws need to be captured in legislation.
 - iii. Oral history and traditions need to be included.
 - iv. Current BC and federal EA processes are “black” box processes.

5. First Nations Monitoring, Compliance and Enforcement

First Nations have always been stewards and guardians of their ancestral lands. They know their lands better than anyone, which is why they advocate for taking the lead in the monitoring, and compliance and enforcement, of resource and other projects. The Minister’s mandate letter from Premier Horgan calls for substantive progress on increasing industry safety by establishing an independent oversight unit. While the wording in the letter may be open to interpretation, the intent is clear - the need for independent oversight. First Nations are ideally positioned for monitoring, compliance and enforcement roles using local and traditional knowledge combined with the best of western science.

The following summarizes workshop comments and discussion on First Nations monitoring, compliance and enforcement in the EA process. Paraphrasing of comments and discussion from the workshops have been kept to a minimum so as to retain the context and substance as much as possible.

- a. The common thread of indigenous guardians being best positioned to monitor projects and compliance in rural areas in particular was central to many comments.
 - i. First Nations know the land better than anyone.
 - ii. First Nations must be in control of monitoring. Current lack of Crown capacity of compliance and enforcement, “Rules are often disregarded; if a proponent is deemed to be in non-compliance, the consequences are minimal.”
- b. Decision-making is more effective where First Nations involved.
 - a. There has to be “teeth” in EA legislation.
 - i. What are thresholds and how are they to be enforced? Simply pay a fine?
 - ii. It’s not about *minimizing effect* on environment – it’s about *stopping impact* on the environment.

- iii. Impose sanctions including imprisonment (as in Scandinavian countries) and fines.
- c. First Nations need to be prepared in the event of a disaster.
- d. “With BC’s Environmental Stewardship Initiative, tools are being created that can be applied in multiple applications.”
- e. There should not be a piece meal approach to monitoring and use of First Nations.
 - i. one First Nations member to monitor 92,000 sq. km. is “clearly insufficient”.

Appendix #1

Further Themes and Matters We Heard at First Nations Workshops on EA Revitalization

Regional EA Workshops February-March 2018

1. What is the role of Canada in BC's EA process?
 - a. Substitution:
 - i. Impact of Canada's "10 principles" and UNDRIP?
 - ii. Substituted assessments have resulted in substantial scientific shortfalls.
 - iii. Use should not be justified on basis of "efficiency".
 - b. Ottawa supersedes any EA decisions in BC and 2/3 of projects require federal and BC EAs.
 - c. How can an EA process for Canada say "No" to a project, whereas a British Columbia EA process outcome says "Yes"? The conundrum of the New Prosperity project.
2. Lack of long term resource planning; Norway cited as an example where long-term investment in land, water and health of people are prioritized.
3. IBAs used by proponents to "brow-beat" First Nations into approvals.
4. Project creep, such that project expansions are designed to not trigger an EA
 - a. 2,000 abandoned mines leaching into the environment that effects everyone
 - b. How will BC address the legacy of Mt. Polley disaster, Canada's "underwater Chernobyl"?
5. EA revitalization process timeline is too short – must focus on creating "cornerstones" on how to move forward.
6. Need for "pen ... being shared" with First Nations on drafting new EA legislation
7. Environmental inspectors must be independent.
8. Salmon roundtable providing direction assistance on governance and science for developing fisheries in Clayquot Sound.
9. The environment must be given a true voice – there are those who know what the land and spirits of mother earth are saying.
10. What is the role of municipalities in the EA revitalization?
11. The *Heritage Conservation Act* is a failure for protecting First Nations heritage
 - a. Why does the BC "Graves Act" (*Cremation, Interment and Funeral Services Act*) protect everyone's graves but not First Nations?
12. Traditional knowledge must be protected and must not be disclosed to the public, unless First Nations agrees.
 - a. First Nations knowledge is the property of First Nations – proponent collects such knowledge and information, but it is the First Nations that are the owner.
13. Need to address global warming and climate change in the EA process.
14. Placer mining must be stopped – current EA process does not have role. It must.
15. Need to define sustainability.
16. Cost and lack of capacity of First Nations to deal with sheer volume of project referrals.
17. When new EA legislation is passed, how will projects be "grand-fathered"?

18. Insurance must be a requirement of proponents to deal with potential disasters whereby coverage remains in place for the duration of the project and after the project is decommissioned.

Appendix #2**FNEMC Outreach to First Nations Leadership and Technicians****Regional EA Workshops February-March 2018**

1. Government of BC commitment to support four First Nations regional workshops on or about February 2, 2018.
2. Regional workshops were proposed by EAO in October 2018. EAO desired two workshops to be held by December 2018. As no funding was available in the fall of 2017, no workshop planning was undertaken. FNEMC's consistent position was the need for province-wide First Nations EA workshop. Ultimately the province desired four regional workshops to be delivered in February/March 2018 and concurrently it agreed to funding a province-wide First Nations workshop early in FY 2018/19.
3. Workshop announcement "postcards" were designed and printed by February 5, 2018 and distributed by FNEMC at FNS, UBCIC, BCAFN other First Nations events and to organizations across the province.
4. Social media of leadership organization were utilized (BCAFN, UBCIC, TRA) and personal social media of BC leaders (i.e.; Bob Chamberlain and the BC Regional Chief)
5. FNEMC and EAO website notices.
6. BCAFN and UBCIC social media were used.
7. FNEMC email letters of invitation were sent using INAC distribution list and FNEMC distribution list to chiefs, departments, leaders, councillors, technicians and executive (and similar) assistants.
8. Phone calls directly to each and every First Nation inquiring if email invites had been received (which was largely the case). Anyone who hadn't received an invitation, were sent the invitation after confirming their contact email.
9. Personal follow up from all FNEMC team members to a plethora of contacts.
10. Radio station commercials in Terrace, Nanaimo, Kamloops, Kelowna, Williams Lake, Quesnel and Prince George.
11. Faxes were sent upon to those Nations with fax machines.
12. Verbal announcements made by FNEMC, such as Arnie Bellis, at events in the north and on the coast (all native basketball tournament)
13. February 28, 2018 follow-up email blast to all First Nations noting funding for two attendees (resulted in expedited registration)
14. Follow up email blast from alternate FNEMC domains.
15. Approximately six announcements distributed on the Treaty and Rights Alliance daily news list.
16. Retaining of late Justa Munk (Prince George), Joanna Prince (additional telephone calling and twitter) and others to further publicize workshops.

Appendix #3

Materials Distributed to Workshop Participants

Regional EA Workshops February-March 2018

The following information items were provided in hard copy at each workshop:

- Agenda for the BC Environmental Assessment Revitalization Workshop
- List titled “Break-Out Group Discussion Questions”
- Ledger sized flow chart titled “Environmental Assessment Revitalization Process (Final)”
- List titled “Principles to Guide the Work of the Environmental Assessment Advisory Committee”
- BC Assembly of First Nations’ Communiqué to BC First Nations, regarding “BC Environmental Assessment Reform”, dated February 7, 2018.

The following information items were provide to workshop participants on a USB drive:

- Core Documents:
 - 2018 01 24 EA review proposal framework final.pdf
 - 2018 Feb 07 FNLC BC EA Reform Discussion Paper.pdf
 - 2018 Feb 07 Communique to BC FNs on BC EA Reform.pdf
 - EA Revitalization Principles.pdf
 - FNEMC & EAO’s Joint Recommendations for Enhancements to the Environmental Assessment Process, July 25, 2017.pdf
 - Minister Heyman mandate letter Jul 2017.pdf
 - MOU on EA Substitution, EAO & CEAA 2013.pdf
 - Process Chart Re: EA-G2G-IBA Relationship Jan 17, 2016
 - Proposals for EA Reform, Discussion Paper Aug 20, 2009 FNEMC.pdf
 - RESOLUTION 0616.10 First Nations Summit Legislative Reform BC EA Act Jun 2016.pdf
 - RESOLUTION 2016-19 Union of BC Indian Chiefs Legislative Reform BC EA Act Jun 2016.pdf
 - Truth and Reconciliation Commission of Canada, Executive Summary of Final Report 2015.pdf
 - *Tsilhqot’in* Judgement, Supreme Court of Canada, Jun 26, 2014.pdf
 - UNDRIP - UN Declaration on the Rights of Indigenous Peoples.pdf
 - UNDRIP - Bill C-262, 1st Reading Apr 2016.pdf
- Supplemental Documents:
 - 2016-08 Federal Environmental Assessment Reform Summit.pdf
 - 2017-06 WCEL, Paddling Together Report.pdf
 - 2018-01 BC EAR reform backgrounder web FINAL.pdf
 - Ajax Mine, SSN Decision Summary Booklet, Mar 4, 2017.pdf
 - BC First Nations and BC Gov’t, Proposed Commitment Document Oct 1, 2015.pdf

- Best Practices in Environmental Assessment (Mining Case Studies) L. Arnold & K. Hanna, UBC 2017.pdf
- Building Common Ground, Federal Expert Panel Report on Environmental Assessment Processes, Mar 2017.pdf
- Comparison of the BC and Federal Environmental Assessments for the Prosperity Mine, M. Haddock, Northwest Institute for Bioregional Research, Jul 2011
- Environmental Law Centre, EA IN BC Nov 2010
- Gibson, Doelle and Sinclair, Fulfilling the Promise.pdf
- The New Relationship Accord, 2005.pdf
- The Problem With EA, T. Pearse - PBLI Presentation, Mar 11-12, 2009
- The Squamish Nation Assessment Process, Getting to Consent, A. Bruce & E. Hume Nov 2015.pdf