

**BACKGROUNDER**  
**BC'S ENVIRONMENTAL ASSESSMENT ENHANCEMENT PROCESS**  
**INFORMATION PACKAGE**

**A. Background:**

BC First Nations and the BC government have acknowledged the need to review BC's environmental assessment (EA) process. FNEMC received a mandate from both the Union of BC Indian Chiefs and the First Nations Summit in 2009 to reform the EA process. The BC government made the commitment to discuss EA enhancement opportunities with First Nations, as a result of the Mount Polley tailings facility incident.

In September 2015, at the All Chiefs/Cabinet Meeting the Proposed Commitment Document specifically (at page 8) envisioned a principled and substantive approach in a joint agenda action plan to include:

“Concrete legislative, policy or other options and ideas for facilitating and supporting an improved and constructive relationship. These may initially focus on key legislation, policies or practices that have given rise to conflict in the relationship (e.g. environmental assessment, online mineral staking). It is anticipated that options will include a process for improved and effective engagement on the collaborative development of new legislation, policies and practices, or reform of existing ones.”

BCEAO and FNEMC have engaged in discussions that included:

1. Seeking input from Leadership Table (ongoing) - on work to date and next steps;
2. FNEMC and BCEAO (since November 2015) – to arrive at principles and recommendations;
3. Squamish Nation presentation (December 2015);
4. Created a shared dialogue paper defining the goal, context and principles of an enhanced EA process (January-February 2016);
5. Undertook three community input sessions (Prince George, Kamloops and Cranbrook, February 2016);
6. Developed recommendations on enhancing key steps in environmental assessment process (February-March 2016); and
7. Mt. Polley Principals Table (March 15, 2016) – seeking input on draft recommendations and suggested next steps.

**B. Current Status of Discussions:**

BCEAO and FNEMC have achieved consensus on a shared Concept Paper, which includes the following three sections (for more detail, please refer to the attached document):

- a) Concept (Goal): to modify the EA process in a manner that (i) advances reconciliation, mutual trust and responsibility, (ii) is co-administered, credible and sufficiently resourced, (iii) is respectful and inclusive of First Nations knowledge, and (iv) develops complementary processes between BC, First Nations and Canada;
- b) Context – describes shared priority for responsible development; and
- c) Principles Statements – eight agreed shared principles for an enhanced EA process.

**C. Major Accomplishments Achieved Through BCEAO/FNEMC Discussions:**

FNEMC has asserted and maintained the need for BCEAO to respect the role of First Nations decisions in the EA process. Integral to this respect is the recognition of the value of early engagement and the need to support earlier capacity needs of the First Nations throughout the EA process.

**D. Next Steps:**

**1. EA Enhancements:**

a) Seek broader First Nations input:

- i) Regional workshops that will seek direct First Nation input on the Concept Paper attached and suggested recommendations (Oct - Nov, 2016);
- ii) Develop and carry out an engagement plan to seek other perspectives: industry, including major metal, oil & gas and electricity producers and industry associations, NGOs, stakeholders, EA practitioners and other areas of government;

b) Outcome of Above Discussions:

- i) Revision of recommendation materials by March 31, 2017; and
- ii) Seek Leadership endorsement for enhanced EA process proposals at All Chiefs/ Cabinet meeting in 2017.

**2. Broader EA Linkages and Connections:**

Once EA enhancements are approved, there may be the need for further discussions on additional matters that were identified in discussions to date. These matters will be presented during the Workshop for information and feedback.

**E. Concluding Remarks:**

On behalf of BCEAO and the FNEMC, we encourage all First Nations to send a representative to attend and participate in these workshops. Your participation will contribute toward the enhancement of your role in the BC EA process.

FNEMC will be contacting your offices shortly to confirm interest in attending and will follow up with more details about the regional workshops, once confirmed. Should you have any questions or comments regarding the attached or the regional workshop planning, please contact Joanna Prince at the FNEMC office, 604-924-3844.

**Attachment:**

- Concept Paper: Dialogue of Environmental Assessment Process and First Nations