

**PRESENTATION BY
BRITISH COLUMBIA MÉTIS FEDERATION**

**EXPERT PANEL REVIEW OF
FEDERAL ENVIRONMENTAL ASSESSMENT PROCESS**

**December 13, 2016
Vancouver, British Columbia**

SPEAKING NOTES

Part 1: Background

BC Métis Federation

- The BC Métis Federation (BCMF) is a non-profit association that works with Métis communities across British Columbia.
- Founded in 2011, the mission of the BCMF is to ensure the well being of our members. We currently have 7,500 members across the Province.
- A large part of our work is building and maintaining relationships with governments, industry partners and service delivery organizations throughout British Columbia. We work with these organizations to advocate to meet the needs of our members, advance their concerns, and ensure that their voice is present.

Métis Rights

- Métis rights are constitutionally enshrined and protected.
- Our members have important knowledge about the social and economic landscape of the regions they live in, as well as about land and the natural environment.
- Our members value the integrity and beauty of the natural environment, and are committed to defending, protecting and advancing our rights.
- The BCMF is continually engaged in research with our members to ensure the protection and advancement of, and advocacy for, their rights.

Consultation Activities

- The Crown has a constitutional obligation to consult the Métis people of BC with regard to proposed developments. This duty arises whenever a project has the potential to infringe our asserted or existing rights.
- There is great variety in the approach that institutions, agencies and proponents take with regard to consultation with our members. Generally speaking, consultation activities with the BCMF have been inadequate and superficial, resulting in no real value for governments or proponents, and providing little meaningful voice for our members.
- The voice of our members in provincial regulatory processes is deliberately constrained.
- The BCMF established a consultation office in 2015 to collaborate with the Crown on issues and activities affecting our members.
- The BCMF is here to work with the Crown to ensure that the duty to consult and accommodate our members in respect of any project that has the potential to affect the rights of our members, is fulfilled, and that consultation activities are meaningful and have lasting value.
- Early involvement of the BCMF in consultation planning can maximize the value of dollars invested in consultation activities.

Part 2: Reform of the Federal Environmental Assessment Process

- The environmental assessment process presents a key opportunity to engage in meaningful and valuable consultation activities with the BCMF.
- Each and every provincial environmental assessment that fails to include the voice and views of the BCMF is a forgone opportunity to engage in productive dialogue.
- The scope of Indigenous Knowledge, most often garnered through ATK or TK studies, is often limited in the EA process. However, Indigenous Knowledge, Rights and Use Studies, including Métis Knowledge Studies, are powerful and efficient vehicles for engaging in knowledge sharing and dialogue (i.e. consultation) as part of transparent, public, and well-documented regulatory processes.
- We are not against responsible development that is inclusive of our unique voice and perspective. Our members favour a balanced, responsible and inclusive

approach to development.

- We cannot support the practice of regulatory agencies, nor the enactment of regulatory processes and procedures, that constrain our voice, that do not incorporate our views, that put our rights and our livelihoods at risk.
- We wish to play an active role in the assessment of developments that have the potential to affect our rights, and ensure that our participation in these processes is valuable.
- Involving our communities in environmental assessment processes is a necessary step in the reconciliation of our views respecting environmental issues, and in the mutual obligation of ensuring that our Métis rights are protected.
- With these considerations in mind, we have suggested reforms for the current federal process.

Recommendations

1. Ensure that the direct participation of the BCMF occurs early on in the environmental assessment process

- Project managers, consultants, Aboriginal engagement and relations professionals, community coordinators and engineers struggle to advocate effectively for the inclusion of Métis voice. And they struggle to meaningfully engage with our members in knowledge sharing.
- The government of BC and the EAO, in particular, has found it challenging to engage meaningfully with the BCMF, and many opportunities for dialogue on developments in BC have been lost.
- This is a matter of grave concern for our members: these decisions have the potential to significantly affect the land and our rights. Our members cannot possibly help to ensure that their rights are protected in the course of resource development if the BCMF is excluded, and their voice constrained.
- The BCMF wishes to be directly involved in the assessment of projects that have the potential to affect the rights of our members. Our members have a unique perspective to offer, one which must be considered if there is any potential to affect Métis rights.

2. Ensure the involvement of BCMF members in environmental monitoring and management

- Environmental monitoring and management present opportunities for BCFM members to be directly involved in adding value to development decisions through active observation, documentation and reporting of activities with regard to their rights, and is a natural and logical outcome of meaningful involvement in the environmental assessment process.
- 3. *Support meaningful participation in the environmental assessment process with adequate funding***
- Meaningful consultation requires investment, but large amounts of money spent do not necessarily equate to value-added for communities, for members, for the Crown, the shareholder, nor for society. The BCMF consultation office is here to provide support to maximize the value and the impact of dollars invested.
 - BCMF is a non-profit organization, and we do not have resources enough to volunteer so that the Crown, the province and proponents can meet their duty to consult with members.
 - An initial face to face meeting can set the tone for the whole consultation relationship, and the scope, scale and nature of consultation and participation in the EA can be determined based on mutual recognition and respect.