

First Nations Consultation & Engagement

Consultation Process

What is Engagement?

Engagement is different than consultation. Engagement aims to build relationships with First Nations by exchanging information in the absence of legal consultation obligations.

The purpose of engagement is to build trust and create meaningful relationships. This includes information sharing regarding regulations, policy, legislation and procedures.

What is Consultation?

Consultation refers to the legal obligations of the Crown (Government) when First Nations interests (rights and title) may be adversely affected by a Crown decision.

Consultation consists of information sharing between government and affected First Nations and seeks to resolve potential adverse impacts to First Nations interests.

- 1 Preparation:** application summary and initial impact assessment.
- 2 Initiation:** distribute application and initial impact assessment to First Nations for review and follow-up.
- 3 Discussion:** conversations regarding concerns, information requests, potential impacts, potential mitigation/accommodation, and issue resolution.
- 4 Decision and Follow Up:** Statutory Decision Maker reviews consultation record; where appropriate or requested decision shared with First Nations.



What is the BC Energy Regulator's Role?

Consultation and engagement are foundational to developing and maintaining positive working relationships with First Nations across B.C. The Principles that guide the Province of BC's Relationship with Indigenous Peoples are central to the BC Energy Regulator's (BCER) commitment to meaningful consultation and engagement. The BCER is committed to reconciliation with Indigenous peoples and to implementing the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

The province is home to many distinct First Nations communities and Indigenous cultures; therefore, consultation and engagement approaches must be consistent but flexible as all First Nations share an interest in the decision-making processes. The BCER is responsible for the Crown's legal obligations to consult and accommodate First Nations within the regulatory scope. In doing so, multiple First Nations may be consulted in relation to an individual application with the level of consultation dependent on the particulars of each proposed activity.

What is the Proponent's Role?

The BCER encourages proponents to engage with interested Indigenous communities early and often. Engagement by the proponent is designed to increase information sharing among all parties. It plays an important role in identification of First Nations' interests and helps build relationships, establish effective mitigation measures, and facilitates economic development opportunities.

Public Concerns and Complaints

Report concerns such as odours, spills or noise.

1-250-794-5200 (24-hour public number) or 1-877-500-BCER (2237) (24-hour toll free).

Incident Reporting for Industry

1-800-663-3456 (24-hour emergency number). Report oil and gas related incidents.

How Do We Respect Indigenous Interests Affected by Energy Activities?

The BC Energy Regulator and Provincial Government Agencies established the Natural Resource Sector Aboriginal Liaison Program to support greater Aboriginal community awareness of energy activity planning, development, safety, environmental and emergency management, restoration activities and compliance management.

First Nations Engagement and Consultation Happens Continuously Throughout the Regulatory Lifecycle



Building Strong Working Relationships with Indigenous Communities throughout the Regulatory Lifecycle

