

## New act will boost Indigenous participation in B.C. environmental assessments



Projects would be assessed under the new act by late 2019

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Environment Minister George Heyman says involving Indigenous people from the beginning of a project assessment signals the government's commitment to reconciliation and implementation of the United Nations Declaration of the Rights of Indigenous Peoples. (Mike McArthur/CBC)

British Columbia's government is moving to increase the participation of Indigenous people in the environmental assessment of projects with new legislation tabled Monday.

Environment Minister George Heyman says the government is proposing to replace the current Environmental Assessment Act with a new act that greatly enhances Indigenous and public participation throughout the assessment process.

- VIDEO [Indigenous communities grapple with new relationship with oilsands industry](#)

Heyman says the new Environmental Assessment Act seeks to deliver stronger environmental protections with increased public participation, which includes inclusion of First Nations from the start of an environmental review.

He says involving Indigenous people from the beginning of a project assessment signals the government's commitment to reconciliation and implementation of the United Nations Declaration of the Rights of Indigenous Peoples.

## 'Strong, transparent process'

The U.N. declaration establishes a universal framework of minimum standards for the survival, dignity and wellbeing of the Indigenous peoples of the world.

Heyman adds the new act will also look to reduce the potential for legal challenges and protests that have affected economic development in the past.

- [Supreme Court rules Ottawa has no duty to consult with Indigenous people before drafting laws](#)

"A new act is necessary to ensure the legal rights of First Nations are respected and the public's expectations of a strong, transparent process is met," he says.

"Practically, this will mean a defined purpose for the Environmental Assessment Office that includes sustainability and reconciliation."

Heyman says he doesn't expect any new projects to be assessed under the new act until late 2019.

## Room for improvement

Indigenous leaders, including Grand Chief Stewart Phillip of the Union of B.C. Indian Chiefs and Grand Chief Ed John of the First Nations Summit, were present when Heyman introduced the legislation.

The First Nations Leadership Council says in a news release it recognizes the significant improvements made by the bill, which it says begins to make space for proper relations between Indigenous laws and legal orders and those of the Crown.

However, the council says the act does not go far enough in meaningfully implementing the minimum standards affirmed within the United Nations declaration, as the act still allows for projects to proceed if consent is withheld by Indigenous communities.

- [National Energy Board kick-starts new Trans Mountain hearing process](#)

"This new provincial law is one of several laws that needed to be changed. It is a part of reconciliation that First Nations leaders have been seeking," says B.C. Assembly of First Nations Regional Chief Terry Teegee in the release.

"Premier [John] Horgan has taken bold steps in working with us to create better certainty for First Nations governments, industry and the public. We will continue to ensure that this new environmental assessment law and regulations are supportive of First Nations jurisdictions and decision-making."

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