



## ***Reflection, Relationships & Reconciliation***

**By Dayi (Chief) Clay Pountney**

Hadih and Merry Christmas. I look forward to seeing many members at the annual Lheidli Community Christmas Dinner on December 10. I know our students will be glad to start the Christmas Break and enjoy some play-time during the holidays.

As I begin to reflect on all that we've accomplished this year and especially since the new Council was elected in April, I can't help but take pride in the optimism I hear from our members about a bright and sustainable future for our community and our nation. We've celebrated the opening of new homes, new support for our students wanting to attend UNBC, a very positive Auditor's Report, the acquisition of our Downtown Business Center and much, much more. I appreciate it when our members tell me that they appreciate our monthly newsletter and that we're updating our website. Christmas is always a good time to reflect back on the year behind us and to look forward to the New Year ahead of us and I plan to do more of both during the Christmas Break.

One of the highlights of 2019 for me will be the historic meeting between ourselves and our neighbors, the Simpcw in October. Our internal and external relationships and partnerships are what has sustained us for thousands of years. The positive meeting with Chief Shelly Loring and her team was very gratifying and we've agreed to meet again next Spring to continue the conversation about matters of importance to both nations. We've also strengthened this year, our excellent partnerships with the City of Prince George, Regional District of Fraser-Fort George, UNBC and other organizations. We've served notice that we want closer and more effective working relationships with business and industry and the provincial government. We'll continue to pursue these in the New Year.

I'm truly optimistic for our nation and all nations in British Columbia with the Province of BC introducing legislation to embrace the principles and recommendations in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). I believe this will really put us all on the path to reconciliation understanding that reconciliation means different things to different nations and people. Ultimately, reconciliation will be defined in each territory by those who want to see a new way of doing business and a brighter, more sustainable future for indigenous communities. Council will continue its work towards reconciliation in our territory in the New Year.

I wish all our members a safe and enjoyable time with family and friends this Christmas.

Snachailya.

## LHEIDLI T'ENNEH WELL REPRESENTED AT REMEMBRANCE DAY CEREMONIES

It was standing room only at the Prince George Civic and Conference Center for the Remembrance Day ceremony on November 11. Lheidli T'enneh Nation was well represented as part of the ceremony. The Khastan Drummers which includes several Lheidli members, did a great job with their version of 'Oh Canada'.

Later in the program, Lheidli Elder Edie Frederick stood next to Corporal Hannah Tassie. The two did a very unique version of 'In Flanders Fields' with Edie reciting a line in Dakelh and then Corporal Tassie recited the same line in English.

Dayi (Chief) Pountney addressed the gathering by acknowledging the sacrifices of indigenous and non-indigenous soldiers who fought in the two World Wars and other conflicts around the world. Dayi also acknowledged two Lheidli members who fought in WW2, Max Pius and Alec Paul Sr. who served with distinction. He told the crowd that they were 'Heroes' in Europe but returned home after the war and were treated as 'second class citizens'. Dayi ended his remarks by stating that he is pleased to know that all veterans, whether they are indigenous or non-indigenous, are now treated as equals when they return home from serving in Canada's armed forces.

### Tl'ó whuk'ut whucho

Tl'ó whuk'ut whucho,  
In Flanders Field,  
Indaiyaz nulhtsi  
The poppies blow  
Dulalhgus buguz whedelya  
Between crosses row on row  
'et ts'unuk'ut whehodelh'it  
That mark our places  
Ink'e yat'ah dut'aiyaz hujun  
And in the sky the larks sing  
Ink'e nuhut'o, 'aw huneljut 'iloh  
And they fly around without any fear  
'ulhti hudutsoh but'oh  
Scarce heard amid the guns below  
Ink'e hidits'o 'iloh  
And didn't hear them  
Yaidlaneh ts'inle  
We are the dead  
Hohda ts'ughuna da  
Short days ago, we lived  
Sa yuk tez'ai  
The sun setted  
Buzul ts'udedusnih, ink'e ts'unalh'en inle.  
Felt dawn, saw sunset glow

Nek'ents'int's'i ink'e nohk'ets'int's'i inle  
Loved and were loved  
'andit tl'ó whucho whuk'ut whuiyats'ulhti  
And now we lie in Flanders field  
Nekw'azulaneh neba hoolhchoot  
Take up our quarrel with our foe  
Nela tubehtessun, kwunyoo nts'un ts'utelh'uz  
To you from failing hands, we throw the torch  
Yun ye'ilhdzun, 'i yooduk hoontun  
Be yours to hold up high  
Ts'oot'ez ts'oolait'oh deh, 'its'ul 'uja deh  
If ye break faith with us  
Ndanla yaidlaneh, hubah hoonts'ui  
With us who die it will be bad for us  
'aw ts'ootez ts'oolait'oh deh  
We shall not sleep  
'et huwa 'andit ts'ó whuk'ut whucho, indaiyaz  
hunuyeh  
Through poppies grow in Flanders Field





## Seasons greetings to all members to your December issue of your newsletter!

**By: Joe Gosnell Jr**

First and foremost, the Band's annual audit was completed for the year ended March 31, 2019. This is available to all Band members for their review. A copy will also be posted on the Band's website.

The results of this audit show ongoing strong financial performance in all areas. There are some internal reporting processes that require attention and immediate practice to align with Canadian Public Sector accounting standards as described under the Auditor's Responsibilities of their report back to Chief

and council.

Some of the accomplishments below highlight your Council's achievements to date since April 10, 2019;

### **2019 Audit Complete**

**UNBC Agreement – Free Tuition for Band members**

**Construction of new Health Centre spring 2020**

**Telus Pure Fibre Project - Northside**

**Ongoing upgrading of Band website**

**Review of water systems and quality**

**Assert aboriginal rights and title within LTN Territory leveraging UNDRIP**

**Governance workshop – roles & responsibilities**

### **6 new housing units complete**

**Purchase of 24 passenger bus**

**Purchase of new office building downtown PG**

**Update Personnel Policy manual**

**Road improvements (paving) - Northside**

**Capacity building – Ec. Dev. And Land referrals**

**Align LTN strategic planning with Corporate / Government Partners**

**More community engagement**

The most prominent challenges facing administration are sustaining operations financially while accommodating capacity development for your nation. This will require careful planning and decision making for the next 10 years or so.

We want to ensure LTN is financially strong today and for the next 20 years or so.

The election of your current Council beginning April 10, 2019 has resulted in a new political direction, with a more aggressive and assertive approach on your rights and title to your territory. Governments and Corporations are taking note of this aggressive position, as they should.

Activities relating to your nation's business has increased immensely, to the best of our abilities and resources available to us, we are putting our best efforts forward in meeting these challenges on your behalf.

At times, it may seem some issues may not be addressed to your liking, however, eventually most concerns receive attention, perhaps not immediately, our apologies for the slow pace.

In closing I would like to thank your council for their hard work, thank all staff members for your commitment and work to your respective departments / programs and more importantly, to all LTN members for your ongoing patience.

My best wishes and holiday greetings to you all. Have a safe and happy holiday occasion with your family and friends.

Joseph Gosnell



## NEWS RELEASE

RELEASE DATE: December 2, 2019

### **Prince George set to host 2020 Canadian Native Fastball Championships**

PRINCE GEORGE – Fastball teams from across the nation will gather in Prince George during the Canadian Native Fastball Championships (CNFC), Aug. 1 to 3, 2020.

The event will feature over 80 teams competing in five divisions: men's open, women's open, masters men's, masters women's, and junior men's. Tournament games will be played on 11 baseball diamonds throughout Prince George on the traditional territory of the Lheidli T'enneh First Nation. The August tournament is expected to bring in about 2,500 visitors to the Prince George area and will have an estimated economic impact of approximately \$3.5 million dollars.

The championship tournament has been held annually since its inception in 1974, and was successfully held in Prince George in 2016, 2004, and 1994. The tournament is overseen by the Canadian Native Fastball Association (CNFA), a non-profit volunteer organization with First Nation representatives across Canada. Locally, the bid to host the event was prepared jointly by the Spruce City Men's Fastball Association, the PG Big Guy Lake Kings Fastball Club, Tourism Prince George, and the City.

"The CNFA is pleased to bring the Native Fastball Championships once again to Prince George," said Randy Potskin, President of CNFA. "We are honoured to continue the rich culture of native fastball handed down to us by our fathers and grandfathers."

"The 2020 Championships will bring together the family and friends of the players, coaches and assistants, and many local baseball fans who enjoy the sport," said Lheidli T'enneh Dayi (Chief) Clay Pountney. "It will have a very positive impact on our community and the City of Prince George."

"Council recognizes the value of attracting these kinds of events to our community and we're excited to see that Prince George will again be hosting this tournament," said Prince George Mayor Lyn Hall. "There's clearly an important economic impact, but these events are also a lot of fun and a terrific opportunity for everyone to enjoy the excitement of sports. On behalf of the City, we can't wait to welcome these athletes and their families from across Canada."



## NEWS RELEASE

“Sport hosting in Prince George plays a major role in diversifying our local economy and driving the growth of the regional tourism industry,” said Sarah Kirk, Interim CEO of Tourism Prince George. “We are thrilled that Prince George will be hosting the CNFC in 2020. Tourism Prince George is committed to creating an exceptional and memorable experience for athletes, support personnel, and visitors.”

Prince George is recognized as one of western Canada's premier sport hosting destinations. The 2020 CNFC is one of several high-profile sporting events to come to Prince George, including the 2019 World Para Nordic Championships, the 2020 Women's World Curling Championships, and the 2022 BC Summer Games.

For more information or to sign up to volunteer or support the event, visit [nativefastball.com](http://nativefastball.com).

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*For more information:*

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PREPARING FOR  
BALHATS  
NOV 25, 2019





# BALHATS

NOV 29, 2019





BALHATS  
NOV 29, 2019









## Capacity and Training

By: Barb Allan



Training will continue in the New Year to get members certified for work in all sectors including the Oil and Gas Industry.



## World Womens Curling Program

By: Dayi (Chief) Clay Pountney

Hadih curlers, coaches, officials, families, friends and curling fans from around the world. Welcome to Lheidli T'enneh Territory and our unceded ancestral lands. Our nation is pleased to welcome the 2020 World Womens' Curling Championships to our territory in the City of Prince George.

While we know the focus of your visit will be the world-class curling, we hope while you're here that you can find some time to get to know our wonderful community and a little about our indigenous nation. Archeological evidence suggests our ancestors have been here for over 9000 years and while we are reclaiming our language, our traditions and our Balhats (Potlatch - traditional governance system), there is much you can learn about us during



your visit.

If you only have time for one education tour during your stay in our territory, we recommend you visit The Exploration Place in Lheidli T'enneh Memorial Park close to the downtown area of Prince George. There, you will find displays, artifacts and information about our time in this area. We have celebrated a collaborative partnership with The Exploration Place for many years and they do an exceptional job of helping tell our story.

If you are feeling a little more adventurous, about an hour east of Prince George is Chun T'oh Whudujut Provincial Park. The Ancient Forest Trail provides an opportunity to view enormous ancient cedar trees within BC's inland rainforest. The trail is an easy-moderate hike marked with interpretative signage, and is home to a beautiful waterfall. It leaves the parking lot, goes through incredible cedar trees and other vegetation before ending at a small stream. In 2016, 11,190 ha of the Ancient Forest was designated as a Class A Provincial Park and given an additional name Chun T'oh Whudujut.

We thank you for supporting the 2020 World Womens' Curling Championships. We thank the organizers of the event for including the Lheidli T'enneh Nation in the opening ceremonies and throughout the event. Enjoy your time in our territory and we would welcome you back again to enjoy learning more about us and the place we call home.

Snachailya.



## Fisheries

By: Brian Toth

Lheidli's fisheries program has wrapped up all field projects for the year. The "off-season" will be spent on the following activities:

Completing reporting for the program and on various projects that have been completed

Writing and submitting project-funding proposals

Planning the continuation of pilot enhancement projects for Bowron and Early Stuart sockeye stocks for 2020

Planning other potential activities related to Bowron sockeye conservation and rebuilding

Planning a chinook enhancement project for an upper Fraser stock

Fisheries personnel will be attending a variety of meetings and processes related to fish management in 2020 and beyond, including receiving updates on efforts to improve migration conditions at the Big Bar Landslide. Information updates on the landslide can be found at <https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/fish/fish-passage/big-bar-landslide-incident>.

COMMUNITY  
CHRISTMAS PARTY  
DEC 10, 2019







## **Lheidli T'enneh Nation; Carbon-Offset Project**

**By Michelle Connolly**

Hello! I'm Michelle Connolly and am the BC Assembly of First Nations Carbon Specialist. I am working with Lheidli T'enneh Nation in exploring the possibility of a carbon offset project in Lheidli lands.

As the global climate changes in response to fossil fuel use and land conversion, the sale of carbon credits to companies or governments emitting greenhouse gases presents a potential sustainable revenue source for First Nations in BC. Lheidli T'enneh Nation Carbon-Offset Project will critically assess the possibilities offered by carbon offset projects, including challenges First Nation's face for their development in both regulated and voluntary markets, and will explore the feasibility of a First Nation-led system for the sale and management of carbon credits.

This project will enable LTN to navigate the field of carbon offsets in an informed way and with realistic expectations. All work will be carried out with the motivation to maximize tangible benefits to LTN while ensuring that rights are respected, sovereignty is maintained and self-determination is enhanced.

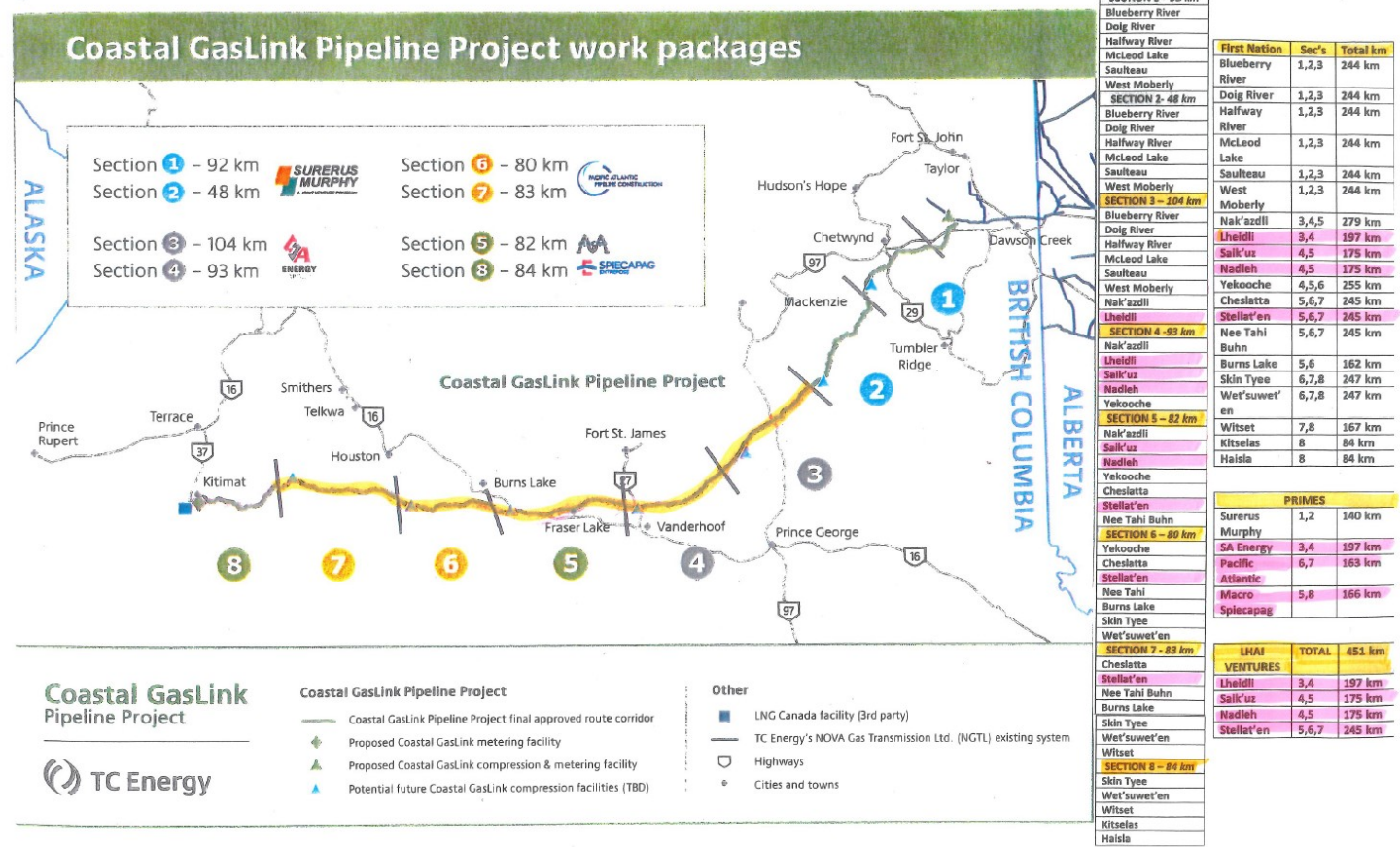
A carbon offset is a credit for greenhouse gas emission reductions achieved by one party that can be purchased and used to compensate (offset) the emissions of another party. For example, one carbon credit generated from the long-term storage of carbon in a forest in BC can be used to offset one tonne of carbon dioxide emitted into the atmosphere elsewhere in the world. Governments and corporations such as BP have carbon credit divisions that invest in offset projects to mitigate the emissions they create in their businesses.

Carbon offsets are typically measured in metric tonnes of carbon dioxide-equivalents (CO<sub>2</sub>e) and are bought and sold through a number of international brokers and trading platforms. Offsets are traceable, tradable and finite; when they are purchased, they are retired forever. Carbon offset projects can be technological (i.e. a wind farm) or land-based (i.e. protecting or restoring a forest or grassland).

I work at the Lheidli T'enneh Economic Development office and am happy to discuss what I am working on at any time.

## **Lhai Ventures Limited Partnership**

Lhai Ventures LP is a partnership company between Stellat'en First Nation, Nadleh Whut'en First Nation, Saik'uz First Nation and the Lheidli T'enneh First Nation. Lhai Ventures LP's mandate is work collaboratively in an effort to procure sub-contracting opportunities with TC Energy's Coastal GasLink pipeline project. Lhai's partner Nations respective territories is approximately 520 kms and encompasses sections 3 to 8 of CGL project.



Working in partnership with various companies, Lhai Ventures LP is able to compete, procure and provide a level of consistency and added capacity for works conducted within member Nations' respective Traditional Territories. Lhai Ventures is well positioned to assist with supporting the construction phase of the CGL project and our membership have experience and training to assist and conduct related tasks associated with the construction of the CGL project.



It is our collective expectation that this approach will deliver quality services to TC Energy on the CGL project, while at the same time meet the expectations of the Lhai Ventures LP with respect to training, work and revenue generating opportunities.

Lhai Ventures LP is happy to introduce Regina Toth as our new Project Manager. Regina is a Lheidli T'enneh member and Lhai Ventures LP is happy to introduce Regina Toth as our new Project Manager. Regina Toth brings a wealth of experience, education and knowledge to this position and we know she will be a great benefit to Lhai Ventures and the member Nations.

## Section 3 and 4 Update

### Project Overview

#### About the Project

The Coastal GasLink Project is a 670-kilometre provincially regulated pipeline that will safely deliver natural gas from the eastern part of B.C. near Dawson Creek to the LNG Canada facility in Kitimat, B.C. The project is designed to meet some of the strictest environmental and safety standards in the world.



#### Construction activities overview (subject to change)

##### 2019–2020: Site preparation

- Improve access / upgrade roads
- Establish workforce accommodation sites
- Land clearing
- Site preparation for pipe laydown areas
- Pipe arrives at laydown areas

##### 2020–2022: Mainline construction

- Clearing, grading, and removal of topsoil
- Excavation of trenches and placement of pipe next to trench (stringing)
- Welding, inspection and coating
- Lowering-in and completion of final welds
- Back-fill and cover
- Pressure-testing for safe operation

##### 2022–2023: Post-construction

- Clean up, land restoration and reclamation of right-of-way
- Anticipated In service (2023)

**Coastal GasLink**  
Pipeline Project



#### We'd like to hear from you

If you have any questions or comments about the project, please reach out.

1.855.633.2011 (toll free)  
CoastalGasLink.com

facebook.com/coastalgaslink  
twitter.com/coastalgaslink



# Coastal GasLink Pipeline Project

## 3 Section 3: Construction Update

## Construction Update

October 3, 2019

### Current construction:

- B.C. Oil and Gas Commission (OGC) recently provided approval for supplemental stream crossings in Section 3, which allowed clearing to commence between KP 172 and KP 215 near Parsnip Multi Use Site.
- Right-of-way clearing commenced September 27 between KP 172 and KP 183, with additional areas commencing pending internal compliance approvals.
- Parsnip Workforce Accommodation complete and currently housing 187 workers.

### Upcoming construction:

- Additional right-of-way clearing anticipated to commence week of October 7, 2019 between KP 224 and KP 215, northwest of Davie Lake, pending receipt of permits and internal compliance approvals.
- Delivery of pipe anticipated early November 2019 at stockpile and laydown sites (7A, 12 and Log Lake).

### Other activities:

- Coastal GasLink is hosting community open houses and job fairs between September and October 2019. Visit [CoastalGasLink.com](http://CoastalGasLink.com) for upcoming open houses and jobs fairs in your community.

### Section 3

**Location:** West of Macleod Lake to Northeast of Prince George

**Length:** 104 kilometres

**Prime Contractor:** SA Energy Group

**Workforce Accommodations:** One Workforce Accommodation – Parsnip

■ Project Right of Way (Section 3)

● Workforce Accommodation Site

■ Laydown Area (Where sections of pipe are stored and staged for assembly)

◆ Stockpile Site (Where sections of pipe will be stored until ready for construction)





# Coastal GasLink Pipeline Project

## 4 Section 4: Construction Update

### Construction Update

October 3, 2019

#### Current construction:

- Continue to progress permits and approvals for right-of-way clearing, therefore no construction activities at this time.
- Access road and site development completed for permitted areas.
- Continue to work with local municipality and regional district to progress permits for Vanderhoof workforce accommodation site.

#### Upcoming construction:

- Right-of-way clearing anticipated to commence mid-November 2019, pending receipt of permits and internal compliance approvals.
- Delivery of pipe anticipated early November 2019 at stockpile and laydown sites (Stockpile 9A and Clear Creek).
- Vanderhoof Workforce Accommodation first occupancy is expected in January 2020.

#### Other activities:

- Coastal GasLink is hosting community open houses and job fairs between September and October 2019. Visit [CoastalGasLink.com](http://CoastalGasLink.com) for upcoming open houses and jobs fairs in your community.



COMMUNITY  
CHRISTMAS PARTY  
DEC 10, 2019









File: 30050-20/WCOL-05-06

Reference: 353984

December 10, 2019

**SENT VIA EMAIL**

Ron Just  
Chief Operating Officer  
West Coast Olefins Ltd.  
555 4<sup>th</sup> Avenue SW Suite 1700  
Calgary AB T2P 3E7  
[rjust@westcoastolefins.com](mailto:rjust@westcoastolefins.com)

Dear Mr. Just:

Please find enclosed an Order issued under Section 11 of the *Environmental Assessment Act* regarding West Coast Olefins Ltd.'s (WCOL) proposed West Coast Olefins Ethylene Project (the Project). This Order establishes the formal scope, procedures and methods concerning the Project's environmental assessment (EA). The Environmental Assessment Office (EAO) will post this Order on its electronic Project Information Centre website at [West Coast Olefins Ethylene Project](#).

The next step in the EA process is to specify the valued components that must be assessed in WCOL's Application for an EA Certificate. These valued components will be reviewed by the Working Group, Lheidli T'enneh First Nation, and the EAO, and will inform WCOL's draft Application Information Requirements (AIR). The draft AIR will be submitted to the EAO for review by the Working Group and Lheidli T'enneh First Nation. The EAO will also make the draft AIR available for a formal public comment period of at least 30 days.

Prior to the formal public comment period, I will need to approve the content, format and publication schedule for the public comment period newspaper and other media announcements. Once the public comment period concludes, the EAO will forward you the public comments it receives during the public comment period for your review and response. Following my review of the comments and your responses, I may ask you to revise the draft AIR and to submit it to the EAO.

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**Environmental  
Assessment  
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Mailing Address:  
PO Box 9426 Stn Prov Govt  
Victoria BC V8W 9V1

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1<sup>st</sup> Fl-836 Yates Street  
Victoria BC V8W 1L8



The EAO provides some funding to assist Indigenous Nations to participate in the EA process, particularly those aspects of the review where the EAO is engaged in direct discussion with Indigenous Nations. The EAO encourages proponents to provide Indigenous Nations with additional capacity funding to participate in other aspects of the EA, such as engagement with the proponent during studies and information gathering. The EAO also encourages proponents to explore benefit sharing agreements with Indigenous Nations where the parties consider that to be in their mutual interest. The EAO will consider any information it receives regarding such agreements when assessing the impacts of the Project. However, such agreements are not considered pre-conditions to completion of the EA process or a decision by the responsible ministers.

If you have any questions, please contact me by telephone at 250 371-3710 or [Terry.Pratt@gov.bc.ca](mailto:Terry.Pratt@gov.bc.ca). You can also reach Matt Rodgers, Project Assessment Officer, at 778 698-9319, or [Matthew.Rodgers@gov.bc.ca](mailto:Matthew.Rodgers@gov.bc.ca).

Yours truly,



Terry (Teresa) Pratt  
Project Assessment Director

Attachments (1)

cc: Ken James, President  
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**Lheidli T'enneh**

*Wheni Lheidli T'enneh ts'ini*

FOR IMMEDIATE RELEASE – DECEMBER 9th, 2019

LHEIDLI T'ENNEH TERRITORY

**Lheidli T'enneh Nation has not provided support for the projects proposed by  
West Coast Olefins Ltd. in our Territory**

Lheidli T'enneh is a progressive, business-oriented First Nation looking to form partnerships with companies seeking to do business with us in our Territory. We are interested in developing true partnerships in relation to projects that further our economic development goals while simultaneously being aligned with our stewardship responsibilities.

However, Lheidli T'enneh is very concerned that comments by West Coast Olefins Ltd.'s ("WCOL") Chief Executive Officer are inaccurate in that they suggest that Lheidli T'enneh is supportive of WCOL's proposed natural gas liquid extraction and ethylene facilities, which are planned to be located in Prince George in the heart of our Territory.

Although we have had very preliminary discussions with WCOL, Lheidli T'enneh wishes to clarify that it does not support either of WCOL's proposed projects at this time. Unfortunately, WCOL has taken steps that have harmed our relationship and raised fundamental concerns about the proposed projects.

We look forward to continuing to build positive relationships with the Prince George community on projects and other business opportunities that will help grow our regional economy in a way that benefits everyone.

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**Please direct all media inquiries on this issue to:**

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July 18, 2017

Honourable George Heyman  
Minister of Environment and Climate Change Strategy  
Parliament Buildings  
Victoria, British Columbia V8V 1X4

Dear Minister Heyman:

Congratulations on your new appointment as Minister of Environment and Climate Change Strategy.

It has never been more important for new leadership that works for ordinary people, not just those at the top.

It is your job to deliver that leadership in your ministry.

Our government made three key commitments to British Columbians.

Our first commitment is to make life more affordable. Too many families were left behind for too long by the previous government. They are counting on you to do your part to make their lives easier.

Our second commitment is to deliver the services that people count on. Together, we can ensure that children get access to the quality public education they need to succeed, that families can get timely medical attention, and that our senior citizens are able to live their final years with dignity.

These and other government services touch the lives of British Columbians every day. It is your job as minister to work within your budget to deliver quality services that are available and effective.

Our third key commitment is to build a strong, sustainable, innovative economy that works for everyone, not just the wealthy and the well-connected. Together, we are going to tackle poverty and inequality, create good-paying jobs in every corner of the province, and ensure people from every background have the opportunity to reach their full potential.

These three commitments along with your specific ministerial objectives should guide your work and shape your priorities from day to day. I expect you to work with the skilled professionals in the public service to deliver on this mandate.

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Office of the  
Premier

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Mailing Address:  
PO Box 9041 Stn Prov Govt  
Victoria BC V8W 9E1

Location:  
Parliament Buildings  
Victoria

As you are aware, we have set up a *Confidence and Supply Agreement* with the B.C. Green caucus. This agreement is critical to the success of our government. Accordingly, the principles of “good faith and no surprises” set out in that document should also guide your work going forward.

As minister, you are responsible for ensuring members of the B.C. Green caucus are appropriately consulted on major policy issues, budgets, legislation and other matters as outlined in our agreement. This consultation should be coordinated through the Confidence and Supply Agreement Secretariat in the Premier’s Office. The secretariat is charged with ensuring that members of the B.C. Green caucus are provided access to key documents and officials as set out in the agreement. This consultation and information sharing will occur in accordance with protocols established jointly by government and the B.C. Green caucus, and in accordance with relevant legislation.

British Columbians expect our government to work together to advance the public good. That means seeking out, fostering, and advancing good ideas regardless of which side of the house they come from.

Our government put forward a progressive vision for a Better B.C. that has won broad support with all members of the legislature. There is consensus on the need to address many pressing issues such as reducing health-care wait times, addressing overcrowded and under-supported classrooms, taking action on climate change, tackling the opioid crisis, and delivering safe, quality, affordable child care for all. As one of my ministers, I expect you to build on and expand that consensus to help us better deliver new leadership for British Columbians.

As part of our commitment to true, lasting reconciliation with First Nations in British Columbia our government will be fully adopting and implementing the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and the Calls to Action of the Truth and Reconciliation Commission. As minister, you are responsible for moving forward on the calls to action and reviewing policies, programs, and legislation to determine how to bring the principles of the declaration into action in British Columbia.

In your role as Minister of Environment and Climate Change Strategy I expect that you will make substantive progress on the following priorities:

- Renew the Climate Leadership Team within the first 100 days of your mandate.
- Implement a comprehensive climate-action strategy that provides a pathway for B.C. to prosper economically while meeting carbon pollution reduction targets, including setting a new legislated 2030 reduction target and establishing separate sectoral reduction targets and plans.
- Work with the Minister of Finance to implement an increase of the carbon tax by \$5 per tonne per year, beginning April 1, 2018 to meet the federal government’s carbon-pricing mandate. Take measures to expand the carbon tax to fugitive emissions and to slash-pile burning.
- Revitalize the Environmental Assessment process and review the professional reliance model to ensure the legal rights of First Nations are respected, and the public’s expectation of a strong, transparent process is met.



- Employ every tool available to defend B.C.'s interests in the face of the expansion of the Kinder Morgan pipeline, and the threat of a seven-fold increase in tanker traffic on our coast.
- Enact an endangered species law and harmonize other laws to ensure they are all working towards the goal of protecting our beautiful province.

All members of Cabinet are expected to review, understand and act according to the *Members Conflict of Interest Act* and to conduct themselves with the highest level of integrity. Remember, as a minister of the Crown, the way you conduct yourself will reflect not only on yourself, but on your Cabinet colleagues and our government as a whole.

I look forward to working with you in the coming weeks and months ahead.

It will take dedication, hard work, and a real commitment to working for people to make it happen, but I know you're up to the challenge.

Sincerely,

A handwritten signature in black ink that reads "John Horgan". The signature is written in a cursive, flowing style.

John Horgan  
Premier

# CONFRONTING MYTHS ABOUT INDIGENOUS CONSENT

by Roshan Danesh

Indigenous consent is increasingly part of public discourse, particularly around resource development. In British Columbia this focus will continue in upcoming months as it is expected the government – as announced by Premier Horgan in Throne Speech 2019 – may soon introduce legislation to implement the United Nations Declaration on the Rights of Indigenous Peoples in British Columbia. Within the *UN Declaration*, one finds numerous references to obtaining the free, prior, and informed consent of Indigenous peoples.

Public discourse about the *UN Declaration* and Indigenous consent typically includes the repetition of a number of myths. Often these myths are left unchallenged with many, including some political leaders and commentators, simply taking them for granted. It is timely and important to confront some of these myths.

## **Myth #1 – Indigenous consent is not part of Canadian law.**

The fact is that Indigenous consent is part of Canadian law. It is discussed in various ways in decisions of the Supreme Court of Canada including *Haida* and *Tsilhqot'in*. Moreso, it is actually an original, core, foundational principle of the common law understanding of Indigenous-Crown relations. Former Chief Justice Beverly McLachlin explained in a speech that in Canada's history the English acknowledged the "limited prior entitlement of indigenous peoples, which required the Crown to treat with them and obtain their consent before their lands could be occupied. In Canada...this doctrine was cast in legal terms by the Royal Proclamation of 1763, which forbade settlement unless the Crown had first established treaties with the occupants."

## **Myth #2 – The UN Declaration creates new rights, including Indigenous consent.**

The *UN Declaration* does not create new rights. What the *UN Declaration* does is affirm and express long-established human rights norms in the context of Indigenous peoples. These are human rights norms that are reflected in the Universal Declaration of Human Rights, and which Canada and Canadians have supported and advocated for over generations. These are the same norms that have influenced progressive human rights regimes across the globe, including our Charter.

## **Myth #3 – Consent is a veto over resource development.**

Consent and veto are not the same thing, and consent is not a veto over resource development. First, no rights are absolute. This is true in our Charter, section 35 of our Constitution, and in the *UN Declaration*. Article 46(2) of the *UN Declaration* makes this explicit in stating how the exercise of rights, including consent, may be limited: "The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law and in accordance with international human rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society." Second, countless officials as well as leading experts have explained in detail and with clarity how 'consent' and 'veto' are different. For example, James Anaya, the former Special Rapporteur on the Rights of Indigenous peoples, has explained that the free, prior, and informed consent standard is meant to ensure that all parties work together in good faith and make every effort to achieve mutually acceptable arrangements, and that a focus should be on building consensus. This is quite different than a 'veto'.



#### Myth #4 – Consent will lead to uncertainty.

This is perhaps the greatest myth of them all. To assert this myth ignores the massive, and increasing, uncertainty about resource development that British Columbians are confronted with every day. To the degree such uncertainty is a product of relations with Indigenous peoples, the challenge has not arisen from respecting Indigenous rights – including consent – but from denying and ignoring them. The lack of recognition and implementation of Indigenous title and rights – and demanding that they be ‘proved’ in court despite them already being affirmed as existing in section 35 of the Constitution – has resulted in a culture of conflict, with over-reliance on long and expensive court processes, that rarely results in clear outcomes. In such, climate partnerships are hard to forge, the rules are unclear, and the pathways one has to follow murky. Former Minister of Justice and Attorney-General of Canada Jody Wilson-Raybould made this clear in a talk to the Business Council of BC in 2018 where she explained that “the uncertainty that we all experience today — Indigenous peoples, industry, governments and the Crown — whether...in relation to pipelines or any of a number of projects, has its roots directly in this history of denial and division” and further went on to explain how consent can be a path to certainty.

Undoubtedly the issue of Indigenous consent, and how to implement the *UN Declaration*, are complicated public policy issues, that have a historical and contemporary context that is often quite challenging to capture in the soundbite and tweet culture of today’s social and political discourses. This does not mean, however, that we should accept myths overruling facts, or allow misunderstandings to be treated as valid information. As these matters continue to be topics of focus in British Columbia, the better path, always, will be to seek out the best, and most informed, understandings possible.

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Dr. Roshan Danesh has advised First Nations, the federal government, the British Columbia government, local governments, and industry on reconciliation. He has also advised international organizations, including the United Nations. He completed his doctoral studies in constitutional law at Harvard Law School. He recently published the policy paper “Operationalizing Indigenous Consent through Land-Use Planning” for the Institute for Research on Public Policy (<https://irpp.org/wp-content/uploads/2019/07/Operationalizing-Indigenous-Consent-through-Land-Use-Planning.pdf>)





### Work with Me People!

A big change in my life, going into the Tourism sector and attending the Northern BC Tourism Summit, first day on the Job. Or going to the International Indigenous Tourism Conference, the largest International Indigenous Tourism Conference in the world. It has opened my eyes up to the possibilities that we can achieve within our Territory and how truly lucky we are, to be Indigenous and to be proud of where we come from.

Talking to people at the conference has shown me that there are a lot worse things, like the ladies from Wyoming who mentioned their poverty rate is 77%, and it takes them 3.5 hours to drive to one of their reserves. They mentioned the lands and how hard it was going to take to get people out there and to see any economic benefits. I mentioned that we had an Ancient Forest on in our Territory and they said how Mystical and now they want to come for a visit! Imagine how many others are thinking the same and want to visit.

I am working on building short, medium and long term goals for Tourism, achieved by strategies developed by the community. In the new year we will be having community meetings to brainstorm about ideas and possibilities. I mentioned it to the Ancient Forest Working Group my new position in Tourism and they had many ideas to think about, that Tourism needs to be a community driven process in order for it to be successful. I will keep you posted.

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