



## FIRST NATIONS CONSULTATION

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### ***Introduction***

The Oil and Gas Commission (OGC) maintains provincial responsibility to consult with First Nations on proposed oil and gas activities in their traditional territories. The OGC strives to foster mutually beneficial working relationships with First Nations communities.

### ***OGC Aboriginal Relations Team***

Aboriginal Relations team members act as facilitators between industry and First Nations. The Branch is responsible for:

- Consulting with First Nations
- Establishing relationships with First Nation communities and informing them about the oil and gas industry and its regulation
- Working with the Regulatory Affairs and Consultation Branch
- Support First Nation community involvement in land use and tenure planning.

### ***Traditional Territory***

While First Nations have varying rights associated with Indian Reserve Lands depending on when the Reserve was established, they also have identified traditional territories where they exercise their treaty and aboriginal rights.

Consultation with a specific First Nation occurs when an oil and gas project is proposed in their traditional territory. As traditional territories may overlap, consultation may be required with more than one First Nation.

### ***Consultation Objectives***

The OGC consults on behalf of the Province to:

- Avoid, minimize and mitigate potential adverse impacts on First Nations' rights as recognized and affirmed by Section 35(1) of the Constitution Act, 1982
- Access community knowledge
- Integrate traditional knowledge with science and research
- Foster relationships with First Nations communities
- Act as facilitators between First Nations and industry
- Enhance decision making by integrating First Nations' input
- Recommend appropriate terms and conditions on approvals.



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The OGC also adheres to the following principles:

- Importance of community knowledge
- Importance of scientific knowledge
- Protection of special sites
- Cultural protection
- Support for First Nations participation in land use planning activities.

### *Industry's Role*

While the OGC formally consults First Nations on proposed oil and gas projects, oil and gas applicants are expected to engage and share information with First Nations on their proposed projects during the pre-application stage. It is also important that there is follow up and information is shared during all phases of the project.

### *Treaty 8 Agreements*

Negotiated agreements between the Province and the Treaty 8 First Nations have established formal consultation processes. The agreements provide for funding to enable Treaty 8 First Nations to operate a Lands Department and to assist in building community capacity. This facilitates First Nations' participation in the consultation process and ensures applications are dealt with as effectively and efficiently as possible.

### *Non Treaty 8 First Nations*

The OGC also consults with the First Nations outside the Treaty 8 area on proposed oil and gas projects. Where the level of activity warrants, the Province (through the Ministry of Energy, Mines and Petroleum Resources) may consider the development of a consultation agreement.

### *Information:*

**Memoranda of Understanding** [https://www.ogc.gov.bc.ca/pubdoc.asp\\_view=9.html](https://www.ogc.gov.bc.ca/pubdoc.asp_view=9.html)

**Consultation Process Agreements Implementation Committee** <https://www.ogc.gov.bc.ca/cpaic.asp>

**Treaty 8 Tribal Association** <http://www.treaty8.bc.ca/welcome.php>