

Coastal First Nation Reconciliation Protocol

Information for Natural Resource Authorization Applicants

The Province of British Columbia has a duty to consult and, where required, accommodate First Nations when a proposed decision or activity authorized by the Province may affect claimed or proven aboriginal rights or treaty rights. This duty stems from court decisions and is consistent with the Province's commitment to building a new relationship with First Nations.

In 2009, the Province of BC and a number of coastal First Nations signed a government-to-government agreement called a Reconciliation Protocol. The signatory First Nations are: Wuikinuxv Nation, Metlakatla First Nation, Kitasoo Indian Band, Heiltsuk Nation, Gitga'at First Nation, the Nuxalk Nation (which joined in December 2010), and the Haisla Nation (which joined in November 2011). Two sections of the protocol are aimed at implementing a more effective consultation and engagement process between the Province and First Nations: one process that guides engagement with the Haisla Nation, and another for engagement with all other signatory First Nations. **These two components of the agreement have been improved upon in the recent "Spring 2016" Amendment, which was signed by all parties on March 16, 2017.** These amendments clarify and streamline engagement on natural resource decisions between the Province and each of the signatory First Nations.

The following legislation has also been added in the "Spring 2016" Amendment: Heritage Conservation Act (Archaeology permits), Mines Act, Coal Act, Mineral Tenure Act, and Fisheries Act. Implementation activities for Ecosystem Based Management in the Central and North Coast have also been included in this Amending Agreement.

As part of ongoing implementation of this the protocol, BC has committed to inform prospective applicants, and clients wishing to amend their existing authorization about this protocol and to encourage them to share information about their applications with the applicable First Nations. Information sharing may achieve the following:

- ✦ Identify First Nations rights, title and interests potentially adversely impacted by a proposed application;
- ✦ Develop a positive working relationship with local First Nations; and
- ✦ Facilitate a more streamlined consultation process.

The applicant/client should advise the authorizing agency about any previous and/or intended information sharing efforts regarding their application.

Resources:

The Coastal First Nations Reconciliation Protocol is accessible at:

<http://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/consulting-with-first-nations/first-nations-negotiations/first-nations-a-z-listing/coastal-first-nations>

Consultative Areas Database (CAD) Public Map Service

CAD Public Map Service is a starting point in obtaining contact and geographic information about First Nations in the area queried, enabling prospective and existing land and resource applicants to make those important initial connections to establish respectful working relationships. Instructions and the tool are accessible here:

<http://maps.gov.bc.ca/ess/sv/cadb>

More information

If you have any questions about this agreement, or about information sharing with First Nations, please contact provincial government staff at the office which will receive, or has already received your application.