

Environmental Stewardship Initiative

Collaborative leadership on long-standing environmental issues emerges out of negotiations with First Nations about natural gas pipeline construction.

Pacific Resolutions



Coming together within a context of conflict and distrust, Pacific Resolutions was key to fostering a productive relationship between provincial government and Carrier-Sekani government technical representatives within the Omineca Environmental Stewardship Initiative Demonstration Project.

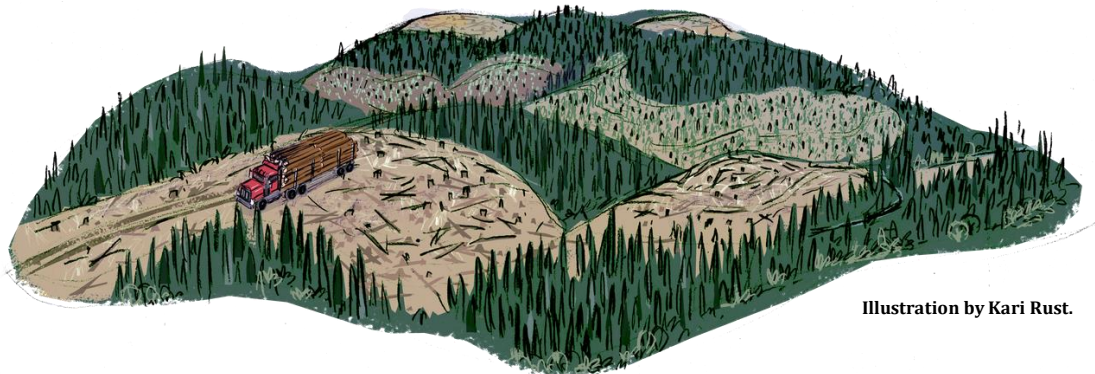
- **Brian Toth**, Omineca ESI Demonstration Project, Carrier-Sekani First Nations Co-Chair

Background

In 2015, British Columbia committed \$30 million to fund a collaborative environmental stewardship initiative (ESI) in order to partially address First Nations' environmental concerns in exchange for their support for construction of three proposed natural gas pipelines across northern British Columbia. Pacific Resolutions played a lead role in negotiating the ESI implementation agreements with the Carrier Sekani and the Treaty 8 Nations for BC and was subsequently asked by the Province and all the Nations to facilitate the implementation processes for each of the agreements. The ESI focused on developing trusted information, ecosystem restoration, monitoring and cumulative effects assessment. In the Omineca Region, seven Carrier Sekani Nations (Saik'uz, Satellat'en, Nadleh Whut'en, Nak'azdli, Takla, Ts'il Kaz Noh, and Tl'azt'en) agreed to implement the ESI with BC by undertaking a cumulative effects assessment demonstration project that focused on three key values: moose, fish and general biodiversity.

In the Treaty 8 region of Northeast BC, seven Treaty 8 Nations (MacLeod Lake, West Moberly, Saulteau, Halfway River, Blueberry, Doig, and Prophet River) agreed to implement the initiative with BC by undertaking a Regional Strategic Environmental Assessment (RSEA).

Both the RSEA and the Omineca projects have been underway for over three years and could contribute to the Provincial commitment to implement United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). These collaborative processes have demonstrated a potential approach to Free Prior and Informed Consent which is integral to the UNDRIP – the issues have been defined jointly by the Province and the Nations; they have developed relevant information collaboratively; and are attempting to agree on the solutions.



Overview: Omineca ESI Demonstration Project

The Omineca Demonstration Project is intended to develop management response recommendations that address issues that are identified through a cumulative effects assessment of three key values – moose, fish and biodiversity. In order to achieve this outcome, Provincial and Carrier Sekani Nations representatives have had to reach agreement on:

- The method of assessment for each of the key values including the relevant data and its limitations;
- The interpretation of the results of the assessment;
- The means by which the identified cumulative impact issues could be addressed.

In the process of reaching these agreements, the Carrier Sekani and BC have developed trusted information about the ecological values and protocols to monitor and gather more information about them. The approach to resolving the cumulative effects issues involved two challenging tasks. The first was to reach agreement with forest licensees to implement immediate changes in their forest management plans and practices in order to preserve options for longer term solutions to be developed. The second was to design a natural resource planning process that would reset the balance between forest ecosystem conservation and development objectives across the First Nations territories. The first of these challenging tasks is substantially complete and the parties have been working collaboratively with licensees on implementation for over a year on the basis of a memorandum of understanding. The second task is still in the design stage with all parties recognizing that in the absence of success they will face heightened conflict.

Results So Far: Omineca ESI Demonstration Project

The Omineca ESI project is ongoing as of Fall 2020. The parties' relationships have dramatically improved compared to when the project began in 2015, as have their shared understanding of the state of the land and the type of measures required to protect it. With the support of Pacific Resolutions, the project team has achieved:

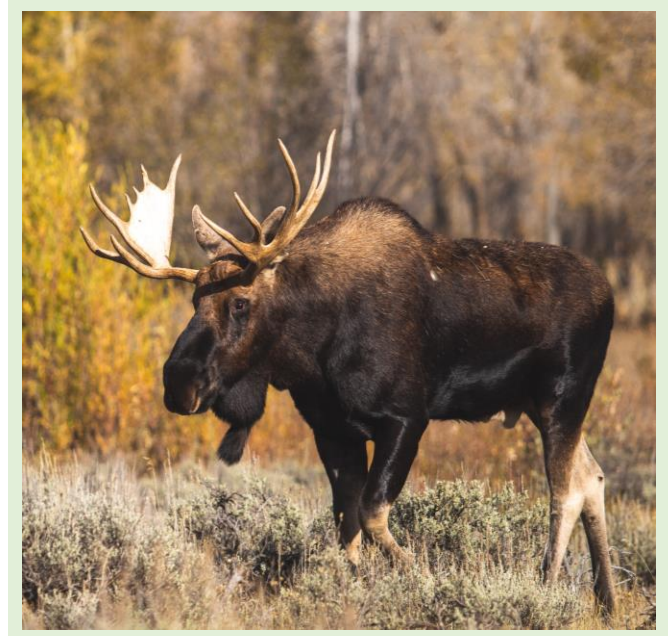
- Collaborative multilateral government-to-government consensus on a framework for resource management planning – a pioneering approach to meaningful co-management and reconciliation in action.
- A Memorandum of Understanding between eight regional forest licensees and the project team, positioning licensees for voluntary implementation of immediate measures developed by the project team.
- The identification of 431 candidate ungulate winter range (UWR) areas encompassing 178,806 hectares, then prioritized by consensus to new UWR for Provincial designation and licensee avoidance.
- The commitment by forest licensees to avoid harvesting specified areas and to implement new management practices in surrounding areas.
- The development and mutual interpretation of trusted shared data covering 8 million hectares.

Overview: Regional Strategic Environmental Assessment (RSEA)

The Northeast region of BC is a vast area of mountains, foothills, forests, lakes and the Peace River Valley. Major rivers that flow through the region include the Peace River and the Liard River. The intensity of natural resource development in this region including oil and gas, coal and forestry has strained the relationship between Treaty 8 Nations and the Province. In the absence of the RSEA agreement none of the proposed natural gas pipelines would have been supported by all of these Nations.

The RSEA agreement involves a regional cumulative effects assessment of environmental values that are instrumental to the practice of Treaty rights. This assessment is intended to be the basis for management response recommendations that optimize the development interests of the Parties with protection of the values that support the meaningful exercise of Treaty 8 rights. In order to set the stage for the development of recommendations the representatives of BC and the Treaty 8 Nations have to agree on:

- The values that require assessment.
- The methodology for assessing the values and the data that will contribute to the assessment including the limitations of this data.
- How to interpret the results of the assessment.
- The management response recommendations that will address the issues identified in order to achieve a more “optimized” future state.



Results So Far: RSEA

The Parties have made significant progress completing these steps including:

- Undertaking assessments of water, moose, old forests, peaceful enjoyment, and environmental livelihoods.
- Developing a data base and maps of current disturbances that supports value specific analyses. Disputes over current conditions were a hallmark of conflicts prior to this process.
- Developing a modeling system that simultaneously evaluates the implications of alternate scenarios of natural gas and forestry development on values that are key to the exercise of Treaty 8 rights.
- Applying this modeling system in the Fort St. John timber supply area which overlaps the Montney natural gas reserves.

Pivotal issues we can help you address

1. Resolution of Treaty implementation and aboriginal rights issues that affect public interests and private sector rights.
2. Principles for establishing and sustaining collaborative management processes.
3. Shifting from dispute resolution and issues management to conflict prevention and adaptive co-management.

Learn more

Are you interested in learning more about complex issues like this and how to manage them? Pacific Resolutions can help by providing conflict resolution and communication training, as well as consulting services and strategic advice.

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