

FIRST NATIONS LEADERSHIP COUNCIL



BRITISH COLUMBIA
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INDIAN CHIEFS

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June 27, 2019

Peter Luckham
Chair, Islands Trust Council
Email: pluckham@islandstrust.bc.ca

via Email

Dear Mr. Luckham,

RE: Climate Change Emergency & FN Engagement

Thank you for sharing copies of the Islands Trust Council's Climate Change Emergency Declaration and news release. We appreciate that your Council and members are making climate change a priority, are taking concrete steps to play your part to respond to the emergency, and that you understand the importance of doing this work collaboratively with First Nations.

As your letter notes, First Nations in British Columbia believe that we are in an environmental emergency due to climate change. The Union of BC Indian Chiefs and the BC Assembly of First Nations both have climate change Resolutions (Resolution no. 2019-02: "*Climate Emergency and First Nations Climate Emergency Plan*", and Resolution no. 04/2019: "*Climate Emergency and Support for the Development of a BC First Nations Climate Change Strategy*", enclosed) passed by our respective Chiefs-in-Assembly, calling for the First Nations Leadership Council (FNLC) to work together on climate change issues through strong advocacy and action to address this crisis.

The FNLC, made up of the First Nations Summit (FNS), the Union of BC Indian Chiefs (UBCIC), and the BC Assembly of First Nations (BCAFN), has a mandate to work together to improve the socio-economic conditions of First Nations in British Columbia, and to advance recognition and reconciliation of pre-existing Aboriginal Title and Rights, and Treaty Rights, with the assertion of Crown sovereignty. This work is supported and guided by the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), which has been adopted without qualification by the Governments of British Columbia and Canada.

With regards to the FNLC climate change response, as mandated by the two resolutions, we are planning to:

1. Develop a First Nations Climate Change Strategy and Action Plan, including a bold Just Transition Plan informed by First Nation priorities and knowledge, which will guide climate emergency response and communicate to partners about priority areas.
2. Host a BC First Nations Climate Change Session to showcase important information for First Nations on climate change adaptation and mitigation initiatives.

3. Engage with the Provincial and Federal governments to ensure:
- the meaningful participation of BC First Nations in all climate change-related initiatives to safeguard that inherent and constitutionally protected Indigenous Title, Rights and Treaty Rights are recognized and upheld;
 - that all climate actions are consistent with the implementation of UNDRIP, in particular, [Articles 18, 25, 29\(1\), and 32\(1\)](#); and,
 - that any climate change plan developed by British Columbia must stop the further expansion of greenhouse gas emitting projects and infrastructure and support the development of renewable energy and alternative energy economies.

We welcome the opportunity to foster dialogue and work collaboratively with all levels of government and sectors of British Columbia, including the Islands Trust Council. We look forward to receiving more information on your plan to engage First Nations on climate change.

For future communications, you can contact the technical representatives from our respective organizations working on the climate file: Patricia Rojas (Regional Climate Change Coordinator at the BCAFN, T: 250-859-1511, E: patricia.rojas@bcfn.ca), and/or Andrea Glickman (Policy Director at the UBCIC, C: 604-842-2977, E: andrea@ubcic.bc.ca), and/or Colin Braker (Communications Director at the FNS, T: 604-926-9903, E: cbraker@fns.bc.ca).

Sincerely,

FIRST NATIONS LEADERSHIP COUNCIL

On behalf of the FIRST NATIONS SUMMIT


Cheryl Casimer


Robert Phillips


Lydia Hwitsum

On behalf of the UNION OF BC INDIAN CHIEFS


Grand Chief Stewart Phillip


Chief Don Tom


Kukpi7 Judy Wilson

On behalf of the BC ASSEMBLY OF FIRST NATIONS:


Regional Chief Terry Teegee

Enclosures:

- UBCIC - Resolution no. 2019-02: *Climate Emergency and First Nations Climate Emergency Plan.*
- BCAFN - Resolution no. 04/2019: *Climate Emergency and Support for the Development of a BC First Nations Climate Change Strategy*

cc .

Russ Hotsenpiller, CAO, via Andrew Templeton
 BOKÉCEN (Pauquachin) First Nation
 Cowichan Tribes
 Halalt First Nation
 Homalco First Nation
 Klahoose First Nation
 K'ómoks First Nation
 Lake Cowichan First Nation
 Lekwungen (Songhees) Nation
 Lyackson First Nation
 MÁLEXEŁ (Malahat) Nation
 Penelakut Tribe
 Qualicum First Nation
 Scia'new (Beecher Bay) First Nation
 SEMYOME (Semiahmoo) First Nation
 shíshálh First Nation
 Snuneymuxw First Nation
 Skwxw_ú7mesh (Squamish) Nation
 Snaw-naw-as (Nanoose) First Nation
 SxÁUTW_ (Tsawout) First Nation
 Stz'uminus First Nation

SXIMEŁEŁ (Esquimalt) Nation
 Tla'amin (Sliammon) Nation
 Tsawwassen First Nation
 Tseil-Waututh Nation
 T'Sou-ke Nation
 Wei Wai Kum (Campbell River) First Nation
 We Wai Kai (Cape Mudge) First Nation
 WJOŁEŁP (Tsartlip) First Nation
 WSIKEM (Tseycum) First Nation
 xwməθkwəyəm Musqueam
 Hul'qumi'num Treaty Group
 Laich-kwil-tach Treaty Society
 Nanwakolas Council
 Naut'sa mawt Tribal Council
 Te'mexw Treaty Association
 Minister of Municipal Affairs & Housing
 Minister of Indigenous Relations & Reconciliation
 Bowen Island Municipal Council
 Islands Trust Council

OUR LAND IS OUR FUTURE

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL

FEBRUARY 27TH-28TH, 2019

MUSQUEAM COMMUNITY CENTRE, X^WMƏƏK^WƏY^ƏM (MUSQUEAM TERRITORY)

Resolution no. 2019-02

RE: Climate Emergency and BC First Nations Climate Emergency Plan

WHEREAS the October 2018 report entitled “Special Report on Global Warming of 1.5°C” by the Intergovernmental Panel on Climate Change and the November 2018 Fourth National Climate Assessment report found that:

1. Human activity is the dominant cause of observed climate change over the past century;
2. A changing climate is causing sea levels to rise and an increase in wildfires, severe storms, droughts, and other extreme weather events that threaten human life, Indigenous food security, healthy communities, and critical infrastructure;
3. Global warming at or above 2 degrees Celsius beyond pre-industrialized levels will cause:
 - a. mass migration from the regions most affected by climate change;
 - b. wildfires that, by the end of the century, will burn twice as much average area per year in Canada by the end of the century as has burned in the recent past, and the diseases associated with that;
 - c. a loss of more than 99 percent of all coral reefs on Earth;
 - d. more than 350,000,000 more people to be exposed globally to deadly heat stress by 2050;
4. Global temperatures must be kept below 1.5 degrees Celsius above pre-industrialized levels to avoid the most severe impacts of a changing climate, which will require:
 - a. global reductions in greenhouse gas emissions from human sources of 40 to 60 percent from 2010 levels by 2030; and
 - b. net-zero emissions by 2050;

WHEREAS climate change, pollution, and environmental destruction have exacerbated systemic racial, regional, social, environmental, and economic injustices by disproportionately affecting indigenous communities, communities of color, migrant communities, deindustrialized communities, depopulated rural communities, the poor, low-income workers, women, the elderly, the unhoused, people with disabilities, and youth;

WHEREAS climate change threatens the security and way of life of Indigenous peoples throughout Canada and the world, which has been evident in British Columbia as record-breaking temperatures in the summer of 2018 contributed to rampant forest fires, drought, and elevated water temperatures impacting wild salmon and other species;

WHEREAS the mandate letter for Minister of Environment and Climate Change Strategy, George Heyman, called upon him to implement a climate-action strategy that would allow BC to meet carbon reduction targets and legislate a new 2030 reduction target. Heyman was mandated to ensure that the legal rights of First Nations are respected, and that BC's interests remain protected in the face of the Kinder Morgan pipeline expansion and the threat of increased tanker traffic;

WHEREAS by Resolution 2016-06, the UBCIC Chiefs Council demanded that any climate change plan developed by Canada must be done in conjunction with Indigenous peoples and must recognize and uphold our inherent and constitutionally protected Indigenous Title, Rights and Treaty Rights and be consistent with the historic Supreme Court of Canada's *Tsilhqot'in Nation* judgment. Further, the UBCIC Chiefs Council directs the UBCIC Executive to ensure that any climate change plan developed by Canada must stop the further expansion of fossil fuel production and export, and support development of alternative energy and alternative energy economies;

WHEREAS in July 2018 the BC government released three intention papers: *Clean, Efficient Buildings*, *Clean Transportation* and *A Clean Growth Program for Industry* that would inform the clean growth plan to be later released;

WHEREAS UBCIC provided a submission responding to the three intention papers and while the framework for sustainable energy growth with fewer emissions was a step in the right direction, UBCIC highlighted important concerns around consent, accessibility, and existing projects and environmental disasters including the Mount Polley mine disaster, the TMX, and the Site C Dam, that are contributing to carbon emissions, environmental harm, and violations of Indigenous Title and Rights, and Treaty Rights;

WHEREAS the *UN Declaration on the Rights of Indigenous Peoples*, which the Governments of British Columbia and Canada have adopted without qualification and have committed to implement, affirms:

Article 18: Indigenous peoples have the right to participate in decision-making in matters which affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

Article 29(1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

Article 32(1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources;

WHEREAS the Province's climate change plan, CleanBC, was introduced in December 2018 and was developed with inadequate engagement with First Nations. CleanBC broadly states how an agenda of reconciliation and self-determination will be advanced and implemented, with no explanation of what exact steps were and will be taken to consult with and involve First Nations in planning and carrying out the initiatives. No mention was made of any of the negative environmental repercussions of the Site C Dam and liquefied natural gas (LNG) projects, or their impacts on the Title and Rights of First Nations, despite the recommendations to do so by UBCIC;

WHEREAS CleanBC's aim to reduce emissions by 40% by 2030 from 2007 levels clashes with the increased greenhouse gas emissions associated with approved big energy projects like the LNG Canada facility, the Trans Mountain Pipeline Expansion and Site C Dam. The plan's targets also no longer align with the more ambitious scientifically-approved reduction target identified by the Intergovernmental Panel on Climate Change (IPCC) to be 40-60% by 2030 from 2010 levels and net zero emissions by 2050 so that the global 1.5-degree temperature target can be met;

WHEREAS First Nations have the right to determine and direct their own environmental strategies and policies concerning the continued development of projects that directly impact the welfare and conservation of their lands, territories, and resources; and

WHEREAS the UBCIC Chiefs Council recognize the breakdown of the stable climate and sea level under which human civilization developed constitutes a climate emergency.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council demands that any climate change plan developed by British Columbia must be done in conjunction with Indigenous peoples and must recognize and uphold our inherent and constitutionally protected Indigenous Title, Rights and Treaty Rights and be consistent with the historic Supreme Court of Canada's *Tsilhqot'in Nation* judgment;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to ensure that any climate change plan developed by British Columbia must stop the further expansion of greenhouse gas emitting projects and infrastructure (whether the GHG emissions are produced locally or via fossil fuel exports), and support development of renewable energy and alternative energy economies;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council supports the development and implementation of a BC First Nations led climate action session that will strengthen and facilitate First Nation participation in a just transition to an economy that achieves greenhouse gas reductions to 40-60% by 2030 from 2010 levels and net zero emissions by 2050 and work to rectify the shortfalls of the CleanBC plan;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chief's Council directs UBCIC Executive, working with the BC Assembly of First Nations and the First Nations Summit as the First Nations Leadership Council, to seek resources and plan a climate action session for First Nations in BC that will involve strategy and planning around First Nations participating in achieving greenhouse gas reductions of 40-60% by 2030 from 2010 levels and net zero emissions by 2050 through a fair and just transition for our communities and workers; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive, working with the BC Assembly of First Nations and the First Nations Summit as the First Nations Leadership Council, to prepare a bold Just Transition Plan for BC to review and provide feedback on. This BC First Nations' Just Transition Plan will align with the IPCC's recommendations and scientifically backed reduction targets and will establish the importance of ensuring that climate planning protects traditional ecological knowledge, and is respectful of and co-created with First Nations in BC.

Moved: Dustin Rivers, Squamish Nation (Proxy)
Seconded: Chief Chad Eneas, Penticton Indian Band
Disposition: Carried
Date: February 27, 2019



BRITISH COLUMBIA ASSEMBLY OF FIRST NATIONS

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BCAFN SPECIAL CHIEFS ASSEMBLY
Nicola Valley Institute of Technology, Merritt, BC
March 7 & 8, 2019

Resolution 04/2019

SUBJECT: CLIMATE EMERGENCY AND SUPPORT FOR THE DEVELOPMENT OF A BC FIRST NATIONS CLIMATE CHANGE STRATEGY

MOVED BY: DUSTIN RIVERS, PROXY FOR SQUAMISH NATION

SECONDED BY: CHIEF MARK POINT, SKOWKALE FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. The October 2018 report entitled "Special Report on Global Warming of 1.5°C" by the Intergovernmental Panel on Climate Change and the November 2018 Fourth National Climate Assessment report found that:
- A. Human activity and growth is the dominant cause of observed climate change over the past century;
 - B. A changing climate is causing sea levels to rise and an increase in wildfires, severe storms, droughts, and other extreme weather events that threaten human life, Indigenous food security, healthy communities, and critical infrastructure;
 - C. Global warming at or above 2 degrees Celsius beyond pre-industrialized levels will cause:
 - a. mass migration from the regions most affected by climate change;
 - b. wildfires that, by the end of the century, will burn twice as much average area per year in Canada by the end of the century as has burned in the recent past, and the diseases associated with that;
 - c. a loss of more than 99 percent of all coral reefs on Earth;
 - d. more than 350,000,000 more people to be exposed globally to deadly heat stress by 2050;

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A handwritten signature in blue ink, appearing to read "Terry Teegee".

Terry Teegee, BC Regional Chief

- D. Global temperatures must be kept below 1.5 degrees Celsius above pre-industrialized levels to avoid the most severe impacts of a changing climate, which will require:
- a. global reductions in greenhouse gas emissions from human sources of 40 to 60 percent from 2010 levels by 2030; and
 - b. net-zero emissions by 2050;
- E. Climate change represents an urgent and potentially irreversible threat to human societies and the planet. Canada's response to climate change has included signing the Paris Agreement (2015) and developing the *Pan-Canadian Framework on Clean Growth and Climate Change* (the "Framework") as the pathway to achieve Canada's commitments. The Framework includes four pillars: pricing carbon pollution; investing in clean technology, innovation and jobs; adapt and build resilience; and other complementary climate actions;
- F. climate change, pollution, and environmental destruction have exacerbated systemic racial, regional, social, environmental, and economic injustices by disproportionately affecting indigenous communities, communities of color, migrant communities, deindustrialized communities, depopulated rural communities, the poor, low-income workers, women, the elderly, the unhoused, people with disabilities, and youth;
- G. in December 2018, BC released CleanBC ("CleanBC") (2018), a plan for a new low-carbon economy, which includes ambitious targets and actions to reduce greenhouse gases. CleanBC states, "making these changes cannot leave anyone behind", and includes a commitment to "work in collaborations with Indigenous people to seize new clean economy opportunities and help communities to adapt to the impacts of climate change;"
- H. BC's 2019 budget included \$902 Million to implement CleanBC over the next three years. Some of the investments specific to Indigenous Peoples includes \$3 million to support the BC Indigenous Clean Energy Initiative and \$15 million for the new Remote Community Clean Energy Strategy;
- I. on October 25th, 2016, the BCAFN Chiefs-in-Assembly passed Resolution 30/2016 demanding that any climate change plan developed by Canada must be done so in conjunction with Indigenous Peoples and must recognize and uphold our inherent and constitutionally protected Indigenous Title, Rights, and Treaty Rights.;
- J. in October 26th, 2016, the BCAFN Chiefs-in-Assembly passed Resolution 31/2016 directing the Regional Chief to call on the Government of Canada to ensure that plans and actions to address climate change be guided by Indigenous Peoples' knowledge and be collaboratively developed with Indigenous Peoples;
- K. to date, BC's First Nations have not been meaningfully involved in the development of Federal and Provincial legislation, strategies, plans and other decisions related to climate change;
- L. The *United Nations Declaration on the Rights of Indigenous Peoples* states:
- Article 25:** Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relations with their traditionally owned or otherwise occupied and used lands, territories, waters, and coastal seas and other resources and to uphold their responsibilities to future generations in this regard;
- Article 29:** (1) Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall

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Terry Teegee, BC Regional Chief

establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

Article 32: (1) Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources; (2) States shall consult and cooperate in good faith with the Indigenous peoples concerned prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources; (3) States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

- M. extreme events threaten BC, including in recent years the mountain pine beetle epidemic, drought, unprecedented wildfires and floods, and landslides. Experts state that these patterns will get worse with climate change;
- N. Indigenous communities are particularly vulnerable to climate change impacts and disproportionately affected while having contributed relatively little to the problem. The unique threats faced by Indigenous Communities requires explicit consideration and timely planning;
- O. Indigenous peoples have thousands of years of knowledge that comes from the intrinsic relationship we have with our territories and ecosystems. The inclusion of this knowledge is essential to the success of policies and measures directed towards mitigating and adapting to climate change;
- P. there is a historic and time-sensitive opportunity to elevate the role of BC First Nations to their rightful role as Rights and Title holders in their respective Territories, and to co-develop climate change strategies and implementation plans with British Columbia and Canada; and
- Q. First Nations have the right to determine and direct their own environmental strategies and policies concerning the continued development of projects that directly impact the welfare and conservation of their lands, territories and resources:
- R. the BCAFN Chiefs-in-Assembly recognizes the breakdown of the stable climate and sea level under which human civilization constitutes a climate emergency; and
- S. a BC First Nations Climate Change Strategy and Climate Change Advisory Group could drive climate change resilience, protect and maintain important resources, foster sustainable economic growth, and promote long-term community and spiritual vitality.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly demand that any climate change plan developed for projects by British Columbia must be done in conjunction with Indigenous peoples and must recognize and uphold our inherent and constitutionally protected Indigenous Title, Rights and Treaty Rights and be consistent with the historic Supreme Court of Canada's *Tsilhqot'in Nation* judgment and United Nations Declaration on the Rights of Indigenous Peoples;
2. the BCAFN Chiefs-in-Assembly directs the Regional Chief to ensure that any climate change plan developed by British Columbia must stop the further expansion of greenhouse gas emitting projects and

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Terry Teegee, BC Regional Chief

infrastructure (whether the GHG emissions are produced locally or via fossil fuel exports), and support development of renewable energy and alternative energy economies;

3. the BC Chiefs-in-Assembly supports BCAFN's participation in ongoing engagement on climate change with the Government of Canada, and the Province;
4. the BCAFN Chiefs-in-Assembly supports the development and implementation of a BC First Nations led climate action session that will strengthen and facilitate First Nation participation in a just transition to an economy that achieves greenhouse gas reductions to 40-60% by 2030 from 2010 levels and net zero emissions by 2050 and work to rectify the shortfalls of the CleanBC plan;
5. the BCAFN Chiefs-in-Assembly directs Regional Chief, working with the Union of BC Indian Chiefs and the First Nations Summit as the First Nations Leadership Council, to seek resources and plan a climate action session for First Nations in BC that will involve strategy and planning to implement responses to climate change including mitigation, adaptation and clean growth activities, specifically planning around First Nations participating in achieving greenhouse gas reductions of 40-60% by 2030 from 2010 levels and net zero emissions by 2050 through a fair and just transition for our communities and workers; and
6. the BCAFN Chiefs-in-Assembly directs the Regional Chief, working with the Union of BC Indian Chiefs and the First Nations Summit as the First Nations Leadership Council, to prepare a bold Just Transition Plan/First Nations Climate Change Strategy for BC to review and provide feedback on. This BC First Nations' Just Transition Plan/Strategy will align with the IPCC's recommendations and scientifically backed reduction targets and will establish the importance of ensuring that climate planning protects traditional ecological knowledge, and is respectful of and co-created with First Nations in BC.

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Terry Teegee, BC Regional Chief