



Cumulative Effects Framework

Assessing and Managing Cumulative Effects in British Columbia

Comments Received during CEF Phase 2 Engagement

First Nations (107 comments catalogued)

Comments were received from groups representing eleven First Nations from various areas of the province, including the Northeast, North Coast, Central Coast, and South Coast areas. Some of the comments received were specific to the individual First Nation communities, but others were more general and are summarized below. Comments represent high-level summaries and do not attempt to represent all of the 107 detailed comments that were catalogued during engagement.

1. Clarify the government-to-government process to consult and accommodate Aboriginal peoples so they may determine how the policy might address cumulative effects on their constitutionally protected treaty rights.
2. Ensure that policy engagement and involvement with First Nations meet the procedural or substantive consultation requirements consistent with the honour of the Crown.
3. Identify resourcing and funding for completing regional assessments as well as for implementation, consultation, or accommodation of affected Aboriginal peoples.
4. Identify the process for First Nations involvement with selecting values, verifying data, monitoring, providing data, traditional knowledge and management recommendations.
5. Ensure that the inclusion of "economic values" in the policy does not weaken the CEF and potentially introduce a bias towards development that may be harmful to treaty rights.
6. Clarify whether a proponent's cumulative effects mitigation plan will be incorporated as an enforceable condition of the development permit.
7. Ensure the policy does not alter or derogate from BC's commitments and obligations to collaboratively develop and implement cumulative effects initiatives under the Marine Planning Partnership (MaPP).
8. Ensure the lack of data does not preclude a value from being considered for assessment.
9. Clarify if the policy is legally enforceable and which legal mechanisms, such as judicial review, might be used to enforce the "expectations", "guidance", and "support" set out in the policy.
10. Consider having undisturbed areas and the exercise of Aboriginal rights as values.