
INFORMATION BULLETIN

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Environmental Assessment Office

New path set for collaboration with First Nations in environmental assessments

VICTORIA – New rules for dispute resolution will help support settle conflicts between the Province and First Nations about environmental assessments, a significant milestone in the ongoing commitment to reconciliation and environmental stewardship.

The Environmental Assessment Office's (EAO) dispute resolution regulation offers predictable and clear avenues for First Nations to dispute decisions related to large projects that require an environmental assessment certificate. It provides an alternative to the courts to resolve conflict and support durable decisions, relationship and trust building, and can help avoid lengthy court battles.

Access to dispute resolution is affirmed in Article 40 of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) and is a procedural right for First Nations in the Environmental Assessment Act, which provides an opportunity for a qualified third-party facilitator to support the parties in consensus seeking and building good relations between governments. This alternative to resolve disputes prioritizes dialogue and building respectful relations resilient to future conflict. The new regulation provides clear guidelines to support the process and boundaries to support its intended use and related timeliness.

Over the past year, the EAO consulted with and sought input from First Nations to ensure that Nations' cultural traditions and legal systems would be reflected in a dispute-resolution process and co-developed by the parties participating. Industry representatives and dispute-resolution practitioners were also engaged in the regulation's development.

The goal was to design a dispute-resolution process that is both collaborative and principled, supports First Nation rights and ensures alignment with the UN Declaration.

Learn More:

For more information about the regulation and the environmental assessment process, visit:
<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/environmental-assessments/environmental-assessment-process>

For more information about dispute resolution with First Nations:
https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/environmental-assessments/environmental-assessment-process/guidance-materials/indigenous-nation-guidance/dispute-resolution#key_information

To read the dispute resolution discussion paper, visit:
<https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-assessments/guidance-documents/indigenous-nation->

[guidance/dispute_resolution_regulation_discussion_paper.pdf](#)

To read the What We Heard and Summary of Engagement report, visit:

https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-assessments/dispute-resolution/dispute_resolution_regulation_what_we_heard.pdf

Contact the EAO about dispute resolution by emailing: EAO.DisputeResolution@gov.bc.ca

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