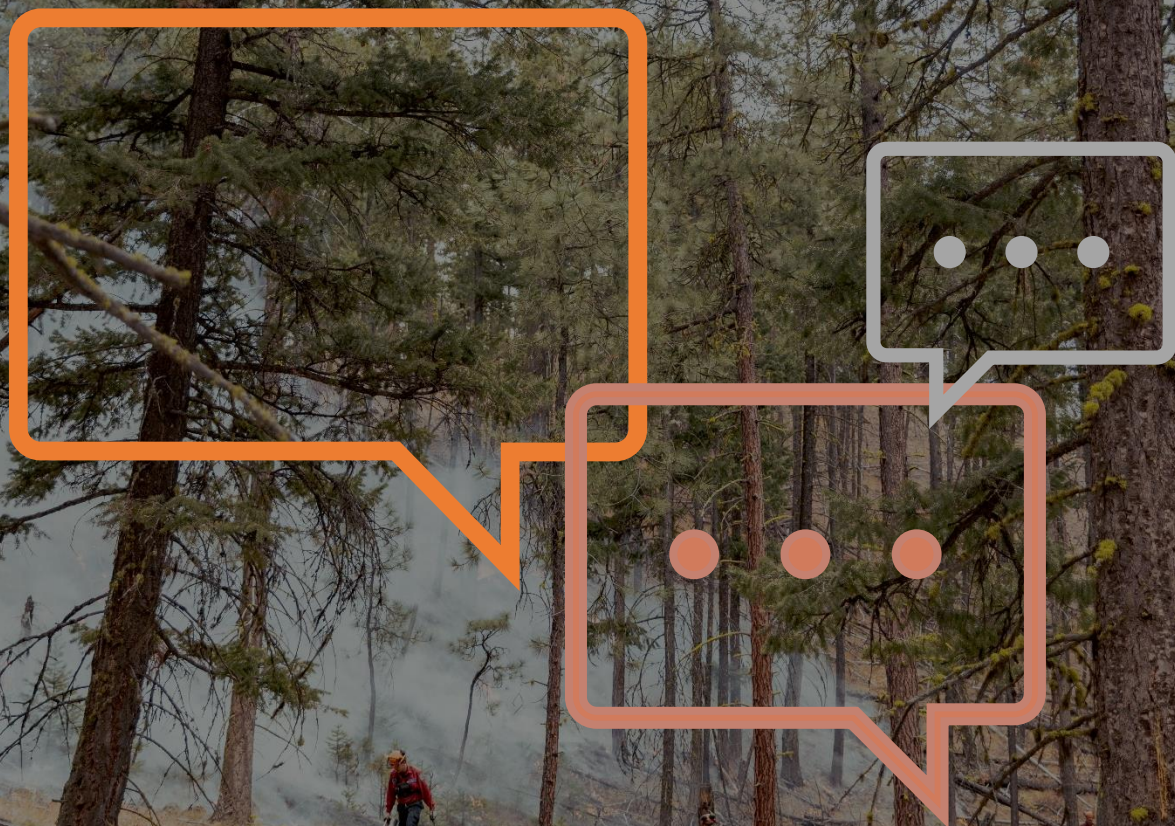


WHAT WE HEARD:

INITIAL PROPOSED CHANGES TO THE *WILDFIRE ACT* AND REGULATION RELATED TO CULTURAL AND PRESCRIBED FIRE

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BRITISH
COLUMBIA

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Introduction

Fire has always been, and will always be, a part of B.C.'s forest and grassland ecosystems. First Nations in B.C. have used fire to maintain balance in those ecosystems since time immemorial. Used in this way, fire can enhance medicinal and food plants, promote wildlife habitat, manage forest diseases and pests, and protect communities from wildfires.

The Province has committed to expanding the use of cultural and prescribed fire in partnership with First Nations. To deliver on this commitment, the Province intends to work in partnership with Indigenous peoples to co-develop a policy and program framework for cultural and prescribed fire that aligns with the UN Declaration and provides the foundation for a

sustainable, long-term and co-managed approach.

As a part of that work, the BC Wildfire Service consulted all First Nations in B.C. on some initial proposed policy changes related to cultural and prescribed fire, which may involve amendments to the *Wildfire Act*. In addition, the First Nations Forestry Council (FNFC) hosted three in-person regional engagement sessions where these proposed changes were discussed.

This report summarizes the feedback received and outlines how that feedback will be reflected in potential policy and program development.

1 Modernizing Forest Policy in British Columbia: Setting the Intention and Leading the Forest Sector Transition, 2021; Declaration Act Action Plan, 2021.



Consultation & Engagement Approach

Consultation

The BC Wildfire Service sent a consultation package that included a letter and a supporting discussion paper to First Nations and modern Treaty Nations in the Province notifying them about the proposed amendments and requesting comments and feedback.

BC Wildfire Service attended in-person and virtual meetings with First Nations by phone and video conference. First Nation representatives requested more information about the proposed amendments and had questions about them. Some Nations asked about the legislative and consultation process in general.

First Nations Forestry Council Engagement Sessions

In addition to direct consultation, the First Nations Forestry Council hosted three regional sessions in Campbell River (March 1-2), Williams Lake (March 14-15), and Prince George (March 28-29).

The sessions provided opportunities to engage on key forest sector policy initiatives. Cultural and prescribed fire was one of the discussion topics and was led by the BC Wildfire Service. Opportunities for meetings and discussions on the proposed legislative changes were offered and facilitated.

Common Threads

First Nations training & capacity building

Throughout consultation and engagement, training and capacity were consistently raised as two of the most common barriers to First Nations practicing cultural fire. In conversations around training and capacity, participants highlighted the need for training to be co-developed with First Nations and include cultural awareness.

Many Nations are looking to provide wildfire training to their community members and expand their relationships with the local fire zone. Participants also highlighted the lack of a professional training regime in B.C., and the need to involve youth in cultural and prescribed fire capacity building.

Resources & funding

The Province heard that training and capacity building must be supported by the appropriate resources and funding. Many Nations wish to establish stable emergency management employment opportunities within their communities but currently don't have access to the appropriate funding streams or infrastructure.

Nations expressed that they would like to be involved in collaboration and co-development moving forward but require funding for dedicated capacity to lead that work.

Framework for collaboration & co-development

The need for a collaboration and co-development framework was made clear by Nations during consultation and engagement. This will require a demonstrated commitment from the government with the appropriate level of resourcing for First Nations.

The Province heard about the need for continued and consistent dialogue at the provincial level, but more importantly at the local level. The need for additional complementary communication and engagement pathways was highlighted as well.

Common Threads

First Nation-identified objectives

Many Nations noted that First Nation-identified objectives are necessary for a partnership-based approach to cultural and prescribed fire. Each Nation or Band's priorities must be respected and incorporated into the planning process.

We heard from multiple First Nations that they want to avoid a permission-based framework when incorporating their objectives into plans.

Prioritization of non-timber forest products & overall forest health

First Nations shared that greater value must be placed on wildlife, edible or medicinal plants, and other non-timber forest products; the ecological function and value of the environment must be considered on equal footing to economic objectives.

The Province heard that non-timber forest products are under-valued in the forest industry. One Nation stated that to restore the land's health to what it should be, we need to consider the forest as a whole and look beyond timber-value.

Flexibility & accessibility in plans

Some Nations expressed the desire for more flexibility in the development of pre-burn documentation and the processes around implementing a successful burn. The ease of access and use of these documents was raised as an important piece for successful collaboration.

The current approach to prescriptions and burn plans was identified as a barrier to incorporating cultural knowledge.

Common Threads

Incorporation of Indigenous values into fire management practices

Nations raised the role of fire as a sacred element and link to the spiritual world as an important aspect of cultural burning. The Province heard that cultural connection to fire is different for each Nation and acknowledges that each Nation's traditional knowledge is unique and must be protected. Interest in cultural exchange among Nations was also raised.

Concerns were expressed around government defining cultural fire.

Knowledge sharing & collaboration between First Nations & the Province

These conversations touched on the need to share knowledge and experience across generations, build relationships at the local level, and develop a more comprehensive approach to fire management that includes all levels of government.

The Province heard concerns about the loss of traditional knowledge related to cultural and prescribed burning. This loss was attributed to a century of highly effective fire suppression and the legacy of colonialism that displaced Indigenous Peoples and separated them from their culture.

Process & procedure improvements (planning & resourcing)

First Nations expressed the need for a broader planning process that that can be flexible and fit into a range of delivery models, and includes wildlife and climate change impacts, Wildfire Salvage Opportunity Agreements (WSOA), and First Nation leadership on objectives.

We heard the need for cultural and prescribed fire to be included in the [Forest Landscape Planning](#) (FLP) process and considered as a tool to achieve both forestry and non-timber objectives.

The Work So Far

First Nations training and capacity building

The BC Wildfire Service is committed to working in partnership with First Nations to expand training opportunities and build local capacity.

Discussions have been initiated with Indigenous partner organizations and academic and training institutions on opportunities to build a long-term training program in B.C. that is available to First Nations, land managers, fire practitioners and firefighting staff, both within and outside of government.

The BC Wildfire Service is working in partnership with FNESS, Indigenous Services Canada and UBC to support wildfire response capacity building in rural and remote Indigenous communities in B.C. through the Cooperative Community Wildfire Response project, which will help build some of the same capacities needed for cultural and prescribed fire activities.



The Work So Far

Resources & funding

The pathways to more accessible resources and funding for First Nations to practice cultural and prescribed fire will be determined in partnership with Indigenous Peoples as collaborative forums and tables are developed.

As work to make that change progresses, the Province continues to review and improve the Community Resilience Investment program guidance and documents to remove barriers and support collaboration around cultural and prescribed fire.

Framework for collaboration & co-development

Consultation is an important first step in the establishment of a shared framework for collaboration and co-development.

The Province is proposing to establish a collaborative forum at the provincial level, to be co-led by Indigenous and provincial representatives. The forum would be a venue where First Nations and provincial ministries can share perspectives, discuss issues, and develop options for provincial policy and program co-development.

Where appropriate, First Nations and the Province may invite the participation of other potential partners who may have a role in contributing to successful outcomes.

The Province is in conversation with FNESS and FNFC on the way forward in this work.

The Work So Far

First Nation-identified objectives

To ensure First Nation-identified objectives are prioritized, the Province intends to work in partnership with First Nations to co-develop the long-term policy and program framework for cultural and prescribed fire.

The BC Wildfire Service is developing guidance to better support the co-development of prescriptions for cultural burning projects that reflect First Nation-identified objectives.

Incorporation of Indigenous values into fire management practices

Through improved planning processes, more collaboration at the local level, and the co-development of a long-term framework, the BC Wildfire Service is committed to ensuring Indigenous values are incorporated into fire management practices.

Flexibility & accessibility in plans

The adoption of Forest Landscape Plans will enable deeper engagement and greater transparency in alignment with the Province's Declaration Act commitments.

Forest Landscape Plans must be developed in consultation and cooperation with Indigenous peoples whose rights may be affected and reflect the right of self-government and self-determination of Indigenous peoples. This requirement is broad and may encompass a range of government-to-government decision-making processes.

The Work So Far

Prioritization of non-timber forest products and overall forest health

The Province is committed to collaboration with Indigenous leaders and other partners to prioritize ecosystem health and resilience, as outlined in the Modernizing Forestry in BC Intentions Paper.

Forest Landscape Plans will be a crucial pathway for the delivery of this work, and the continued shift towards managing for ecosystem health and minimizing risk to biodiversity.

Knowledge sharing & collaboration between Nations & the Province

Collaboration at the regional level continues as the number of cultural and prescribed burning projects developed in partnership between First Nations and the BC Wildfire Service grows.

The Crown Land Wildfire Risk Reduction (CLWRR) funding program includes activities that support knowledge sharing and collaboration throughout scoping, planning and implementation of cultural and prescribed burning projects between Nations and the Province.

Projects like the Cooperative Community Wildfire Response project will create more pathways for this kind of knowledge sharing and collaboration.

Process & procedure improvements (planning & resourcing)

The Province is working to clarify the process for planning, implementing and monitoring prescribed fire projects.

Development of guidance to support practitioners throughout the process is underway. This includes prescribed fire in prescription development, best practices for prescribed fire and invasive plants and fire effects monitoring.

Moving Forward



Using the feedback received through consultation and engagement sessions, the Province intends to work in partnership with Indigenous peoples to co-develop a policy and program framework for cultural and prescribed fire that aligns with the UN Declaration and provides the foundation for a sustainable, long-term and co-managed approach.

In addition to First Nations, the Ministry will also be engaging with Indigenous organizations, such as the First Nations Emergency Services Society and First Nations Forestry Council and other interested parties will also be engaged at a provincial level.