

FIRST NATIONS LEADERSHIP COUNCIL



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TO: FIRST NATIONS LEADERSHIP IN BC
FROM: FIRST NATIONS LEADERSHIP COUNCIL
DATE: JUNE 11, 2019
RE: PROVINCIAL CLEANBC CLIMATE CHANGE REPORT

PURPOSE

In recognition of the climate emergency, the Chiefs in BC have given the FNLC mandate through resolutions to advocate that all future BC climate change plans, actions and the implementation of CleanBC, must include the full participation of First Nations to address the unique challenges faced by First Nations and respect for First Nations Title and Rights; CleanBC is a government of BC strategy that has not meaningfully included First Nations input or interests.

Following these mandates, and to help prepare Chiefs in advance of the ten (10) Provincial Regional Engagement Sessions to engage First Nations on the implementation of CleanBC, the FNLC has summarized and analyzed the CleanBC report to inform Chiefs, Councillors and technicians. Some of this information has been shared by UBCIC and BCAFN Chiefs through prior briefing notes.

This analysis and summary are meant to support our collective work going forward as we advocate for a meaningful role in responding to the climate crisis.

BACKGROUND

In the July 2017 mandate letter, Premier Horgan called upon the newly appointed Minister of Environment and Climate Change Strategy, George Heyman, to implement a comprehensive climate-action strategy that would allow BC to meet carbon reduction targets and legislate a new 2030 reduction target. Minister Heyman was mandated to ensure that the legal rights of First Nations are respected. While led by Minister Heyman, CleanBC implementation includes support from Dr. Andrew Weaver (Leader, BC Green Caucus), Minister Michelle Mungall (Ministry of Energy, Mines and Petroleum Resources), and Minister Bruce Ralston (Ministry of Jobs, Trade and Technology).

Following the mandate letter, in July 2018 the BC government released three intention papers on *Clean, Efficient Buildings*, *Clean Transportation*, and *A Clean Growth Program for Industry* that would inform the strategy to build a clean growth future for BC. These papers offered a platform of discussion; all British Columbians were invited to contribute input, including businesses, environmental organizations, First Nations, local governments and academics. UBCIC submitted input highlighting several concerns and issues. The overall response to the intention papers was marked by the concern of many contributing organizations that the goal to reduce

greenhouse gas (GHG) emissions was fundamentally at odds with pursuing and expanding a liquified natural gas (LNG) industry.

CURRENT STATUS

CleanBC Report

The Government of British Columbia released its [CleanBC Report](#) in December 2018. The report was developed as a pathway to achieve BC's legislated targets of reducing GHG emissions levels: to 40% by 2030 (40Mt), 60% by 2040 (27 Mt) and 80% by 2050 (13Mt) based on 2007 levels.

CleanBC focuses on the following areas for emissions reduction:

- **Transportation** – cleaner fuels and vehicles, and more support for measures that get people out of their cars. By 2040, every car sold in BC is to be zero emissions.
- **Buildings**—encouraging and implementing energy-saving improvements in homes and workplaces. By 2032, every home in BC is to be net-zero.
- **Industry** – Directing a portion of B.C.'s carbon tax paid by industry into incentives for cleaner operations, reducing methane emissions from upstream oil and gas operations by 45%, increasing industry access to clean electricity, and promoting carbon capture and storage.
- **Waste management** –Reducing organic waste including systems in place to capture 75% of landfill gas.
- **Helping people get the skills they need.** Working with employers, Indigenous communities, labour groups and others to ensure they can gain the skills they need for the jobs of the future.

With these measures outlined in CleanBC, the province would still only achieve 75% of the government's legislated 2030 targets. According to the report, the remaining 25% gap will require reductions that could potentially be achieved through other initiatives such as improving community planning; cleaner heavy-duty vehicles and freight; cleaner and more efficient technology, maintaining a resilient agricultural sector, and First Nation mitigation actions (reductions in emissions).

Budget 2019 for CleanBC

The BC Budget titled 'Making Life Better' was tabled in February 2019. It allocates over \$679 million in funding for the CleanBC plan. The investment will be further supplemented by enhancements to the Climate Action Tax Credit, totaling \$223 million over three years. The government's total commitment to climate action is around \$902 million.

Of that total, the only investments specific to Indigenous Peoples includes \$3 million to support a BC Indigenous Clean Energy Initiative and \$15 million for a new Remote Community Clean Energy Strategy. This means

funding for Indigenous communities is only 2% of BC's financial commitment for CleanBC.

ANALYSIS

Considering that the *Canadian Changing Climate Report (2019)* states that Canada has warmed about **double the magnitude** of the average warming across the globe, and northern Canada has warmed about **three times global warming average**, the CleanBC report is a welcome step in BC.

However, there remain uncertainties about whether the actions included in the CleanBC Report will be enough to reach BC's GHG emission reduction targets, create resilience in communities, and develop an economy that is sustainable and equitable (in a Just Transition way).

The reductions outlined in the plan only fulfil 75% of the 2030 target. BC has said the remaining 25% would be worked out over the next 18 to 24 months. There is no certainty this 25% will be achieved. However, this gap presents an opportunity to First Nations to identify how they can help fill it while addressing needs and vulnerabilities that exist in Indigenous communities.

Opportunities for First Nations Communities on Clean Energy

The CleanBC report outlines the province's investment in helping off-grid Indigenous communities with energy efficiency and clean energy projects through a new *Remote Community Clean Energy Strategy* (RCCES) and the *BC Indigenous Clean Energy Initiative*. The RCCES aims to reduce province-wide diesel consumption by 80% by 2030. A CleanBC Communities fund of \$63 million is also in place to help Indigenous communities and local governments develop clean energy projects such as those related to biomass, biogas, hydro, or solar power energy use. Budget 2019 also invested \$18 million for CleanBC to develop cleaner energy sources for Indigenous and remote communities.

The First Nations Clean Energy Business Fund (FNCEBF) is also a program in the clean energy sector under which First Nations communities in BC could apply. The maximum funding to assist with clean energy project feasibility projects, community energy planning or engaging with project proponents is \$50,000 per applicant. The maximum funding to support viable and resourced clean energy project with an Energy Purchase Agreement is \$500,000 per applicant.

However, it is not clear if the Province is serious about investing to help Indigenous Nations transition to clean energy. In February 2019, [BC Hydro's Standing Offer Program \(SOP\) for independent power producers was cancelled](#), and dozens of solar, wind and run-of-river power projects were indefinitely suspended (due to a surplus of electricity expected to continue into 2030 because of Site C Dam). The suspension will affect the

transition to clean energy and the opportunity for First Nations to lead that transition in their respective territories. BC did commit to help Indigenous Nations affected by the suspension, but what that means is not clear. As CleanBC predicts the demand for electricity will go up 50% in BC to meet its 2030 target, which means that First Nations may still want to advocate for independent clean energy projects to meet future demand. First Nations should also be demanding ownership of electrical generation, and distribution; First Nations utilities are part of the jurisdiction and opportunities resulting from their Title and Rights.

Oil and Gas Industry

The oil and gas industry represent one of the highest sources of emissions in the industrial sector in BC. To effectively reduce emissions, the government should wind down fossil fuel production and switch to no-carbon or low-carbon fuels, instead of increasing production while powering upstream fracking and processing with clean electricity. This electricity will come from the Site C dam, which poses a range of environmental challenges including GHG emissions associated with construction and flooding of land.

As previously outlined in UBCIC Resolution 2018-35, more work needs to be done by CleanBC to address LNG development in BC and to unequivocally phase out fossil fuels. As the Canadian Association of Petroleum Producers projected oil production in Canada would increase 33% by 2035, CleanBC needs to address the fact that the Trans Mountain Expansion Project would facilitate the release of 84 Mt of CO² a year into the climate.

CleanBC is not compatible with addressing LNG emissions, and its terming LNG as a “transitional gas” and claiming that “switching to clean electricity will make B.C.’s natural gas the cleanest in the world” is problematic. The word “clean” is used to refer to just one stage of the supply chain, electrification, where the gas is turned into liquid form. “Clean” natural gas does not refer to the extraction, processing, and transportation that will cause LNG Canada, at full size, to have a bigger environmental impact than the TMX with methane leakages and emissions that could reach 93 Mt per year. Several First Nations are involved in the LNG industry, and should be aware of such emissions, and supported in opportunities to reduce and offset emissions related to LNG.

Zero-Emission Vehicles (ZEVs)

The Province made the commitment of all new light-duty cars and truck sales to be ZEVs by 2040. A ZEV vehicle uses electricity, hydrogen or renewable fuels to powered. To make this transition possible, a new network of infrastructure such as charging stations, will need to be built around BC, including in First Nations’ communities, who should be ready to lead this transition in their Territories. First Nations may want to advocate

for ownership or participation in the infrastructure development, both on reserve and throughout their Territories.

Closing Gaps in First Nation Communities

CleanBC states that the transition to a low-carbon economy and the adaptation to a warming climate will bring great opportunities to First Nations. This statement could be rhetoric if the province is not first prepared to address the enormous gap that First Nations communities face in lack of information, resources, necessary infrastructure, health services, education, capacities, poverty, etc. Further, there will need to be discussions across jurisdictions, and involving the Federal Government, because the Province does not have the jurisdiction to ensure that gaps on Indian Reserves are addressed. Solutions to fill these gaps need to come from First Nations themselves, in discussion with both BC and Canada.

Indigenous Engagement

Despite its claim that it would work in collaboration with First Nations, the CleanBC plan was completed without the meaningful involvement of Indigenous communities or representative organizations such as BCACFN, UBCIC and FNS.

To address the lack of Indigenous engagement in the development of CleanBC, a new approach is needed moving forward. Engagement will only be meaningful if the government recognizes and respects First Nation Title and Rights, engages on a government-to-government basis and recognizes Indigenous peoples' right to determine and develop priorities and strategies for the development or use of their lands or territories or other resources, including how to implement CleanBC

Going forward, the Province has committed to working in collaboration with Indigenous people and is planning to release an engagement plan, which includes a number of regional sessions around BC taking place in June and July 2019. CleanBC will be seeking input on a climate change adaptation strategy that is being developed for 2020.

Based on the mandates provided by BCACFN and UBCIC climate change Resolutions (#04/2019 and #2019-02), a proposal has been developed to establish a staff level Working Group with representation from the BCACFN, the UBCIC and the FNS (as the FNLC), and the Province, to engage in dialogue, exchange information, develop recommendations, provide strategic advice and review progress on Provincial climate change actions undertaken by the Province and First Nations. Examples of areas and actions that may be focused on for further research, discussion and development include oil tankers and crude oil transportation in BC, how climate action can be aligned with the *UN Declaration*, and productively examining and comparing international models of climate strategy.

Currently, we are in the process of developing the Terms of Reference for the BC-FNLC Technical Working Group.

NEXT STEPS

1. Finalize Terms of Reference for the BC-FNLC Technical Working Group;
2. Release a climate change survey which will seek input from First Nations for the Strategy and Action Plan;
3. Begin researching, planning and drafting a First Nations Climate Change Strategy and Action Plan to amend and provide feedback;
4. Host a climate action session for First Nations that will involve strategy and planning to implement responses to climate change including mitigation, adaptation and clean growth activities; and
5. Continue to advocate and engage with the federal and provincial governments to amend current BC reduction targets to align with the IPCC approved targets that accurately reflect the current shifting climate trends.