



Consultation on BC Hydro and BC Transmission Corporation's Long-Term Electricity Transmission Inquiry Evidence and Information

Cranbrook Workshop # 1 – June 23, 2009

St. Eugene Golf Resort & Casino
Cranbrook, B.C.

Attendees	
Ktunaxa Nation (Nupqu Development Corporation)	St. Mary's Band
Ktunaxa Nation Council	First Nations Energy & Mining Council

BC Hydro/BC Transmission Corporation Representatives

Name	Organization	Responsibility
Suromitra Sanatani	BC Hydro, First Nation Consultation Project Manager Long-Term Electricity Transmission Inquiry	Project Manager, First Nation Consultation Long-Term Electricity Transmission Inquiry
Vesta Filipchuk	BC Hydro, Senior Aboriginal Relations Coordinator	Coordinator/Records
Jane Newlands	BC Transmission Corporation	Presenter
Magdalana Rucker	BC Hydro, Energy Planning	Presenter



Neutral Facilitator

Name	Organization	Responsibility
Dan George	Four Directions Management Services	Neutral Facilitator

Welcome and Introductory Remarks

Dan George

Dan George opened the session and acknowledged the meeting was being held in the traditional territory of participating First Nations. Participants were welcomed to the Long-Term Electricity Transmission Inquiry – First Nation Consultation, which will involve three rounds of workshops. The participants held a moment of silence and then introduced themselves and their organization.

Dan George introduced himself and reviewed the agenda for the day and explained his role is to keep discussions on topic and to make sure input is recorded accurately. He asked the participants to: listen generously to one another; build on the ideas of others and ensure that we challenge ideas and not people; and look for solutions. He encouraged the participants to provide their views as the process is only as strong as the input they provide.

Comments and Discussion

All

Notification

Participants asked who had been invited to the workshop. It was noted that perhaps the lack of attendance was a result of who had received the invitations rather than of interest level. Generally people are interested but are faced with many issues and significant time constraints.

Consultation

Participants expressed a desire to see the process be more respectful of First Nations and their values in the land. For them, this means that there is a need to build in about two months notice to ensure that First Nations have the opportunity to participate. Participants noted that there needs to be a stronger focus on building relationships at meetings rather than just giving and asking for information.

A participant stated that there is a requirement for consultation and accommodation for impacts on their lands which might include revenue sharing for the use of all resources.



It was noted that there is no agreed upon provincial consultation protocol. In the absence of this, some First Nations have developed their own process which requires a signed protocol agreement with the project proponent.

One participant noted the large number of different transmission and energy projects currently underway within their territory and that it is important for these to be reviewed by their Land and Resource personnel. Questions were asked about whether there is a process or steps that can be taken to ensure this during the early stages of project review.

A participant asked how this process is different from what has been done in the past, and it was clarified that this was the first time for this kind of process. Participants were also informed that the comments received at these workshops will be reviewed and considered by the BC Utilities Commission.

Shared Decision-Making

Concerns were expressed that First Nations do not have the available capacity to respond to the volume of referrals many of which contain highly technical reports. Participants also noted that they do not consider this consultation. One participant further noted that until the tools for shared decision-making are defined, their First Nation is looking for collaborative planning, mutual respect and recognition.

First Nations have concerns about the existing referral process and what appears to be a delegation of consultation to Independent Power Producers (IPPs). Participants also noted that the duty to consult lies with the decision-making authority (i.e., MARR, MEMPR) so there was confusion about what BC Hydro and BC Transmission Corporation's role is. Sometimes they behave as the "Crown" and sometime as a business. It was noted that this seems to change depending on what serves them best at the time and circumstance.

Participants noted that there are potential impacts to their rights and title with the various developments and emphasized their desire for self-sufficiency and sustainability. They asked that BC Hydro and BC Transmission Corporation leverage their influence to help ensure the growth of positive partnerships between First Nations and developers in the region.

Capacity Funding

Concern was raised about the ability of First Nations to participate in a multitude of processes and the lack of capacity funding. It was noted that for those involved in the treaty process, funding for the lands and resource offices comes primarily from treaty funding, which has to be repaid by First Nations. Participants noted that First Nations are struggling with their ability to evaluate proposals which do not come with funding for technical expertise to assist with their analysis. BC Hydro and BC Transmission Corporation were reminded that capacity funding must be provided.



Scope of the Transmission Inquiry

Questions were raised about why this Inquiry is taking place and how the terms of reference for it was developed. It was clarified that a number of things have influenced the process including BC Transmission Corporation's desire to plan well in advance of need given the longer lead times for constructing transmission infrastructure. Participants were also reminded of government policy including the Energy Plan and Climate Change Action Plan, which have created the need for proactive long term planning.

There were several issues raised about the Inquiry including:

- Challenging timelines and the need to collect a significant amount of information in such a short period of time. Participants thought that normally it would take a year to collect this amount of information. There was a suggestion that work that has been started continue to ensure it is in better shape for the next Inquiry.
- A need to better understand the Commission's determination process and potential outcomes of the Inquiry. This is an issue that many people are trying to figure out. That is, how a BC Utilities Commission determination will be used in the future and the role of First Nations in the process.
- An interest in seeing an inventory of resource options including executive summaries of all the studies be provided to First Nations.
- Access to more information.
- Presentation of information in non-technical form (e.g. Executive Summaries, Briefing Notes, layperson language, etc.)
- Open to building relationships that provide an opportunity to provide real input in terms of their land use interests. No-go zones should not be limited to parks and protected areas.
- More need for scenario development, explanation of export vs. domestic requirements, and areas inappropriate for development.
- Need to better understand how the results of the consultation will come together and make a difference.
- An interest in participating in specific studies of particular interest to First Nations (e.g., archeological, traditional species, etc.)
- Knowing how interests/issues that are deemed out of scope will be dealt with.



- Interested in receiving a package that includes a summary of common interests that have arisen throughout the province.
- Interest in continuing the involvement of the First Nations over the six-year time interval between Inquiries.

Transmission Lines/Corridors/Technology

Several participants expressed interest in understanding and being involved in the development and application of new transmission technology in their territory. In particular, it was noted that linear corridors have implications for the land including the loss of land base, impacts to wildlife and the spread of invasive species, etc. It is important for some First Nations to be self-sustaining. A comment was made that some First Nations want to be involved in helping and facilitating the use of new transmission technology.

A question was asked about development of arterial networks rather than many small lines and whether there might be efficiencies and opportunities.

Alternative Energy

It was noted that First Nations have an interest in participating in the development of alternative energy projects but that they need assistance. One example cited was the difficulty in getting fibre from the Ministry of Forests for bio-mass plants and the apparent bias towards awarding licenses and permits to existing companies. A participant asked whether there was any financial support for First Nations towards developing feasibility studies and whether BC Hydro and BC Transmission Corporation would assist First Nations in developing partnerships.

It was also noted that developers (e.g., wind projects) have set up monitoring sites in particular in the Crows Nest Pass, and there is concern that First Nations have not been involved with the reviews and decisions so far.

Questions were also asked about whether there are any studies of potential resource options and if yes, if any more would be completed. BC Hydro reported that they commissioned a wind study that identified wind potential in the province. Participants requested copies of this work and/or summaries.

Similarly, questions were asked about whether BC Hydro is doing any mapping of resource potential clusters. BC Hydro confirmed that they are in the process of mapping this information and will be making this information public once it is developed.

A specific question was asked about solar energy and its inclusion in the resource potential work. It was noted that solar energy potential in B.C. on a commercial basis is limited.



Access Management & Land Use

It was noted that there are access control issues to transmission rights-of-way. It was asked whether this has been assessed and steps undertaken to control access. Concerns were also expressed about the introduction of noxious or invasive plants, the need to preserve traditional plants and the need to identify protected areas not just ecological but culturally significant and sensitive.

Power Acquisition

A participant mentioned that they would like to see BC Hydro set clear social and environmental criteria for energy purchases and expressed an interest in having more information about the criteria used to evaluate proposals.

Independent Power Producers (IPPs) & Private Development

Participants noted concern about piecemeal development of projects and the impacts this will have on their territories. Experience to date has shown that private companies lack awareness and are unable to address First Nations interests. As a result, there is a need to have a dialogue about the justification and need for projects.

It was noted that some First Nations are engaged with a few IPPs through the Environmental Assessment process and are working on building relationships. However, there are many projects that do not trigger the EA process and questions were raised about how First Nations can benefit from development.

Other participants expressed concern about how development of projects is carving up of the land base and creating cumulative impacts. There is a desire to find a balance between economic and ecological interests.

Relationship to Other Processes

A participant expressed a desire to negotiate on issues related to infrastructure development where they occur in overlapping First Nations territories.

Questions were also raised about how this process fits with the principles of the New Relationship and the Recognition and Reconciliation Act, as well as how the outcomes of this long-term planning process will or will not fit within treaty settlement lands.

Employment/Economic Development

First Nations would like to see pilot procurement studies that would facilitate learning about how to encourage economic development. Also, there was a desire to see BC Hydro use their purchasing policy to help address First Nations concerns.

There were comments made about the general lack of awareness on First Nations issues and a need to define how dollars can be used to benefit communities.



Communications

A participant thought it would be useful to have a communication plan that documented how information is to be shared with each community as there are many different groups within some First Nations (Nation itself, development corporation, each individual band, etc).

It was suggested that receiving email updates that could be distributed to each community or interested person would be very helpful.

Information Collection

A participant noted that it would be beneficial to share information with First Nations about what studies are being done (i.e. EMFs, archaeological studies etc) and their scope. It was noted that BC Transmission Corporation posts studies on their website. Additional questions were asked about whether any feedback was ever provided, in particular from First Nations, and that it might be interesting to develop a pilot project for sharing information with First Nations.

Planning

Questions were asked about how resource options feed into scenarios and it was clarified that inputs (resource options or supply as well as their location and capacity) are part of BC Transmission Corporation's scenario modeling work. BC Hydro generates energy and forecasts future demand. BC Transmission Corporation transports the energy to where it is needed. This is an electricity transmission planning process but BC Hydro provides input into the modeling.

Grievances

A participant noted that they have issues with past infringements. They also noted that they may have concerns about environmental impacts but that these do not trigger an environmental assessment review. BC Hydro and BC Transmission Corporation were cautioned that the future does not happen in a vacuum from the past and that if the process is linear, First Nations will have concerns.

Additional Information Needs

Dan George

The facilitator asked participants what additional information they would need to be involved in this process. The information needs they identified were:

- A decision on capacity funding is required as resources are already fully committed and First Nations are trying to respond to multiple referrals.
- Some discussion needs to occur and steps must be taken to establish revenue sharing protocols.



- BC Hydro and BC Transmission Corporation need to establish collaborative relationships based on mutual respect and recognition from the start to the end of a project including shared decision making. In addition, there needs to be adequate time to review referrals and prepare responses.
- Executive Summaries of all reports need to be provided to First Nations.
- Presentation of information in non-technical language.
- Need to understand what kind of information is required before they are able to discuss what might be available.
- Clarify what kind of information BC Hydro needs about what is going on with First Nations in the province.
- Would like to know about the purchasing policy agreements and ensure that they have some requirements for flow back to First Nations.
- A clear definition of what consultation means would be helpful for the engagement process including a list of questions that will help guide the kind of information/comments that are being sought.
- How the results of the Inquiry will make a difference.
- Summary of common interests throughout the province.
- Information about how to get involved in the development and application of new transmission technology in their territory.
- Information about any financial support for First Nations towards developing feasibility studies and whether BC Hydro and BC Transmission Corporation would assist First Nations in developing partnerships.
- BC Hydro study about wind potential in the province.
- BC Hydro's criteria for evaluating power acquisition proposals.
- Pilot procurement studies to facilitate learning about how to encourage economic development.



- Email updates from the Inquiry.

Summary and Wrap-up

Dan George/Suromitra Sanatani

The Facilitator reviewed his notes and confirmed they would be incorporated into the meeting notes. He thanked participants for attending the workshop and asked them to fill in the workbook and feedback forms.

Suromitra Sanatani also thanked participants for coming to the workshop and welcomed them to contact her if they had any questions about the consultation process. She indicated that meeting notes would be posted on a website and that a letter will be sent to participants notifying them when the notes are posted.