

A Response to “Decolonizing Clean Energy?": The Case of the BC Indigenous Clean Energy Initiative

by Judith Sayers

EARLIER THIS FALL Yellowhead published a **Brief** authored by the “A Shared Future” research team. It was a province-by-province breakdown of how well clean energy policies included Indigenous people. It demonstrated that very few jurisdictions consulted with Indigenous representatives on the development of those plans or considered Indigenous rights meaningfully.

While this is important work, the analysis seems to have focused exclusively on government literature and has missed the reality on-the-ground, which is more positive, at least in a British Columbia context.

“THE NEW RELATIONSHIP” IN BC

The contemporary clean energy story for First Nations in BC started in 2005 with the creation of the **New Relationship Trust**, an initiative jointly developed by the First Nations Summit, the BC Assembly of First Nations, the Union of BC Indian Chiefs, and the Province of BC. The New Relationship is meant to be a “government-to-government relationship based on respect, recognition and accommodation of Aboriginal title and rights.” It is managed by First Nations.

In 2016, a collaboration between Western Economic Diversification and the New Relationship trust resulted in a \$4.2 million clean energy fund called the BC Indigenous Clean Energy Initiative (BCICEI). The BCICEI was just renewed for three more years, securing an additional \$9.5 million in contributions from Western Economic Diversification Canada and the Province of British Columbia.

It has taken many years to build this relationship. But I can say that this is a real partnership between First Nations, governments and industry that is now serving as a model for other funds.

BCICEI is the Initiative that the “A Shared Future” research team suggested lacked Indigenous participation in the design or any mention of Indigenous rights.

INDIGENOUS PARTICIPATION IN THE BC INDIGENOUS CLEAN ENERGY INITIATIVE

The BCICEI advisory group includes First Nations members, federal and provincial representatives and industry stakeholder group, Clean Energy BC. The mandate for the group was to create criteria for clean energy project funding and to collectively decide on which projects received support. Initially, First Nations had the opportunity to build clean energy projects with the goal to generate power that would be sold to BC Hydro. The BCICEI has supported several successful projects.

The Kwadacha, for example, established a district energy system that uses local biomass to generate heat and energy in the remote, diesel- and propane-dependent community. The Tsilhqot'in National Government (TNG) has built a 1.25MW solar installation on former sawmill site owned by TNG.

It is the first large-scale solar farm of its kind owned and operated by a First Nation in BC. The BCICEI supported both projects to help advance to construction and completion.

These are two of the 43 projects that have been supported by BCICEI.

Recently when the industry shifted due to lack of economic opportunities from BC Hydro (the Site C dam and end of the “Standing Offer” program were specific challenges to those opportunities), we worked to adapt the program to ensure First Nations could still access funds to continue clean energy development within their own communities.

We ensured that support was distributed across regions and partners. All our decisions were made by consensus as well. In my experience working with the advisory group, I can say that First Nations in BC have had, and continue to have tremendous input into decisions. In fact, I never felt that the government representatives had any greater influence or pushed the First Nations into any decision.

INCLUDING INDIGENOUS RIGHTS IN CLEAN ENERGY

While the original “Decolonizing Energy” piece methodology was a rudimentary content analysis, and searching for Indigenous rights in that analysis seems straightforward, it has in this case (and maybe others), missed some important context.

Because of the efforts of First Nations over the past few decades, provincial bureaucrats and politicians know that our communities will be demanding seats at the table on virtually every government initiative. That most of the province is not subject to treaty makes the case for ongoing discussion and negotiation stronger and more common.

So much is this the case that in the history of administering the fund, I had never thought it necessary to deploy arguments around Section 35 Aboriginal rights, the UN's Declaration on the Rights of Indigenous People, or the Truth and Reconciliation Commissions Calls to Action. This is not at all to say they aren't helpful tools, but in the case of the BC Indigenous Clean Energy Initiative, they simply were not needed, particularly as clean energy development has largely been driven by First Nations.

In other words, using Indigenous Rights as a measure of inclusion and progress in this case does not necessarily assess the efficacy, barriers, or impact of clean energy development in First Nation territories and First Nation's participation government policy and legislation. At least, in the context of BC First Nations.

DECOLONIZING CLEAN ENERGY POLICY?

It is not the case that First Nations have a perfect relationship with the federal government and the province of BC. There is much work to do and that work goes on. But in the specific example of clean energy, I can say that First Nations were involved in designing the process and there is a real partnership. We have gained credibility in the province and with the federal government because of the model we developed.

The “A Shared Future” piece on decolonizing clean energy policy is also valuable research. But like all research of this nature, sometimes the reality on the ground is much different from what you can find in the library or in policy papers. As we all collectively move towards a clean energy future, it is important to know what works well, as much as what doesn't.