

Indigenous Engagement

A Guide for *Integrated Pest Management Act* Proponents

Introduction

The use of herbicides, insecticides, fungicides and other pesticides in British Columbia is regulated under the *Integrated Pest Management Act* (IPMA) and the Integrated Pest Management Regulation (IPMR). The IPMA and IPMR are administered by the Ministry of Environment and Climate Change Strategy (the ministry), and staff in the Regional Operations Branch administer the issuance of authorizations for pesticide use under this legislation.

The purpose of this guidance document is to help proponents understand what actions to take for engaging First Nations when registering a Pest Management Plan (PMP) through the Pesticide Use Notice (PUN) process or when applying for a Pesticide Use Permit (PUP) under the IPMA. The goal is to provide clarity about the province's duty to consult before issuing authorizations for the use of pesticides, and the important role that proponents play in this process.

The province is responsible for ensuring that any potential adverse impacts to claimed or proven Aboriginal rights (Aboriginal interests) from pesticide use activities have been adequately consulted upon and, where appropriate, accommodated. Proponents play an important role in engaging with First Nations and providing information about proposed pest management activities. While the Province is responsible for ensuring adequate and appropriate consultation and accommodation, the proponent is expected to lead the procedural aspects of the engagement process with First Nations and report on those activities, including any adjustments made. Proactive and sincere efforts to engage with First Nations will help to build positive working relationships between First Nations and proponents in areas where proponents operate.

It is important to note that a fundamental requirement of the IPMA is that a person must not use a pesticide in a manner that causes, or is likely to cause, an unreasonable adverse effect. Adverse effect is

Disclaimer

The guidance provided in this document helps to clarify ministry policy and the provisions of the Integrated Pest Management Act and Regulations. This is not a legal document and the information in it does not constitute legal advice or impose any legally binding requirements. Guidance provided in this document does not replace the Act, or any other applicable law. Any amendments to the Act and other legislation referred to in this document may affect provisions of the guidance; in the event of an inconsistency, the Act or other applicable legislation will prevail.

defined in the IPMA as harm to humans, animals, or the environment. Throughout the engagement process, it is the responsibility of the proponent to investigate identified concerns to determine the potential for an adverse effect and ensure pest management plans and activities are modified as necessary to prevent any unreasonable adverse effect.

In general, a proponent is expected to:

- Provide First Nations with complete and accurate information on the scope and location of the proposed PMP or PUP;
- Identify potential short- or long-term adverse effects and/or impacts;
- Meet with First Nations to discuss any concerns;
- Develop mitigation strategies to minimize or avoid adverse effects and/or impacts;
- Implement mitigation measures, as agreed upon, or as directed by the ministry; and
- Create an engagement record for submission to the ministry, including information on how specific concerns raised by First Nations have been addressed.

This document contains links to applicable government standards and process checklists to support engagement in a respectful, meaningful and collaborative manner.

How to Use this Document

Proponents are expected to engage First Nations during the development of PMP's and applications for PUP's and develop a Record of Engagement for submission to the ministry using the guidance provided in this document and related templates. The engagement steps outlined here are intended to complement existing engagement practices that many proponents and First Nations have developed and have determined to be mutually acceptable. Templates may be modified if equivalent information is included, and a list of best practices has been included to further assist in achieving meaningful engagement and positive relationships.

Why Does the Province Consult?

The protection of the land, water and air is important to all inhabitants of British Columbia, including Indigenous Peoples who have constitutionally protected Aboriginal and treaty rights. Indigenous cultural, spiritual, and experiential practices are intricately linked to the land within their traditional territories. Long before Europeans and others settled in North America, Indigenous Peoples have occupied these lands we now call Canada and therefore have a unique legal status in Canada. This is recognized in Section 35 of the *Constitution Act, 1982* which states: “...the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada are hereby recognized and affirmed.” Underlying this

relationship between Indigenous Peoples and the Crown in Canada is the principle of the “Honour of the Crown”, which infuses the entirety of the government’s relationship with Indigenous Peoples and gives rise to different duties in different circumstances, including the duty to consult.

Since the inclusion of Section 35 in the *Constitution Act, 1982*, a substantial body of common law has been developed by the courts in Canada. This case law further defines Aboriginal and Treaty Rights, including informing how the province administers statutory decisions to ensure that the interests of Indigenous Peoples are identified and where appropriate, accommodated. The process of identifying, consulting on, and accommodating impacts to Aboriginal interests prior to making decisions flows from the Crown’s legal duty to consult. In situations where proponents have applied to conduct some form of activity on the land in B.C., government may entrust the proponent with certain parts of the consultation process – this is known as delegating procedural aspects of consultation to proponents.

Beyond the legal aspects of the duty to consult, the province passed legislation in 2019 that confirms the “[United Nations Declaration on the Rights of Indigenous Peoples](#)” (UN Declaration) as the framework for reconciliation in B.C. The [Declaration on the Rights of Indigenous Peoples Act](#) supports transparent, co-operative, staged approaches through which the B.C. government will work collaboratively with Indigenous Peoples on programs, policies, legislation and decisions affecting Indigenous Peoples and their rights. This new path forward prioritizes collaborative and more wholistic working relationships where proponents, including business and local governments, are important partners in the common goal of reconciliation with Indigenous Peoples. Articles 19, 24(1), 26, 29, 32 of the UN Declaration are specifically recognized and observed in the development of these guidelines.



The Duty to Consult. *The duty to consult is triggered where claimed or proven Aboriginal rights, or treaty rights, may be adversely impacted by Crown conduct, including authorizing any activities where the potential for adverse impacts are known. The extent of consultation will vary with the circumstances and will be determined by the nature of the decision, seriousness of impact and strength of claim of the Indigenous nation.*

The Duty to Accommodate. *Consultation may give rise to a duty to accommodate for potential adverse impacts to Aboriginal or treaty rights in certain circumstances. Where there is strong evidence supporting a claim of an Aboriginal right that may be impacted by a proposed action or authorization, government may be required to take steps to avoid, mitigate or accommodate irreparable harm or to minimize the impacts. Accommodation can come in many forms, but in simple terms means addressing the concerns raised by Indigenous communities and adapting plans or reconciling competing interests.*

Provincial Standards for Consultation

When consulting First Nations, the province follows the [Updated Procedures for Meeting Legal Obligations When Consulting First Nations](#). These procedures provide a consistent and transparent process for provincial ministries and agencies, First Nations, and proponents while safeguarding the interests of Indigenous Peoples in a manner consistent with the law. The procedures provide a baseline

for government to meet its legal obligations and form the basis for the province's expectations of the IPM proponent through delegation of the procedural aspects. It should be noted that these procedures do not replace or supersede the development of treaties, relationships, shared decision-making arrangements or other agreements.

The province is also guided by the [Guide to Involving Proponents When Consulting First Nations](#) that provides direction on how the proponent can engage with Indigenous Peoples and maintain respectful, meaningful, and collaborative engagement.

These two documents provide the steps and the standard by which proponent engagement will be assessed by the ministry during the review and decision phase of the IPM application process. This information is further summarized in this document for ease of implementation and includes guidance specific to requirements for pesticide users under the IPMA.

The Engagement Process

Proponent engagement with First Nations serves several important goals, including the following:

- 1) It informs the duty to consult and, where appropriate, accommodate First Nations.
- 2) It advances the broader goals of reconciliation.
- 3) It further informs the province about the nature and scope of claimed and proven Aboriginal rights (including title), and treaty rights.
- 4) It builds trust and constructive working relationships between proponents and First Nations.

Engagement early in the planning stage of the application process provides opportunities to identify any concerns from Indigenous communities and increases the likelihood of a meaningful and collaborative approach that meets the province's standards of proponent-led engagement. Early engagement may also improve timelines for adjudicating authorizations, given that early engagement improves the flow of information and relationship outcomes.

The phases and stages of the engagement and consultation process are summarized below. A summary checklist with links to resources and the submission standards is also provided in this section.

Preparation Phase

During the Preparation Phase, the proponent will undertake basic research and analysis to prepare for appropriate engagement. Actions in this phase will include:

- Identification of the First Nations who have Aboriginal interests in the proposed activity area.
- Review of any information that is known about the interests of First Nations in the proposed activity area, including reviewing any previous engagement records.
- Consideration of any potential impact to known Aboriginal interests.

During this phase, the proponent may wish to discuss the province's expectations for engagement and obtain any information that ministry staff can share. This may include the identification of treaties, Strategic Engagement Agreements, or other agreements that may impact the process. Depending on the type of authorization the proponent is applying for, these discussions may form part of an application or pre-application meeting with ministry staff.

Engagement Phase

The primary objective of the Engagement Phase is for the proponent to provide information on the proposed activity and engage with First Nations to seek understanding of their interests and concerns. Actions in this phase include:

- Contacting the Nation(s) by way of an introductory letter to share the proposed activity and inviting the Nation to discuss respective interests and possible solutions to any concerns.
 - The introductory letter should include a reasonable timeline for response (e.g. 30 days), an offer to meet either virtually or in person, a clear description of the location or boundary of the proposed activities, and an offer for ongoing information sharing (e.g. sharing the annual Notice of Intent to Treat).
- When receiving a response, work with the First Nation to address concerns through meaningful engagement in relation to the proposed project or activity.
- If no response is received, follow up with a phone call and a second letter.
 - The letter should outline the engagement efforts made to date and indicate the expected date the application will be provided to the ministry.
- Record all engagement activities for submission to the ministry for review of adequacy.

Additional information may be requested by First Nations or further meetings may be required to explain the proposed activity. An example Engagement Tracking Log is included in this guide.

Accommodation Phase

In the Accommodation Phase, steps will be taken by the proponent to accommodate the interests brought forward by First Nations. The proponent may propose, develop, and implement measures which seek to mitigate any potential impacts identified by a Nation. The proponent may also commit to take any other action, including protection measures, ongoing communication and information sharing, or monitoring.

Some examples include, but are not limited to:

- Sharing Notices of Intent to Treat and Annual Use Reports.
- Changing the timing of a pesticide use activity to avoid sensitive biological stages or food gathering areas.
- Reducing the size of a treatment area.

- Changing the method of pesticide application or using a different product in a specific area.
- Using alternative pesticides or non-chemical management techniques in specific areas.
- Avoiding an activity all together.

The objective of the accommodation stage is to address any concerns where the proposal may impact Aboriginal interests, take actions to modify the proposal accordingly, and document this for consideration of ministry staff.

Review Phase

Throughout the engagement process, the proponent must record the results of all engagement activities and submit them to the ministry for review. A link to an example Engagement Tracking Log and interest/concerns tracking log is provided below to help the proponent to organize the information that must be submitted to the ministry as part of the application package.

If the proponent’s engagement record appears incomplete or unclear, ministry staff may seek clarification from the proponent and the First Nation. Where there are outstanding issues, ministry staff may consider whether it is appropriate to continue to involve the proponent or for ministry staff to complete the outstanding components. The ministry may contact the First Nation(s) to verify the information in the engagement records, and to ensure that any potential accommodations agreed upon are implemented.

Table 1: Phases of Engagement and Responsibilities

Steps	Province’s Role	Proponent’s Role
Preparation Phase		
Step 1. Identify First Nations potentially impacted by the proposed project or activity	<input type="checkbox"/> Assist in the identification of First Nations and appropriate contacts, including Chief and council or referrals department staff. Depending on the type of authorization, this may occur as part of a pre-application or application meeting	<input type="checkbox"/> Search the Province’s Consultative Areas Database and use the SOE Report tool to identify which First Nations to engage. There may be overlapping territories and potentially several Nations involved: http://maps.gov.bc.ca/ess/hm/cadb/ <input type="checkbox"/> Start an Engagement Tracking Log
Step 2. Identify treaties and process agreements	<input type="checkbox"/> Inform the proponent of any treaties, Strategic Engagement Agreements, or other agreements in place between the province and First Nations that may impact the scope and timing of the engagement process, and the	<input type="checkbox"/> Agreements are public and available at the following link if the proponent is interested in reviewing the province’s commitments to First Nations: First Nations A-Z Listing - Province of British Columbia (gov.bc.ca) . Proponents can also ask ministry staff if there are any new agreements, or

Steps	Province's Role	Proponent's Role
	<p>proposed activities. This may occur as part of a pre-application or application meeting</p>	<p>changes to existing agreements, in specific areas, to ensure they have all current information before engagement.</p>
<p>Step 3. Review readily available information about the First Nation(s)</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Provide the proponent with available, non-confidential information on the interests of First Nations in the proposed authorization area <input type="checkbox"/> Provide the proponent with known information about the capacity for the First Nation to respond (e.g. flood, fire or other issues that may impact capacity) 	<ul style="list-style-type: none"> <input type="checkbox"/> Obtain information about the First Nations in the proposed authorization area including relevant information regarding culture, history, economy, and political or governance structures and any information on potential impacts to Aboriginal interests that have been shared in the past
<p>Step 4. Consider the activity's potential to impact Aboriginal interests</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Share any relevant information on potential adverse impacts to any known Aboriginal interest with the proponent 	<ul style="list-style-type: none"> <input type="checkbox"/> Consider potential for adverse impact to known Aboriginal interests or any other information received
<p>Engagement Phase</p>		
<p>Step 5. Provide information and seek feedback from First Nations</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Provide support if requested 	<ul style="list-style-type: none"> <input type="checkbox"/> Provide an information package to each First Nation about the proposed pest management activities. See the Information Package section below for requirements. <input type="checkbox"/> Request information from each First Nation on any interests or applicable knowledge in the pest management area, and how the pest management activities may adversely impact specific interests. <input type="checkbox"/> Verify that the information package has been received by the First Nation, either by: <ul style="list-style-type: none"> • email delivery and read receipt • electronic delivery to referral portal

Steps	Province's Role	Proponent's Role
		<ul style="list-style-type: none"> • registered mail or courier, or • personal delivery with a signature from the recipient <input type="checkbox"/> Provide the First Nation at least 30 days to respond <input type="checkbox"/> Keep copies of all records of engagement activities
<p>Step 6. Exchange Information</p>	<input type="checkbox"/> Provide support if requested	<input type="checkbox"/> Respond to all questions and concerns in a timely manner <input type="checkbox"/> Take reasonable measures to explore issues or concerns raised <input type="checkbox"/> Consider options to avoid, minimize or mitigate adverse impacts to the Aboriginal interests or treaty rights <input type="checkbox"/> Update all First Nations involved in the consultation about any changes to the proposed project or activity <input type="checkbox"/> If a First Nation provides a response indicating they have no objection to the proposed activity or does not respond at all, clearly document this in the Engagement Tracking Log <input type="checkbox"/> Maintain documentation of communication in the Engagement Tracking Log with details pertaining to Aboriginal interests raised and how they were addressed, where appropriate
Accommodation Phase		
<p>Step 7. Review the need to accommodate and identify accommodation options</p>	<input type="checkbox"/> Provide support if requested	<input type="checkbox"/> During engagement, a First Nation may identify concerns. The proponent should work with the Nation to explore those concerns and consider options to avoid, minimize or mitigate those impacts <input type="checkbox"/> Identify and document accommodations in the Engagement Tracking Log. These may include: <ul style="list-style-type: none"> • sharing notices and reports • minimizing or altering area treated

Steps	Province's Role	Proponent's Role
		<ul style="list-style-type: none"> • changing timing of pest management strategies • using alternative products or strategies • adopting mitigation strategies • conducting environmental monitoring <input type="checkbox"/> Address concerns respecting potential impacts to the interests of Indigenous people, and document these
Review and Submission Phase		
Step 8. Review of Engagement		<input type="checkbox"/> Provide a written summary of engagement and commitments with each First Nation (optional), and summarize in the engagement tracker
Step 9. Submit package to ministry for review	<input type="checkbox"/> Review the engagement record for adequacy and advise proponent if further engagement or information is required <input type="checkbox"/> Confirm with the First Nations that the engagement records reflect a mutual understanding <input type="checkbox"/> Consider if further measures to address potential impacts are required	<input type="checkbox"/> Document and submit the Engagement Tracking Log (or equivalent) to the ministry, including the following: <ul style="list-style-type: none"> • First Nations concerns and information requests; • Descriptions of specific interests and any potential impacts; • Responses to concerns and information requests; • Descriptions of any modifications implemented for accommodation purposes; • If there is no response from a First Nation, a statement to that effect • Copies of meeting notes, letters, and other key correspondence from Nations
Step 10. Follow-through on accommodations	<input type="checkbox"/> Provide notice of decision (PUP) or notice of confirmation (PUN) to First Nations <input type="checkbox"/> Monitor for compliance and enforcement of any accommodations that may form part of the authorization	<input type="checkbox"/> Implement and track any accommodations over the lifespan of the authorization, and continue ongoing follow through as agreed upon <input type="checkbox"/> Maintain good faith relationships and meaningful dialogue, and respond to follow-up requests in a timely fashion

Engagement Letter and Information Package

The initial engagement letter serves to notify each identified First Nation about the project or activity by sending an information package. An information package must use clear and plain language to allow the potentially impacted group to have a clear understanding of the proposed pest management program and its possible impacts.

The information package generally should include the following:

- Notice that the proponent has been directed to consult with the First Nation on the proposed activity.
- A list of each activity type (e.g. Pesticide Use Notice), applicable Act (IPMA) and regulatory body (Ministry of Environment and Climate Change Strategy).
- Project details - purpose of the proposed project or activity, relationship to prior or ongoing pest management activities, location or boundary of the proposed project or activity, and timeline.
- Any known potential short- and long-term adverse impacts to Aboriginal interests or treaty rights.
- Proximity to any known archeological sites or sensitive habitats.
- A request that the First Nation respond within the specified period (at least 30 days or as specified in an agreement, if one exists) with any concerns and explain how the proposed project or activity may adversely affect the Aboriginal interests or treaty rights.
- The proponent's contact information.
- An offer to meet, either in person or virtually, to further discuss the proposed activities.
- Spatial files (.kmz or .kml files) of the project or activity area, including maps or survey plans prepared for the application.
- A copy of the draft Pest Management Plan (for PUN applications) or Treatment Plan (for PUP applications), or a link to where the draft plan can be viewed online.
- An offer to provide annual Notice of Intent to Treat (NIT) for ongoing engagement and accommodation (for PUN applications).

Engagement Record

As part of the authorization process, the proponent is expected to submit a record of engagement and a summary of Aboriginal interests and concerns, and the response or accommodation that was provided by the proponent. Supporting documentation, including key correspondence such as meeting minutes, letters of support or no objection, or letters with specific concerns from a First Nation, can also be submitted as part of the application.

An [Engagement Tracking Log](#) can be used to log and submit the engagement record. The template has two tabs; the first tab is for logging communication efforts and the second tab is for logging concerns, interests and responses or accommodations.

Ensure that each log submitted contains a complete, detailed, accurate and chronological account of all engagement activities. Proponents are to reply to all communications received from the First Nation involved in the engagement and include those details in the log. Include details for both successful and unsuccessful communications.

This record may be shared with the First Nation for their opportunity to confirm mutual understanding, if necessary. The record and the supporting documents must be submitted to the ministry for review and determination of adequacy.

Requirements of Submission

The ministry requires thorough documentation of all engagement completed with each First Nation. This includes the following:

Table 2: Consultation Submission Requirements and Supporting Documents

Document Name	Description	Requirements/Standards
Engagement initiation letter and information package	Plain language project or activity description and mapping that provides details of the proposed project or activity	Submit as one file per First Nation, or if the package is similar for all Nations consulted, indicate this, and submit a single package
Verification of delivery of engagement initiation package	Proof that the proponent successfully delivered the information package	Optional; verification of delivery may also be summarized in the engagement log
Engagement Log	The log maintained to document engagement efforts including dates and methods of communication, issues or concerns raised, and how concerns were addressed or accommodated	Submit one Log per Indigenous Nation, or if appropriate, a summary log that includes engagement with all First Nations
Supporting Documents	Documents that support or substantiate the entries recorded in the Engagement Log, such as emails, letters, meeting, minutes, memos, phone conversation	Organize in chronological order, tabulated by First Nation. Not all correspondence and supporting documents need to be submitted;

Document Name	Description	Requirements/Standards
	notes, portal printouts	routine correspondence can be summarized in the log
Letter of support or non-objection (where applicable)	Letter received by the proponent from a First Nation indicating they have no objection with the project/activity proceeding forward in the regulatory process	Submit a copy of each letter received
Letter of objection, concern, or response letters	Letter received by the proponent indicating the First Nation objects to the proposed activity or letters that provide information on their interests	Submit a copy of each letter received

Assessment of Adequacy of Engagement

An assessment of adequacy is intended to ensure that the fulfillment of the delegated procedural aspects of consultation have been carried out in accordance with the ministry’s policies and guidelines. Once submitted, ministry staff will review the engagement record and assess it for adequacy using the Engagement Adequacy Checklist below.

If the review finds the engagement inadequate, the ministry will advise the proponent of this and outline the deficiencies. The proponent may then be required to address those deficiencies and submit additional documentation to the ministry for review when they are confident that they have addressed all deficiencies.

The Engagement Adequacy Checklist is a tool developed to help proponents better understand the adequacy assessment submission requirements, submit more complete and accurate applications, reduce delays, and improve processing times.

Table 3: Engagement Adequacy Checklist

Category	Standard of Review
Preparation and Engagement	<ul style="list-style-type: none"> <input type="checkbox"/> Did engagement occur with all First Nations identified in CAD or confirmed with ministry staff? <input type="checkbox"/> Were any applicable agreements and engagement processes followed? <input type="checkbox"/> Was the information listed in the “Engagement Letter and Information Package” section provided in the initial referral? <input type="checkbox"/> Was the information provided in an accessible manner? <input type="checkbox"/> Were any requests for information made by First Nations reasonably provided? <input type="checkbox"/> Were additional studies undertaken to address concerns of First Nations where existing information was inadequate?
Assessment of Impact to the interests of Indigenous Peoples	<ul style="list-style-type: none"> <input type="checkbox"/> Was an assessment of seriousness of impact on the interests of First Nations conducted, if necessary? <input type="checkbox"/> Was feedback of the First Nation on the assessment sought? <input type="checkbox"/> Were appropriate amendments to initial assessments made following feedback?
Timelines	<ul style="list-style-type: none"> <input type="checkbox"/> Was reasonable opportunity provided for First Nation review of information provided, and opportunity to comment? <input type="checkbox"/> Were reasonable timeline extension requests provided? <input type="checkbox"/> Were timely responses to First Nation follow-up items provided? <input type="checkbox"/> Were opportunities for multiple exchanges of information (may include collaborative analysis of information) provided?
Indigenous Involvement in Process	<ul style="list-style-type: none"> <input type="checkbox"/> Were First Nations provided opportunities to discuss interests and concerns related to the proposal that could include collaborative processes? <input type="checkbox"/> Were efforts made to reach consensus (resolve disagreements) throughout the review process? <input type="checkbox"/> Does the engagement submission show that Indigenous concerns were considered, and demonstrate the impact they had on the decision?
Accommodation	<ul style="list-style-type: none"> <input type="checkbox"/> Was a substantive response provided for each issue or proposal identified by a First Nation?

Category	Standard of Review
	<ul style="list-style-type: none"> <input type="checkbox"/> In relation to any issue that a Nation considers unresolved, did the proponent provide a reasoned explanation for why any proposal that was not accepted was not necessary, practical, or otherwise reasonable? <input type="checkbox"/> Were First Nations provided the opportunity to express views about proposed accommodations, and was there an attempt to reach agreement?
Record of Engagement	<ul style="list-style-type: none"> <input type="checkbox"/> Does the written summary of the engagement appear complete? <input type="checkbox"/> Were all concerns, including statements of initial concern, entered into the Engagement Tracking Log? <input type="checkbox"/> Is the status of the interest or concern provided in the tracking log clear, including resolved issues and any outstanding concerns that could not be resolved? <input type="checkbox"/> Have key written communications been included in the submission? <input type="checkbox"/> Have responses, resolutions, and accommodations to any concerns raised by First Nations been included, and have they been incorporated into the final plan? <input type="checkbox"/> Are supporting documents organized, in chronological order, with no repeated documents?

Best Practices for Indigenous Engagement

The following are general best practices that IPMA proponents should keep in mind throughout the engagement process with all Indigenous communities that can help lead to positive engagement outcomes:

- For proponents developing PMP’s for a five-year authorization, offering to share the Notice of Intent to Treat (NIT) on an annual basis as part of ongoing engagement can be an important step. While the PMP provides an overall description of the proposed program, it may cover a large area and not specify the exact sites of proposed treatments. The NIT and associated maps show more detailed site-specific treatment plans, which First Nations may find equally or more valuable to engage with the proponent on.
- Provide meaningful detail in the initial engagement letter to assist a First Nation in understanding whether the proposed activities may impact their interests. Provide a summary of the type of program proposed (e.g. vegetation management on pipelines or facilities vs. the

management of forest pests) that is clear, straightforward, and highlights important aspects of the program that each First Nation should be aware of.

- Authorizations under the IPMA are time-bound, up to three years for a PUP and five years for a PUN Confirmation. If the proposed activities are similar to those conducted under a prior authorization, this can be communicated in the initial engagement letter. It is helpful for a First Nation to know if the proposed activities are for a completely new IPM program, or to continue ongoing pest management activities, such as vegetation management on existing industrial sites.
- It may be necessary to make several attempts at contact using different methods. If proponents receive no response to their initial engagement letter, a follow up phone call is recommended prior to sending a second letter. Using different contact methods may lead to more effective engagement, and it helps to demonstrate sincere and proactive efforts to contact a First Nation when no response to written communication is initially received.
- Be aware that each First Nation may have a specific referral department or referral process, and efforts should be made to follow specific procedures whenever possible. Maintaining an updated contact list for each Nation can help to ensure that letters and phone calls reach the correct people. Ministry staff may be able to assist with obtaining updated contacts.
- It is strongly recommended to use digital means to share information, including emailing digital copies of engagement letters and maps (including .KMZ or .KML files), rather than mailing paper copies. Posting a copy of a draft PMP or treatment plan online, including spatial files, and including the link to it in an engagement letter saves time and resources for both the proponent and the First Nation.
- Offer to meet virtually (e.g. video call), if an in-person meeting is logistically difficult. A virtual meeting can accomplish many of the goals of information sharing and relationship building and may be much easier to arrange than an in-person meeting.

Resources

Quick links to resources referenced in this guide:

[Updated Procedures for Meeting Legal Obligations When Consulting First Nations](#)

[Guide to Involving Proponents When Consulting First Nations](#)

[The Province's Consultative Areas Database](#)

[Engagement Tracking Log](#)

[First Nations A-Z Listing - Province of British Columbia \(gov.bc.ca\)](#)

[Integrated Pest Management Act \(gov.bc.ca\)](#)

[Integrated Pest Management Regulation \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/pest/pest-management-regulation)

[Pesticides and pest management - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/pest/pest-management-regulation)

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