



`Nuu-chah-nulth Tribal Council

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Nuu-chah-nulth Calls on BC Legislature to Table Bill 17- Amendments to Clean Energy Act until First Nations Consent Given

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Port Alberni, BC – The Nuu-chah-nulth Tribal Council is very perturbed with the BC Government in proposing amendments to the Clean Energy Act without our consent or even consultation on what impacts this would have on our rights and our ability to create clean energy for economic development purposes.

The amendments allow for the elimination of self-sufficiency from the Clean Energy Act. This means that the government can buy power from other jurisdictions and not have to buy power from First Nations independent power producers. BC Hydro already buys 10% from other jurisdictions as is. This is the motivation that drives BC to eliminate self sufficiency as well as the desire to create more revenue for Powerex.

The proposed amendments to the Clean Energy Act allow the Government, with a stroke of the pen, with no debate in the B.C. Legislature, to define “clean energy” and “clean resources” to include any kind of power including brown thermal generation. Brown imports from Alberta or the U.S. could easily occur.

President Judith Sayers says that “every step the BC government takes in clean energy is away from BC First Nations ability to develop power now and in the future. They are not listening to Nuu-chah-nulth’s desires to create clean energy for economic purposes. They do support minor development on reserve but that is not enough. Why is BC trying to stifle entrepreneurship especially First Nation entrepreneurship? BC Hydro should not be allowed to be a monopoly.”

Mariah Charleson, Vice President says “Of the 14 Nuu-chah-nulth Nations, 13 Nations are involved in the development and production of clean energy or want to be. There is a great

interest in Nuuchahnulth Nations in this industry and the failure of the government to work with us on this amendment is a failure of reconciliation, UNDRIP and DRIPA.”

The Declaration on the Rights of Indigenous Peoples Act (DRIPA) s. 3 states that “In consultation and cooperation with the Indigenous peoples in British Columbia, the government must take all measures necessary to ensure the laws of British Columbia are consistent with the Declaration.”.

UNDRIP is very clear that First Nations have the right to development and the right to be actively involved in developing economics affecting them., Also the right to own, use, develop and control their lands, territories and resources...(Articles 23 and 26).

Judith Sayers further commented “There has been no consultation and cooperation on an Act that affects First Nations people, in fact it was a surprise that this amendment was done. They did have a Phase 2 review of BC Hydro and asked people about self sufficiency. An interim report which was meant to be a discussion paper did not have any conclusions regarding self sufficiency. If they really cared about what people in BC are concerned about, why didn’t they wait for the final report with recommendations? If they were going to do what they want, why bother wasting everyone’s time in responding to the Phase 2 report?”

Nuuchahnulth demand that this amendment be tabled until such time as the BC Government lives up to its own laws, commitments, and building relationships with First Nations people.

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About Nuuchahnulth Tribal Council

The Nuuchahnulth Tribal Council (NTC) provides programs and services to over 10,000 registered members. The role of the NTC is to represent 14 First Nations in three regions stretching 300 kilometers of the Pacific Coast of Vancouver Island from Brooks Peninsula in the north to Point-no-Point in the south. The NTC represents Ahousaht, Ditidaht, Ehattesaht/Chinehkint, Hesquiaht, Hupacasath, Huu-ay- aht, Kyuquot/Checklesah, Mowachaht /Muchalaht, Nuchatlaht, Tla-o-qui-aht, Toquaht, Tseshaht, Uchucklesaht and Ucluelet First Nations and provides a variety of programs and services to them.

For more information, please visit www.nuuchahnulth.org.

Backgrounder:

If the Government had bothered to consult and cooperate with First Nations and was serious about accommodation and reconciliation it would have discovered:

1. First Nations went to a lot of time and expense to develop the expertise to own and operate clean, generating projects. There was a real business opportunity that was consistent with First Nation values of sustainability from one generation to the next.
2. Successive Governments have destroyed this opportunity i.e. Site C and are now determined to send even more of it south to benefit U.S. Independent power producers (IPPs).
3. Currently BCH relies on imports for up to 10% of its requirements. It is **not** self-sufficient.
4. The proposed amendments to the Clean Energy Act would allow unlimited imports further exposing B.C. and First Nations to the whims of U.S. politicians in a time of U.S. need. The COVID 19 crisis has highlighted this “U.S. first” risk.
5. U.S. IPPs are given very generous government incentives to create investment, jobs and revenues in the U.S.
6. There are very significant transmission line constraints in the U.S. that limit the amount for electricity than can be imported into B.C. when it is needed. It won't be Canadians that get first access to this limited transmission space.
7. As battery technology improves and prices continue to fall, the “California dreamin” cheap solar electricity that BC Hydro covets will disappear. It will be stored and used in this state.
8. The price of developing renewable energy projects in B.C. has dropped dramatically over the last ten years. These drops are not exclusive to the U.S.
9. Comparing the prices paid under electricity purchase agreements entered into by BC Hydro ten years to today's California solar prices is an exercise in political spin and completely ignores the decade of dropping prices because of technological advances. And certainly doesn't include the investment, jobs and revenues that would accrue to B.C. and Canada if First Nations developed renewable generating projects in their traditional territories.
10. The proposed reporting requirements in the Clean Energy Act are nothing new. The GHG content of imports are already required to be reported under the Greenhouse Gas Emissions Reporting Regulations. ▲

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