

Monday, December 2, 2024

Keith Henry  
President  
BC Metis Federation

**Re: Response to the Rules and Practice and Procedure Review**

Please accept this correspondence sent on behalf of the BC Metis Federation leadership, partner communities, and approximately 6000 members located throughout British Columbia regarding the CER Rules Review process.

BC Metis Federation will respond to the specific questions relative to Metis engagement and participation as follows:

*1) Are there specific process steps for cost apportionment applications that you would like to see made mandatory through the Rules?*

The current CER process for budget and levels of participation is best described as arbitrary, and we view the current CER funding as limited. We appreciate the budget limitation for CER participation but what is lost continues to be a business discussion about the actual costs to maintain capacity in our Metis organization to meaningfully participate. We are often told about the funding a provided 2 options, both of which have no basis of our actual costs.

BC Metis Federation has worked diligently for years to accommodate the CER processes as they have unfolded with several projects in British Columbia and our most significant concern is the internal stabilization and proper capacity to effectively provide feedback.

*2) Are there specific process steps for compensation applications that you would like to see made mandatory through the Rules?*

This is a challenging question as we appreciate the differences amongst Indigenous communities and their business planning. We prefer to maintain status quo but urge that budgets and proposed support are enhanced to enable our community to commit to stabilization of our internal Metis staff to respond.

*3) Do you have feedback regarding how the Rules could incorporate process steps for providing and protecting Indigenous knowledge within hearings?*

BC Metis Federation is of the view that the current CER process provides our Metis community an opportunity to present Metis traditional knowledge and views. The hearings recognize the place of the BC Metis Federation on behalf of our members, and this must be maintained.

*4) Would you like to see the role of the Crown Consultation Coordinator, and the nature of its participation in Commission hearings reflected in the Rules? If so, how?*

BC Metis Federation strongly believes in the role of the Crown Consultation Coordinator. The crown consultation coordinator has been essential to our work together with CER and ensuring our issues and concerns are discussed and addressed through the process to date. The final CER decisions and recommendations do not always reflect the discussions and recommendations we have provided either through prior hearing processes or with the Crown Consultation Coordinator.

We believe that the Crown Consultation Coordinator should be included in the actual rules with a specific legal recognition to present their views on engagement, issues, and concerns relative to the BC Metis Federation consultation process.

Our collective work throughout several projects has created an objective forum to clarify the views of our members relative to proposed projects including important recommendations on all aspects of project decisions.

*5) Do you have other feedback related to how the Commission can align the Rules with the CER Act, including the objectives outlined in the Act's preamble, such as the commitment to Reconciliation, and the UN Declaration?*

The BC Metis Federation feels the preamble is not sufficient in the reference to language in the Act. We submit that CER must continue to recognize the need for a distinction-based approach, meaning engagement with First Nation, Metis, and Inuit. There has been growing conflict and efforts by some First Nations to eliminate Metis inclusion in these Federal regulatory processes and we strongly disagree. We also want CER to further appreciate the evolution of Metis governance throughout Canada which requires inclusion of our contemporary societies as our Metis people address our internal governance designs and processes.

Therefore, we submit the inclusion of "distinction based" in the following preamble statement for consideration:

*Whereas the Government of Canada is committed to using transparent processes that are built on early engagement and **distinction based** inclusive participation and under which the best available scientific information and data as well as Indigenous knowledge are taken into account in decision-making;*

Please feel free to contact me if you have any further questions. The BC Metis Federation looks forward to future CER engagement.

Thank you



Keith Henry  
President  
BC Metis Federation