



May 3, 2006

File: 56050-04/NCLIE

To: Pesticide Licencees Conducting Pest Management In: Forestry, Industrial Vegetation, Noxious Weed or Mosquito Control Categories

From: Robert W. Adams
Manager, IPMA Regulation Implementation

Re: Draft Guidelines for First Nation Consultation

I would like to notify you of Draft Guidelines for First Nation Consultation that have been issued by the Ministry of Environment. A copy of the Draft Guidelines is enclosed with an accompanying letter from the Deputy Minister.

The Deputy's letter requests proponents (including licence holders) under the *Integrated Pest Management Act* to use the Draft Guidelines when conducting pest management activities in areas where a First Nation asserts aboriginal interests or has treaty rights. The Draft Guidelines describe the need for a proponent to determine whether First Nations assert interest in an area and if so to conduct specified consultation steps, including, in the case of licencees, submission of a consultation report to the ministry at least 14 days before pesticide use is to begin.

The Draft Guidelines include in Appendix E a template for the content of a consultation report. The report should document the consultation steps that have been conducted by a proponent in relation to the steps specified in the Draft Guidelines. The Ministry will use these reports to determine how closely the Draft Guidelines have been followed.

All licencees conducting pesticide use in the following categories: forestry, industrial vegetation, noxious weed or mosquito control, should determine the need for First Nation Consultation in accordance with the Draft Guidelines.

Licences Providing Pest Management Services

- When a licencee is conducting pesticide use services for the holder of a Pest Management Plan/Pesticide Use Notice Confirmation, consultation should be determined and reported on by the holder of the Pest Management Plan/Pesticide Use Notice Confirmation.

Ministry of
Environment

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- When a licensee is conducting pest management services where no PMP is required, the licensee will need to check with the land manager/owner whether consultation needs have been determined and conducted. The licensee should submit a report that may include information supplied by the land manager/owner.

If you have questions about the Draft Guidelines, I would appreciate receiving them by e-mail, sent to: Administrator, *Integrated pest Management Act* at: **legreview@victoria1.gov.bc.ca**

Thank you for your attention to the newly released Draft Guidelines for First Nations Consultation.