

**INTERGOVERNMENTAL RELATIONS SECRETARIAT**  
**PREMIER'S ESTIMATES NOTES**  
JUNE 2022

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## 2022/23 Estimates Note - Advice to the Premier

**Title:** B.C. – Federal Relations

**Issue:** B.C.'s engagement with the federal government

**Response:**

- The B.C. and federal governments are in frequent, close contact at all levels – from the Premier and the Prime Minister on down – to discuss opportunities to work together for the benefit of all British Columbians, as well as common challenges including the COVID-19 pandemic.
- The federal government and B.C. share many common priorities that provide opportunities for partnership: improving health care, growing an economy that supports families, green jobs and climate action, and advancing Indigenous reconciliation.
- B.C.'s positive, collaborative approach is the best way to get results for British Columbians.

**Background/Status:**

Areas where B.C. has successfully made our voice heard and/or coordinated our actions with the federal government:

- The COVID-19 pandemic response and recovery, such as:
  - vaccine and test procurement;
  - vaccine passports;
  - reopening / easing of restrictions;
  - commercial rent assistance;
  - Canada-U.S. border restrictions; and
  - pan-Canadian sick leave.
- Emergency management: Following the devastating year of severe weather events, B.C. and Canada coordinated their response and recovery efforts (at all levels, including the Prime Minister), resulting in \$5 billion in federal funding for flooding and wildfire recovery. Additional federal supports were also set aside for farmers who experienced severe drought.
- Climate action: B.C. is recognized as Canada's closest provincial ally in the fight against climate change; the governments are aligned on emissions reductions and B.C.'s *CleanBC Roadmap* committed to meet or exceed the federal emissions reductions and pollution pricing targets. B.C. and Canada are also united in their commitment to investing in the clean energy transition and advancing the market for cleantech innovation.
- Council of the Federation: in B.C.'s role as Chair, led the exchange of views and information among the provincial and territorial government while ensuring that

## 2022/23 Estimates Note - Advice to the Premier

the national consensus reflects B.C.'s interests. Led engagement with the federal government on important aspects of pandemic response and recovery, and a united call from all Premiers for a long-term, sustainable increase to health care funding.

- Reconciliation: B.C. and the federal government are closely aligned in our commitments to Indigenous reconciliation. Both governments are committed to implement the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Calls to Action of the Truth and Reconciliation Commission.
- Other areas where B.C. continues to make our voice heard include:
  - Infrastructure Intergovernmental Communications  
Intergovernmental Communications
  - Economic development (including through the newly created Pacific Economic Development Agency of Canada (PacifiCan) which is specifically focused on B.C.'s economy);
  - The acute need for Indigenous housing;
  - Coastal issues Intergovernmental Communications  
Intergovernmental Communications
  - Trade issues with the United States (see separate note);
  - Transit (e.g. secured \$1.3 billion in federal funds toward the Surrey Langley SkyTrain extension project);
  - Indigenous children in care, including funding for prevention services and family preservation initiatives.
- Many aspects of the recent federal budget align well with B.C.'s priorities; e.g.:
  - Environment and green economy (e.g. expanded Low Carbon Economy Fund including Atlin Hydro Expansion in B.C., ZEV incentives, funding to support SMEs' emission-reductions and provincial net-zero energy transition, and a \$55 million Old Growth Nature Fund);
  - Housing (e.g. a \$4 billion Housing Accelerator Fund, \$4 billion for Indigenous housing, an expanded Rapid Housing Initiative, and first time homebuyers supports);
  - Indigenous children and families (including \$4 billion to implement Jordan's Principle);
  - Child care (\$625 million Early Learning and Child Care Infrastructure Fund).

Contact: Grant Smith – 250 387-1042  
Executive Director, Federalism and Canadian Intergovernmental Policy

## 2022/23 Estimates Note - Advice to the Premier

**Title:** First Ministers' Meetings (FMMs)

**Issue:** B.C.'s engagement in First Ministers' Meetings

**Response:**

- Canada's First Ministers (the Prime Minister plus the thirteen Premiers) have been holding frequent teleconferences to discuss opportunities to work together on common challenges and responses to the COVID-19 pandemic.

**Background/Status:**

- As of March 31, 2022, First Ministers had held thirty-seven conference calls during the pandemic. The first was on March 13<sup>th</sup>, 2020, in lieu of an in-person FMM that would have taken place in Ottawa if not for COVID-19. The most recent FMM teleconference was February 14<sup>th</sup>, 2022.
- Issues discussed on the calls have included:
  - Health care funding and the Canada Health Transfer (CHT);
  - vaccine roll-out (including booster doses and pediatric vaccines);
  - procurement of rapid tests and COVID-19 therapeutics;
  - COVID-related border and travel measures (including the land border, international flights, testing, quarantine measures, and proof of vaccine credentials);
  - pandemic fatigue and mental health challenges;
  - the federal budget;
  - federal government support and recovery benefit programs;
  - collaborative approach to fighting and ending the COVID-19 pandemic and re-opening Canada's economy;
  - Canada-U.S. relations, including trade issues with the United States (softwood lumber duties, Buy America);
  - advancing Indigenous reconciliation;
  - extreme weather events (including wildfires, floods, and landslides); and
  - the federal *Emergencies Act*.

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## 2022/23 Estimates Note - Advice to the Premier

**Title:** FPT Health Care Funding Negotiations

**Issue:** Actions being taken to negotiate a long-term increase to the Canada Health Transfer

**Response:**

- The pandemic has exposed significant gaps in our health care systems across the country. Premiers are united in our call for the federal government to increase its share of health care funding through the Canada Health Transfer (CHT).
- B.C. is already making substantial investments and improvements to health services, however a strengthened long-term federal funding partnership will address immediate challenges and allow for longer-term improvements.
- Through B.C.'s role as Chair of the Council of the Federation (COF), progress continues to be made towards a First Ministers' Meeting to negotiate an increase in health care funding.

**Background/Status:**

- The pandemic has exposed significant gaps in health care systems across the country. Greater investment is required to ensure we emerge stronger from the COVID-19 pandemic, and to address the increased demands on health systems.
- Health care is already the largest single expenditure for B.C., and all provinces and territories, and the challenges ahead are significant if we want to provide the timely, high-quality health services that all British Columbians and Canadians deserve.
- Each of the 13 provincial and territorial health care systems in the Canadian federation is designed to meet the needs of its own diverse population and respond to its own unique circumstances.
- Provinces and territories are already making substantial investments and improvements to health services. However, these improvements could be accelerated and expanded through a significant, long-term increase in recurrent funding via the Canada Health Transfer (CHT).
- A strengthened long-term federal funding partnership, including increased, recurrent funding through the CHT base accompanied by an appropriate adjustment of the CHT escalator, will address immediate challenges and allow for longer-term improvements. Short-term, targeted funding is not the answer.
- The 13 Premiers are united in their call through the Council of the Federation (COF) for the federal government to increase its share of health care funding through the CHT to 35%, which represents an immediate injection of \$28 billion.
- COF and the federal government have a shared understanding of the challenges facing our health care systems. Both parties agree that health care delivery

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remains in the provincial and territorial jurisdiction. There is common acknowledgment of the need for a new vision for national health care with better outcomes for Canadians.

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## 2022/23 Estimates Note - Advice to the Premier

**Title:** Interprovincial Relations

**Issue:** B.C.'s participation in the Council of the Federation, Western Premiers' Conference and other interprovincial relations

**Response:**

- B.C. pursues constructive working relationships with all other provinces and territories, both bilaterally and through multilateral tables like the Council of the Federation and the Western Premiers' Conference.
- These relationships allow us to project our influence on the national stage by joining forces with others and by speaking up to ensure that the national consensus reflects B.C.'s interests.

**Background/Status:**

### Council of the Federation (COF)

- The Council of the Federation (COF) is composed of the thirteen Premiers of Canada's provinces and territories. It was established in 2003, building on the earlier practice of Annual Premiers' Conferences.
- The Chair of COF is assumed by a Premier on a rotational basis, typically for a one-year term.
  - B.C. assumed Chair of COF in September 2021. B.C.'s last turn as Chair was in 2011/12.
  - Premier Heather Stefanson of Manitoba will become Chair in 2022; the exact date of this rotation has not been confirmed.
- COF ordinarily meets at least once each year, with the main summer meeting being supplemented as necessary by a shorter winter meeting. The last in-person summer meeting took place in Saskatoon on July 9-11, 2019, followed by a winter meeting in Toronto on December 1-2, 2019.
- During the pandemic, COF has not met in person, but has met frequently by phone and once by videoconference to discuss common challenges and responses to COVID-19.
- The 2022 COF meeting will take place in Victoria from July 11-12, 2022.
- Premiers have used these calls to exchange views and information on important aspects of the provincial and territorial response to the COVID-19 pandemic, including:
  - international border restrictions and self-isolation of returning travellers;
  - public health directives and approaches regarding non-essential travel;
  - mental health and addictions challenges;

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- energy-related issues;
- labour force issues (including labour shortages and immigration); and
- supports for key economic sectors.
- Premiers have also used the calls to discuss shared approaches to First Ministers' calls, on issues such as:
  - health funding and the Canada Health Transfer (CHT);
  - federal funding (including proof of vaccination fund);
  - procurement of booster shots, rapid tests and COVID-19 therapeutics;
  - support and recovery benefit programs; and
  - Canada-U.S. relations, including trade issues with the United States (softwood lumber duties, Buy America).
- COF is supported by a Secretariat funded by all provinces and territories.
- Fees for 2021/22 and 2022/23 (in total over the two-year period) are eight cents (\$0.08) per Canadian in each jurisdiction, based on the 2016 population census, with fees to be paid in fiscal year 2021/22 or 2022/23. B.C.'s member fees for each of 2021/22 and 2022/23 is \$195,218 (includes 5% GST).
- Members incur expenses for travel costs to annual meetings and a portion of hosting the annual meeting while they are Chair.

### Western Premiers' Conference

- The Western Premiers' Conference (WPC) is a forum to advance shared interests of Western Canada through enhanced cooperation and constructive dialogue.
- The WPC is comprised of seven Premiers: B.C., Alberta, Saskatchewan, Manitoba, Yukon, Northwest Territories, and Nunavut.
- The WPC normally meets once each year. Due to the pandemic, it did not meet in 2020, and met virtually on June 15, 2021. The June 2021 meeting was chaired by former Premier of Nunavut, Joe Savikataaq, and focused on post-pandemic health care systems and economic recovery.
- Saskatchewan Premier Scott Moe chaired the 2022 WPC in Regina from May 26-27, 2022.
- WPC members do not make financial contributions for the WPC; however, members incur expenses for travel costs to annual meetings and hosting the annual meeting while they are Chair.

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## 2022/23 Estimates Note - Advice to the Premier

**Title:** Nooksack River Flooding

**Issue:** Catastrophic flooding caused by the overflow of the Nooksack River in Washington State in November 2021

**Response:**

- B.C. has a strong partnership with our neighbours in Washington State, and I am pleased that both governments are working closely to come up with long-term solutions to address flooding challenges that have been present for decades. This is a neighbour-to-neighbour exercise that will draw upon the many successful collaborations we have undertaken with our friends across the border.
- On March 15, Governor Inslee and Premier Horgan announced further bilateral cooperation to address flooding issues. A table has been struck between the Premier's Office and the Governor's Office to find solutions moving forward related to the Nooksack River.
- A cross-ministry team including the Office of the Premier, EMBC, the Ministry of Forests, the Ministry of Indigenous Relations and Reconciliation and other ministries are working closely to take an all-of-government, holistic approach to meaningfully engage local partners and design a governance structure for the Nooksack River flooding prevention work going forwards.
- The Province has begun preliminary discussions together with staff from Sumas First Nation and the City of Abbotsford, with further follow-up conversations planned.
- This work is just getting underway, and I anticipate that government will have more detail about next steps this summer.
- B.C. remains in regular contact with all relevant agencies and partners to advance recovery efforts across the province, and our work with Washington State will complement and enhance our work with the Government of Canada through the Committee of British Columbia and Federal Ministers on Disaster Response and Climate Resilience. We've benefited tremendously from engagement by our federal partners over the past number of months, and we look forward to continuing this close collaboration.
- The Nooksack River issue is decades old, and the last significant change made with respect to dikes was in 2003 when the *Flood Hazard Statutes Amendment Act* was revised to transfer many provincial flood management responsibilities to local government to manage.
- We are taking a thoughtful and inclusive approach to designing a solution that

## 2022/23 Estimates Note - Advice to the Premier

works better for all levels of government, as well as reflecting the Province's obligations under the *Declaration Act*, and I am confident that the partnership between the Premier and the Governor of Washington State will yield good results for the people of B.C.

### **Background/Status:**

- The Nooksack River runs through Whatcom County in Washington, and when it overflows after heavy rains, it spills into the Sumas Prairie in the Fraser Valley.
- A March 15, 2022, news release launched the consultation process, and it indicated that the results of the engagement will drive the design of projects and programs and identify sources of funding. It is anticipated that Canadian and U.S. federal government funding will be utilized after projects are identified.
- Staff at the Ministry of Forests are also leading discussions for long-term flood planning in the Sumas Prairie, and the approach for these two initiatives will be integrated so that any projects that result from the Nooksack River partnership is complementary to planning efforts that are being lead by the City of Abbotsford for floodplain management.
- The Ministry of Forests is also working on a provincial flood strategy, and it is anticipated that the Nooksack River flooding prevention work will be incorporated into these broader efforts.
- This is not the first time that B.C. has partnered with Washington State to address flooding concerns related to the Nooksack River. In 1990, an International Task Force was formed to create technical and policy recommendations, and that work will be utilized in the engagement process going forwards.
- Intergovernmental Communications
  - Intergovernmental Regulatory and response functions are distributed across multiple agencies. The appropriation process to secure funding for recovery and infrastructure projects often takes place at the federal level, but funding is disbursed by state and county governments.

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Executive Director, International Relations & Strategic Policy

## 2022/23 Estimates Debate

### Ministry of Forests

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**Issue:** Softwood Lumber Litigation

**Recommend Response:**

Advice/Recommendations

# 2022/23 Estimates Debate

## Ministry of Forests

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Advice/Recommendations

### **Key Facts:**

#### **Litigation**

- The U.S. Department of Commerce published the final AR2 countervailing and antidumping duty orders on November 24, 2021, marking the end of the Second Administrative Review. Most companies are paying a combined average duty of 17.91%.
  - This represents a significant increase in the average rates from the AR1 final, which were 8.99%.
  - The preliminary results for AR3 signal lower rates to come, however final results will not be published until August 2022.
- An audit (verification) of documentation for AR3 is pending from the US Department of Commerce.
- B.C.'s response to additional US DoC questionnaires on programs not previously investigated in AR3 is underway.
- AR4 was initiated by the US Department of Commerce on March 9, 2022.
- As of December 31, 2021, countervailing and anti-dumping duties collected by the U.S. on lumber shipments from B.C. are estimated to be \$3.133 billion CAD (\$6.409 billion estimated for all of Canada).
- Cash deposits continue to be held in trust by the U.S. Liquidation (or release) of deposits was suspended upon request of the Petitioner.

# 2022/23 Estimates Debate

## Ministry of Forests

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### Ongoing Challenges

- NAFTA – injury determination: The Panel upheld the original finding of material injury May 22, 2020, ending this proceeding.
- NAFTA – countervailing duty (CVD) determination: the US continues to put forward names of panelists that are egregious in the opinion of Canada.
- CUSMA – CVD: Canada filed notice that it will challenge the AR1 final results under Chapter 10 of CUSMA, but the panel still needs to be established.
- WTO – antidumping (AD) determination: Canada filed a challenge of the April 9, 2019 WTO panel decision on zeroing. However, the WTO Appellate Body does not have enough panelists to hear appeals because the U.S. is blocking appointments.
- WTO – CVD: the panel issued their final report which was very favourable for Canada. The U.S. appealed to the non-functioning WTO Appellate Body.
- While appeals were largely successful for Canada in the previous lumber dispute, they took many years to complete.

### Rate history

- This table represents combined CVD and AD duty rates since the investigation.
- AR3 rates are preliminary and the AR3 rates could change with the final determination expected in August 2022.

Company	Investigation	AR1 Final (Cash deposit)	AR2 Final	AR3 <i>Preliminary</i>
Canfor	20.52%	4.62%	19.54%	6.75%
West Fraser	23.56%	8.97%	11.14%	13.09%
Tolko*	17.90%	8.99%	17.91%	11.64%
Resolute	22.07%	20.25%	29.66%	20.24%
JD Irving	9.38%	4.23%	15.05%	7.09%
All Others	20.23%	8.99%	17.91%	11.64%

\*While Tolko was a mandatory respondent in the investigation, they were not selected for the Administrative Review, therefore they are subject to the “All Others” rates in AR1, and going forward.

### First Administrative Review

- Covered the period April 28, 2017 to December 31, 2018.
- Mandatory respondents were: Canfor, West Fraser and Resolute.
- November 24, 2020 – Final Determination including assessment rates (covering the period of review) and cash deposit rates going forward.

### Second Administrative Review

- Covered the period January 1, 2019 through December 31, 2019.
- Mandatory Respondents were: Canfor, West Fraser and Resolute.
- September 24, 2021 - Final Determination (tolled and fully extended due to COVID-19 delays).

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## Ministry of Forests

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### Third Administrative Review

- Initiated March 4, 2021.
- Mandatory Respondents were: Canfor, West Fraser and Resolute (as in AR1/2).
- January 31, 2021 – Preliminary Determination was issued (fully extended).
- August 8, 2022 – Final Determination (fully extended).

### Fourth Administrative Review

- Initiation was announced March 9, 2022 in the US Federal Register.
- Covers the period January 1, 2021 to December 31, 2021.
- January 31, 2023 – Preliminary Determination (fully extended).
- August 7, 2023 – Final Determination (fully extended).
- Preliminary and Final Determinations could be as early as October 3, 2022 and February 7, 2023 respectively, however all deadlines in this proceeding have been fully extended to date.

**Date Revised:** March 21, 2022

**Ministry Executive Sponsor:**

Name: Melissa Sanderson

Phone: 250-812-7253

**Alternate Contact for Issue:**

Name: Janna Jessee

Phone: 250-507-7482

## 2022/23 Estimates Note - Advice to the Premier

**Title:** Upper Skagit Watershed

**Issue:** Action taken by government regarding previous and proposed logging and mineral exploration activities in the Silverdaisy area of the Upper Skagit watershed

**Response:**

- On January 19, 2022, the B.C. Government announced that that an agreement between the province, Imperial Metals Corporation (Imperial Metals) and the Skagit Environmental Endowment Commission (SEEC) had been reached and the mineral tenures owned by Imperial Metals in the Silverdaisy area of the Skagit watershed had been surrendered.
- The Washington State Governor's Office and the Mayor of Seattle have expressed their support for the agreement.
- The Province will be consulting with potentially impacted First Nations on future uses of the area in a process that will be led by BC Parks and the Ministry of Environment and Climate Change Strategy.
- In December 2019, we announced that timber licenses will no longer be awarded in the area.
- These actions demonstrate that the Province respects and takes our obligations under the treaty and the B.C.-Seattle Agreement seriously.
- Senior B.C. Government Officials speak regularly with representatives from the City of Seattle and the Skagit Environmental Endowment Commission to share information and understand their concerns.

**Background/Status:**

- The Silverdaisy area, often referred to as the "Donut Hole", is an area of approximately 5,800 hectares of Crown land in the upper Skagit River watershed near Hope, B.C.
- The Upper Skagit watershed is recognized in the Ross Lake/Seven Mile Reservoir Treaty between Canada and the U.S. and is within the purview of the binational Skagit Environmental Endowment Commission (SEEC).
- SEEC is a governance body mandated by the treaty to conserve and protect wilderness and wildlife habitat, enhance recreational opportunities in the Skagit basin, and acquire mineral and timber rights consistent with conservation and recreational enhancement.
- The commission consists of a Canadian delegation appointed by the Premier of B.C. and a U.S. delegation appointed by the Mayor of Seattle.

*Logging*

- Past and current forest harvesting operations in the Canadian portion of the Upper Skagit watershed represent approximately 3% of the Silverdaisy area and only 0.2% of the Canadian portion of the watershed by area.

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- The timber license was awarded by the previous government in 2015; it was issued in accordance with B.C.'s laws and regulations and in accordance with the treaty, which permits responsible resource use in this area.
- On February 11, 2019, the Premier and the Mayor of Seattle met by telephone to discuss the City's concerns regarding forestry activity in the Silverdaisy area. As directed, following that call, the Intergovernmental Relations Secretariat (IGRS) has been in regular contact with Seattle City Light to ensure information related to current or proposed activities in the Silverdaisy area flows in a timely and transparent fashion.
- In December 2019, the B.C. Government announced that timber licenses would no longer be awarded in the area.
- In February 2020, four former SEEC commissioners wrote to the Minister of Environment and Climate Change Strategy to express their gratitude for B.C.'s decision to halt future logging in the Silverdaisy area and to request consideration of permanent protection measures to ensure future governments cannot reverse that decision.

### *Mining*

- On January 19, 2022, the Province announced that an agreement had been reached and the mineral tenures owned by Imperial Metals Corporation (Imperial Metals) in the Silverdaisy area of the Skagit watershed had been surrendered.
- The Ministry of Energy, Mines and Low Carbon Innovation (EMLI) conducted the initial financial structuring for the transaction. Thereafter, the Ministry led the negotiations with Imperial Metals, SEEC, Washington State, and the relevant First Nations to have Imperial Metals surrender their mineral tenures within the nearly 5,800-hectare Skagit River Donut Hole.
- Intergovernmental Communications
- 
- Imperial Metals issued a release in January 2022 stating that it would receive approximately \$24 million for the mineral tenures.
- The Donut Hole is surrounded by both the Skagit Valley Park and E.C. Manning Provincial Park, between Hope and Princeton. This transaction ensures the preservation and protection of the natural and cultural resources. The Province will consult affected First Nations on future uses of the area in a process led by BC Parks and the Ministry of Environment and Climate Change Strategy.

Contact: Sukumar Periwal 250-387-0761  
Executive Director, International Relations & Strategic Policy

## 2022/23 Estimates Note - Advice to the Premier

**Title:** Transboundary Mining

**Issue:** Mining activities and transboundary waterways

**Response:**

- B.C. remains in constant contact with partners in the United States in relation to a wide range of cross-border environmental files.
- B.C. continues to work closely with counterparts in Alaska and Montana to implement the Memoranda of Understanding and Statement of Cooperation.
- B.C. also continues to work closely with Indigenous peoples to uphold the Province's commitments under the *Declaration Act*.
- The 2018 Environmental Assessment Act was introduced in order to modernize the Environmental Assessment process, and to better allow the Province to manage emerging concerns.
- B.C. aims to reflect the best available science in its environmental management processes.
- The Province continues to fund important efforts to address historic contamination, including preparatory work at the Tulsequah Chief Mine site.

**Background/Status:**

*Alaska*

- Intergovernmental Communications
  - On November 25, 2015, the former Premier of B.C. and Alaska Governor Bill Walker signed a Memorandum of Understanding.
  - The Memorandum of Understanding is being implemented through a Statement of Cooperation on the Protection of Transboundary Waters, which was signed October 6, 2016 by the former Minister of Energy and Mines, the former Minister of Environment, and Alaska Lieutenant Governor Byron Mallott.
  - The Statement of Cooperation is overseen by senior government officials from the B.C. government and the government of Alaska.
  - Per the Statement of Cooperation, B.C. and Alaska have also established a joint water quality monitoring program.
  - On August 3-5, 2019, Alaskan representatives hosted the three U.S. commissioners from the International Joint Commission, as well as the Canadian co-chair, to present their issues with B.C. transboundary mining activity. The trip included site visits, a roundtable discussion on transboundary mining concerns, and an internal meeting. The International Joint Commission described it as a fact-finding mission.

## 2022/23 Estimates Note - Advice to the Premier

- A meeting between International Joint Commission commissioners and B.C. representatives took place on December 2, 2019.
- In February 2019, the Province and Taku River Tlingit First Nation (TRTFN) collaboratively selected a proponent to develop a Remediation Plan for Tulsequah Chief Mine. A final Remediation Plan was submitted to the Province in April 2020. On August 12, 2020, in collaboration with the TRTFN, the Province committed to spending up to \$1.575 million for site preparation and studies to support early reclamation work at the Tulsequah Chief Mine site, which was undertaken in summer 2020. In April 2021, a further \$1.575 million was allocated to support further work during the summer 2021 field season.
- The mine is currently owned by Chieftain Metals Inc. (Chieftain), who acquired the property in 2010. Chieftain had agreed to address the historical ARD issues as part of re-development of the mine.
- In September 2016, Chieftain's primary secured creditor applied for a receiver to be appointed over Chieftain. The \$1.2 million security bond provided by Chieftain was confiscated by the Chief Inspector of Mines and has been used towards securing site areas, addressing immediate issues and funding the development of a conceptual closure and reclamation plan.
- In 2016, the Ontario Superior Court appointed Grant Thornton LLP as receiver over all of Chieftain's assets, undertakings and properties, simultaneously introducing "stay provisions" limiting the Province's ability to uphold provincial statutes and regulatory oversight.
- On August 11, 2020, the receiver applied to the Ontario Court to be discharged. On October 8, 2020, the court approved the discharge of the receiver. However, the secured creditor has until August 2022 to seek to re-appoint the receiver.
- The Province continues to pursue available options in the intervening period for holding all past and present owners of the Tulsequah Chief Mine accountable.

### *Montana*

- As provided for in a 2003 Environmental Cooperation Arrangement and 2010 Memorandum of Understanding, B.C. and Montana have made commitments to protect and enhance the transboundary environment. The implementation of the agreements is being overseen by officials from the Ministry of Environment & Climate Change Strategy and Montana's Department of Environmental Quality.
- B.C. ministries have received a number of letters on selenium in transboundary waters from U.S. agencies at both the state and federal level over the past several years.  
Intergovernmental Communications  
Intergovernmental Communications  
Intergovernmental Communications  
Both the Ministries of Environment & Climate Change Strategy and Energy, Mines and Low Carbon Innovation continue to engage with stakeholders on both sides of the border.
- Montana approved a water quality standard regulating selenium concentrations for the U.S. side of Lake Kocanusa in December 2020. British Columbia has not

## **2022/23 Estimates Note - Advice to the Premier**

yet selected a proposed selenium water quality objective for Lake Koochanusa and is committed to a science-based process informed by the best data available, as well as seeking consensus with the Ktunaxa Nation Council.

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## 2022/23 Estimates Note - Advice to the Premier

**Title:** Daylight Saving Time (DST)

**Issue:** Circumstances regarding whether to make DST permanent in B.C.

**Response:**

- Most places in B.C. moved to Daylight Saving Time (DST) on March 13, 2022.
- In 2019, amendments to the *Interpretation Act* were passed to enable B.C. to switch to a "Pacific Standard Time" (permanent DST).
- The legislation was in response to the results of a province-wide survey released in September 2019. Out of the 223,273 people who responded to the survey, 93% approved of ending the seasonal time change. 54% of British Columbians said it was "important" or "very important" for B.C. to be aligned with neighbouring jurisdictions in its time observance practices.
- B.C.'s policy position on the permanent move to DST has been that this would be considered alongside decisions in other jurisdictions in Canada and in the United States.
- I am encouraged that the U.S. Senate has recently passed legislation enabling a move to permanent DST. The bill now only needs the approval of the House and the President.
- An Order-in-Council will be needed to bring B.C.'s provisions into force, if and when the province decides to move to DST permanently.
- Other than the Yukon, no other jurisdiction in the Pacific Time Zone (or Alaska) has been able to implement permanent DST.

**Background/Status:**

- In 2019, B.C. passed legislation to enable B.C. to switch to a "Pacific Standard Time," alongside jurisdictions in the U.S., including Washington state, Oregon, and California.
- At least 45 states have proposed legislation to change their observance of DST, of which 18 states have enacted legislation or passed resolutions to provide for year-round DST. All states observe DST except for Arizona and Hawaii which remain in standard time all year.
- While year-round DST has been approved in Washington state and Oregon, and has been considered in California, any move to enact the change requires state legislation to be approved by the U.S. federal government.

**Congressional Approval**

- States need authorization from Congress to become exempt from the Uniform Time Act of 1966 which established the system of uniform DST throughout the United States.

