

BRIEFING NOTE FOR INFORMATION

DATE: December 30, 2020

PREPARED FOR: Honourable Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations and Rural Development

ISSUE: Wildfire collaboration with Washington State. Meeting with Representative Joe Fitzgibbon.

BACKGROUND:

- Since 2017, different areas of the Pacific coast (B.C., WA, OR and CA) experienced record consecutive record-setting wildfire seasons.
- B.C.'s Climate Change Risk Assessment identified wildfires as the top risk.
- The impacts of wildfires are beyond forestry related issues. The legacy of fire suppression, exclusion of indigenous land stewardship, declining forest health and industry practice, coupled with climate change and community and resource growth, now dictate that wildfires require comprehensive, interdisciplinary strategies and approaches.
- Public safety impacts include loss of life directly from wildfire, and indirect impacts from air pollution, loss of property, socio-economic issues, displacement, loss of biodiversity and amplification of climate change.
- Significant wildfire years have a disproportionate effect on provincial budgets and negatively impact important sectors like tourism, agriculture and forestry while posing significant risks to supply chain infrastructure, power grid resiliency and watershed viability.
- The issue is of mutual importance and urgency to Washington State, Oregon and California, which have similar geographies, wildfire conditions, forest types and management strategies, and face similar health and economic risks as B.C.

Existing mechanisms for cooperation on wildfire:

- Beyond federal resource sharing agreements, BC has an established, strong working relationship for response operations and resource sharing with the western states as evidenced through the Northwest Wildland Fire Protection Agreement (NW Compact), which includes AB, BC, NT, SK, YT, AK, ID, MT, WA and OR.
- The B.C. and Northwest United States Wildfire Response Border Arrangement (known as the Hands Across the Border Agreement) allows for the cooperative pre-suppression and wildfire protection along the International Border.
- B.C. is a founding member of the Pacific Northwest Economic Region (PNWER), which is comprised of the five northwest-most U.S. States (AK, WA, OR, ID, MT) and the five western-most Canadian provinces and territories (YK, NWT, BC, AB, SK). PNWER has several working groups that draw attention to issues of mutual importance.
- B.C. is also closely linked with Pacific coast states under the Pacific Coast Collaborative (PCC). The focus of this organization is climate change strategy. The PCC began in 2008 and has recently included wildfire as an area of focus under its climate resilience working group.
- Presently, there is no dedicated forum for information sharing or research exchange on how each jurisdiction is tackling the prevention, mitigation and resilience aspects of wildfires.

DISCUSSION:

B.C. recognizes that climate change is a contributing factor to the prevalence and severity of wildfires and that solutions will require a coordinated effort across a variety of agencies and mandates. Climate change amplifies changes brought about by forest practices, resource and community development.

B.C. has a strong working relationship with Washington State and is developing relations with Oregon and California. There exists an opportunity for deeper collaboration among Pacific coast jurisdictions to specifically address the complex risks and implications of wildfires.

Collaboration between the jurisdictions could include sharing research, challenges and best practices. B.C. would benefit from exchanging information to develop preparedness, mitigation, and adaptation strategies to limit the impact and cost of wildfires.

Jurisdictions will be in the position to undertake joint pilots, training and exercises to further advance predictive services and improve interoperability to increase suppression capabilities.

Collaboration would include taking important preventative and adaptive steps now to limit effects/consequences, save money, save lives and protect livelihoods.

MINISTRY RESPONSE:

The conditions leading to extreme wildfires are increasing, and it is imperative that we continually work together; not only in response, but in preparedness, mitigation, and recovery.

B.C. has a strong relationship with Washington State nurtured over many years through regional associations including PNWER, PCC and cooperating on response to wildfires along the border. B.C. would like to expand our relationship to address the complexity of factors that drive wildfires.

The BC Wildfire Service/FLNRORD sees a significant opportunity to work with Washington State to tackle the issue of wildfires, including research, data-sharing and best practices in order to highlight the regional challenge, cost and impact of wildfires.

PREPARED BY:

Carol Loski
Strategic Advisor
BC Wildfire Service
778-679-2805

REVIEWED BY:

	Initials	Date
DM		
Associate DM	RM	January 4, 2020
DMO		
ADM		
Program Dir/Mgr.		

BRIEFING NOTE FOR INFORMATION

DATE: December 30, 2020

PREPARED FOR: Honourable Katrine Conroy Minister of Forests, Lands, Natural Resource Operations and Rural Development

ISSUE: Pending delegated decisions by the Regional Executive Director on two exemption requests under the Special Tree Protection Regulation in blocks with active logging

BACKGROUND:

- On September 11, 2020 the Special Tree Exemption Regulation (STPR) came into force, protecting trees of certain species in specified locations exhibiting specified characteristics as well as their support trees within a 56 m radius

s.13

3
r

- Without an exemption, the Operator will not be permitted to remove the Special Tree and support trees. Likewise, the Operator will not be able to access timber located behind those trees and without access to the strategically located backline, it is likely that a new backline in front of the support trees may not provide adequate lift between the support trees and the road, which may result in additional volume unavailable to harvest.

s.13

- Under the terms of the Timber Sale Licence, the Operator is contracted or permitted to harvest the full block volume identified in the licence and likely intends to do so prior to end of winter.
- It has been 12 weeks since the Operator applied for the exemptions and the active harvesting operations have been focussed on alternate portions of the block pending an exemption decision.
- Time is considered to be of the essence because snow ploughing by grader must keep pace with snowfall, a shutdown will add additional costs for the Operator and felled timber can be lost in the snow which also presents safety concerns

DISCUSSION:

The identification and protection of Special Trees is part of a broader government approach to old forests which was publicly announced with the passing of Special Tree Protection Regulation on

September 11, 2020. This followed the completion of a Strategic Review of BC Old Growth Management on April 30, 2020. Apart from public interest, biodiversity is considered an important value in British Columbia and is monitored by this ministry's Forest and Range Practice Evaluation, the Forest Practices Board, First Nations and third party agencies.

The enactment of the STPR without a transition period or grandfathering provisions ensured that all trees designated as Special would be conserved from September 11, 2020 onward, unless exempted by the Minister or the Minister's delegate. The reasons for exemptions are specific and include requirements to report the discovery of Special Trees and report subsequent outcomes when exemptions are provided. These reporting requirements ensure accountability of the exemptions and integrity of government policy regarding old growth.

With the STPR now established it can be expected that Special Trees will be identified and harvest design will be adapted to accommodate Special Trees and their support trees. Where necessary, exemptions can be requested in advance of contractual commitments and/or sunk costs.

s.13

MINISTRY RESPONSE:

- s.13
- All new BCTS cut-block development is being undertaken consistent with the new regulation
- There was no transition period included with the Special Tree Protection Regulation
- Exemptions are available where specific circumstances indicate the need to ensure that the objectives of the regulation do not unreasonably impact a primary forest activity
- The ministry is committed to the conservation of old growth, consistent with the requirements of the Special Tree Protection Regulation

PREPARED BY:

Gerry MacDougall, RPF, MBA
Regional Executive Director
Thompson Okanagan Region
(250) 267-8999

REVIEWED BY:

	Initials	Date
DM		
Associate DM	RM	Jan 4, 2020
DMO		
ADM	MP	Dec 30, 2020
Program Dir/Mgr.	GM	Dec 30, 2020

BRIEFING NOTE FOR DECISION

DATE: November 20, 2020

PREPARED FOR: Rick Manwaring, Associate Deputy Minister, Ministry of Forests, Lands, Natural Resource Operations and Rural Development

ISSUE: Updated Rescission of *Land Act* Permission for Organized Events

RECOMMENDED OPTION:

Rescind the *Land Act* Permission for all Organized Events.

BACKGROUND:

- In response to the COVID-19 pandemic the Province has put into place a number of protective measures to reduce the impact to British Columbians. One of these measures, as updated from time to time, has been orders by the Provincial Health Officer (PHO) limiting or prohibiting gatherings and events.
- On June 8, 2020 the Ministry of Ministry of Forests Lands, Natural Resource Operations and Rural Development (FLNRORD) issued a Notice of Rescission of the *Land Act* Permission for organized events which were not in accordance with the PHOs order(s) regarding mass gatherings (Attachment 4).
- On November 10, 2020, the PHO issued a Gatherings and Events Order (Attachment 1). This order places an expansive set of restrictions on event organizers and owners of premises. Subsequently, on November 19, 2020, the PHO has prohibited all events, community gatherings and social gatherings (outside of direct household or core bubble) of any size until December 7, 2020. This prohibition may be extended past December 7, 2020 by the PHO.

DISCUSSION:

The PHO's Gatherings and Events Order applies to whomever is responsible for a place or places where these gatherings may take place, including the owner, occupier or operator. The Ministry of Attorney General (MAG) has provided advice that the PHO's order is not binding on the Crown, and therefore the PHO's order does not legally require the Ministry to prohibit Organized Events. The result is that events which would be prohibited on private or municipal land could legally proceed on Crown land. In order to close that potential gap, MAG lawyers advised that it would be possible to limit organized events under the *Land Act* Permission to support public health objectives as expressed in the PHO's orders.

As the COVID-19 situation has evolved, subsequent PHO orders regarding gatherings and events have placed more expansive requirements for owners of premises where these activities may occur. MAG staff has raised significant concerns that the Province, as owner, cannot satisfy itself that all those requirements are met. Accordingly a blanket rescission of the permission for all organized events (Attachment 2) and a notice on the Front Counter BC website (Attachment 3) is recommended until such a time as the situation becomes less dynamic.

The rescission does not affect First Nations access to Crown land while exercising Aboriginal Rights recognized and affirmed by section 35 of the *Constitution Act*, 1982.

OPTIONS:

OPTION 1: Rescind the *Land Act* Permission for all Organized Events.

Implications:

- Provides clearer information to the general public contemplating an event
- Ensures the Province is speaking with one voice
- Supports the PHO's efforts to minimize the spread of COVID-19
- Reduces potential ambiguity in support of enforcement officers

OPTION 2: Status Quo – maintain the current Notice of Rescission as is


Implications:

- Ministry may not meet its obligations as owner in accordance with the PHO order
- Public may be confused regarding what is allowed or not allowed on Crown land
- Ambiguity may result in challenges for enforcement staff

RECOMMENDATION:

- Option 1

Approved / Not Approved



Signature

Rick Manwaring, Associate Deputy Minister
FLNRORD

December 3, 2020

Date

Attachments/Appendices: Attachment: (1) Provincial Health Officer Order on Gatherings and Events
Attachment: (2) Notice of Rescission for Organized Events
Attachment: (3) FCBC Web Notice for Organized Event Rescission
Attachment: (4) CLIFF 256267 Previous Briefing Note for Organized Event Rescission

PREPARED BY:

Liz Williamson,
Senior Policy Advisor
Lands Branch
(250) 805-6744

REVIEWED BY:

	Initials	Date
Associate DM	RM	20-12-03
DMO		
ADM	SF	2020-12-02
Exec ED	BR	20-11-25
Program Dir/Mgr.	MP	20-11-23



ORDER OF THE PROVINCIAL HEALTH OFFICER

(Pursuant to Sections 30, 31, 32 and 39 (3) *Public Health Act*, S.B.C. 2008)

GATHERINGS AND EVENTS

The *Public Health Act* is at:

<http://www.bclaws.ca/civix/content/complete/statreg/08028/?xsl=/templates/browse.xsl>

(excerpts enclosed)

- TO: OWNERS AND OPERATORS OF BANQUET HALLS**
- TO: OWNERS AND OPERATORS OF VACATION ACCOMMODATION**
- TO: OCCUPANTS OF VACATION ACCOMMODATION AND GUESTS**
- TO: OWNERS AND OCCUPANTS OF PRIVATE RESIDENCES AND GUESTS**
- TO: OWNERS AND OPERATORS OF PLACES, INCLUDING PREMISES SUBJECT TO THE *FOOD AND LIQUOR SERVING PREMISES ORDER***
- TO: PERSONS WHO ORGANIZE EVENTS**
- TO: PERSONS WHO ATTEND EVENTS**
- TO: PERSONS WHO OWN OR OPERATE OR ARE PASSENGERS IN PERIMETER SEATING VEHICLES AND PERIMETER SEATING BUSES**
- TO: MEDICAL HEALTH OFFICERS**

WHEREAS:

1. On March 17, 2020 I provided notice under section 52 (2) of the *Public Health Act* that the transmission of the infectious agent SARS-CoV-2, which has caused cases and outbreaks of a serious communicable disease known as COVID-19 among the population of the Province of British Columbia, constitutes a regional event as defined in section 51 of the *Public Health Act*;
2. The SARS-CoV-2 virus, an infectious agent, can cause outbreaks of COVID-19;

3. A person infected with SARS-CoV-2 can infect other people with whom the infected person is in direct contact, through droplets in the air, or from fluid containing SARS-CoV-2 left on surfaces;
4. The gathering of people in close contact with one another can promote the transmission of SARS-CoV-2 and increase the number of people who develop COVID-19 and become seriously ill;
5. Social mingling coupled with the consumption of alcohol which increases risky behavior, and/or the presence of loud background sound which causes people to move closer together to be heard or to speak more forcefully, is associated with significant increases in the transmission of SARS-CoV-2 and increases the number of people who develop COVID-19 and become seriously ill;
6. With schools and post-secondary institutions operating and the change of seasons bringing cooler weather, people are interacting more and spending more time indoors which increases the risk of the transmission of SARS-CoV-2 in the population thereby increasing the number of people who develop COVID-19 and become seriously ill;
7. Seasonal and other celebrations in private residences have resulted in the transmission of SARS-CoV-2 and increases in the number of people who develop COVID-19 and become seriously ill;
8. For certainty, this Order does not apply to health care related events such as immunization clinics, health authority COVID-19 testing centres and blood donation clinics; court sittings wherever they occur; workers at a worksite when engaged in their work activities; workers living at a work camp; students, teachers or instructors at a school or post-secondary educational institution when engaged in educational activities; individuals attending regularly scheduled classes or practices in a recreation centre, pool or fitness facility; customers in a mall or retail establishment when engaged in shopping activities or seeking services; individuals attending an episodic vending market such as a Farmers Market or a Community Market which is subject to the *Vending Markets Order*; individuals in a campground or any other place when not attending an event; or the use of any place for municipal, provincial or federal election purposes.
9. For further certainty, this Order applies to private residences, private clubs and meetings or conferences held in hotels or any other place.
10. I have reason to believe and do believe that
 - (i) the risk of an outbreak of COVID-19 among the public constitutes a health hazard under the *Public Health Act*;

- (ii) because the risk of outbreaks resulting from the gathering of people and attendance at events extends beyond the authority of one or more medical health officers and coordinated action is needed to protect the public from contracting COVID-19, it is in the public interest for me to exercise the powers in sections 30, 31, 32 and 39 (3) of the *Public Health Act* **TO ORDER** as follows:

THIS ORDER REPEALS AND REPLACES MY ORDER OF OCTOBER 30, 2020 WITH RESPECT TO *GATHERINGS AND EVENTS* AND CONFIRMS MY ORAL ORDER OF NOVEMBER 7 WITH RESPECT TO PERIMETER SEATING VEHICLES OR PERIMETER SEATING BUSES

Definitions in this Order:

“affected area” means those areas of British Columbia that under the Health Authorities Act [RSBC 1996] Ch.180 have been designated as the regions for the Fraser Health Authority and the Vancouver Coastal Health Authority, except those areas which make up the local health areas of Bella Coola Valley and Central Coast;

“banquet hall” means a stand-alone premises built for the purpose of holding large social events, including banquets, generally involving many hundreds of people. It does not include the premises associated with a private club, hotel, house of worship, recreation centre, sports organization or other non-profit organization with a community, educational, historical, sports or similar purpose, or owned or operated or otherwise controlled by a government;

“event” refers to anything which gathers people together whether on a one-time, regular or irregular basis, including a gathering in vacation accommodation, a private residence, banquet hall or other place, a party, worship service, ceremony or celebration of any type, reception, wedding, funeral, celebration of life, musical, theatrical or dance entertainment or performance, live band performance, disc jockey performance, strip dancing, comedic act, art show, magic show, puppet show, fashion show, book signing, reading, recitation, display, movie, film, meeting, conference, lecture, talk, educational presentation (except in a school or post-secondary educational institution), auction, fund raising benefit, contest, competition, quiz, game, rally, festival, presentation, demonstration, athletic, sporting or other physical activity, exhibition, market or fair, including a trade fair, agricultural fair, seasonal fair or episodic indoor event that has as its primary purpose the sale of merchandise or services e.g. Christmas craft markets, home shows, antique fairs and the like and for certainty includes a gathering preceding or following another event;

“guest” means a person who attends an event in vacation accommodation or a private residence;

“organizer” means the person responsible for organizing an event and the person who acts as host at an event.

“owner” includes an occupier or operator or person otherwise responsible for a place;

“patron” means a person who attends an event, including a guest and an occupant for the purposes of Part B, and a passenger on a perimeter seating vehicle or a perimeter seating bus for the purposes of Part E, but does not include a host of an event in vacation accommodation or in a private residence, staff in a place subject to the *Food and Liquor Serving Premises* order, event staff, volunteers, vendors, exhibitors, performers, presenters, the members of a team engaged in an event, team managers, coaches, persons such as referees, time keepers or score keepers, and staff associated with any of the foregoing;

“physical barrier” means a barrier which is designed, installed and maintained in accordance with WorkSafeBC guidelines;

“a place” includes areas both inside and outside, and premises not ordinarily open to the public, but does not include a private residence, vacation accommodation or a banquet hall;

“occupant” means an individual who occupies vacation accommodation or resides in a private residence;

“perimeter seating” and **“perimeter seating bus”** have the same meaning as in the Passenger Transportation Regulation made under the *Passenger Transportation Act* [SBC2004] Ch. 39;

“private event” means an event only open to individuals who are known to, and invited by name by, the person by whom, or on whose behalf, the event is organized;

“private residence” includes areas both inside and outside;

“vacation accommodation” means a house, townhouse, cottage, cabin, apartment, condominium, mobile home, recreational vehicle, hotel suite, tent, yurt, houseboat or any other type of living accommodation and associated deck, garden or yard, when used for vacation purposes by the owner, tenant, guest or any other person;

A. BANQUET HALLS:

1. The holding of an event in a banquet hall *[see definition above]* is prohibited.
2. For certainty, this does not include the use of banquet halls for the purposes of holding municipal, provincial or federal elections, or health care related events such as immunization clinics, health authority COVID-19 testing centres or blood donation clinics.

B. VACATION ACCOMMODATION AND PRIVATE RESIDENCES

1. The gathering of more than six guests in addition to the occupants in vacation accommodation *[see definition above]* or a private residence *[see definition above]* for the purposes of an event is prohibited.
2. Subject to a maximum number of six guests, the gathering of guests at a vacation accommodation or a private residence for the purposes of an event is only permitted if there is space available inside to permit all individuals who do not reside together to maintain a distance of two metres from one another.
3. A guest must not attend an event at a vacation accommodation or a private residence if there are more than six guests in addition to the occupants or there is not space available inside to permit all individuals who do not reside together to maintain a distance of two metres from one another..
4. An occupant must not attend an event at a vacation accommodation or a private residence if there are more than six guests in addition to the occupants or there is not space available inside to permit all individuals who do not reside together to maintain a distance of two metres from one another.
5. The owner of vacation accommodation must require any tenant, guest or other person using or occupying the vacation accommodation to comply with section 1.
6. A person must not host an event at a vacation accommodation or a private residence if there are more than six guests in addition to the occupants or if there is not space available inside to permit all individuals who do not reside together to maintain a distance of two metres from one another.

C. PLACES NOT SUBJECT TO THE *FOOD AND LIQUOR SERVING PREMISES ORDER*

1. Subject to section 15, the gathering of more than fifty patrons at a place *[see definition above]* for the purpose of an event is prohibited.
2. Up to fifty patrons may attend an event in a place if the following conditions are met:
 - a. there is an organizer of the event;
 - b. access to the event is controlled;
 - c. the number of patrons is closely monitored;
 - d. there is sufficient space available to permit the patrons to maintain a distance of two metres from one another;

- e. the patrons maintain a distance of two metres from one another when standing or sitting, unless they belong to the same party;
 - f. measures are put in place to prevent the congregation of patrons outside the place, such as by taking reservations and requesting patrons to remain in their cars or elsewhere until notified by telephone or an App that there is room for them;
 - g. the place is assessed for areas where patrons may congregate, and measures are put in place to avoid congregation;
 - h. physical devices, markers or other methods are used to guide and assist patrons in maintaining a distance of two metres from other patrons, if they are not seated;
 - i. if there are tables provided for the use of patrons, no more than six patrons sit at a table, even if they belong to the same party, and there are at least two metres between the backs of the chairs at one table and the backs of the chairs at another table, unless the chairs are separated by a physical barrier;
 - j. if live performance is provided, or there is a presenter or a presider, there is a physical barrier between the performer, presenter or presider and the patrons which blocks the transmission of droplets from the performer, presenter or presider, or there is at least a three metre separation between the performer, presenter or presider and the patrons;
 - k. patrons must not engage in Karaoke or dance on the premises;
 - l. jam and open mic sessions must not be held on the premises;
 - m. if there is a self-serve food or drink station,
 - i. hand washing facilities or alcohol-based sanitizers are within easy reach of the station;
 - ii. signs reminding patrons to wash or sanitize their hands before touching self-serve food, drink or other items, and to maintain a two metre distance from other patrons, are posted at the self-serve station; and
 - iii. high touch surfaces at the station, and utensils that are used for self-serve, are frequently cleaned and sanitized.
 - n. hand sanitation supplies are readily available to patrons;
 - o. washroom facilities with running water, soap and paper towels for hand washing and drying purposes, or hand sanitation supplies, are available.
3. Subject to a maximum number of fifty patrons, the owner of a place in which events are hosted must calculate the maximum number of patrons who can be accommodated safely

during an event, taking into consideration the requirements of this order and must document this number in the safety plan with respect to events.

4. The organizer must monitor the number of patrons present during an event and ensure that the number of patrons present does not exceed the maximum number documented in the safety plan with respect to events.
5. If an event is in a part of place which is completely separated from the rest of the place, and which has its own entrance and washrooms, there may be additional patrons present in other parts of the place who are not attending the event, if the total number of patrons present in the place does not exceed the maximum number of patrons permitted on the premises under the safety plan. Patrons attending an event in part of a place must not have contact with patrons in another part of the place who are not attending the event.
6. If there are one or more separate premises in a place, there may be an event in each of the premises as long as
 - a. patrons attending an event do not have contact with patrons attending an event in other premises in the place, or with individuals who are in the place but not in the premises in which the event is being held;
 - b. there is a separate entrance to each of the premises in which an event is being held; and
 - c. there are separate washrooms for each of the premises.
7. During an event, patrons who leave the place in which an event is being held must not be replaced by other patrons.
8. Following an event, and during an appropriate interval of time before any subsequent event commences, a place must be cleaned, sanitized and ventilated while there are no patrons present. There must be a sufficient period of time between events to permit a place to be cleaned, sanitized and ventilated without any patrons being present and to ensure that patrons leaving one event do not have contact with patrons arriving for a subsequent event. Patrons must disperse immediately after an event and must not congregate with patrons who are leaving the event or arriving for a subsequent event.
9. Liquor service must stop at 10:00 pm;
10. At an event at which liquor is served the event must conclude and patrons vacate the premises by 11:00 pm.
11. There must be no liquor consumed on the premises by any person, including patrons, owners, operators, organizers or staff after 11:00 pm.
12. At an event at which liquor is served

- a. the obligations under sections 61 (2) of the *Liquor Control and Licensing Act* must be complied with,
 - b. the directives and guidance provided by the Liquor and Cannabis Regulation Branch to ensure that patrons do not over order, overconsume or binge drink must be followed (see [Liquor and Cannabis Regulation Branch website](#)), and
 - c. the authority under section 61 (3) of the *Liquor Control and Licensing Act* must be exercised when appropriate
- 13. The organizer must ensure that the conditions, requirements and obligations in sections 1, 2 and 4 to 12 are met.
- 14. The organizer must
 - a. collect the first and last names and telephone number, or email address, of every patron who attends an event or of every driver of a vehicle present at a drive-in event; and
 - b. retain this information for thirty days, in case there is a need for contact tracing on the part of the medical health officer, in which case the information must be provided to the medical health officer.
- 15. If the event is a drive in, the organizer may permit more than fifty patrons to be present, if the following conditions, as well as the requirements in section 14, are met:
 - a. patrons only attend in a vehicle;
 - b. no more than fifty vehicles are present at the drive in;
 - c. patrons are informed that they must stay in their vehicles except to use washroom facilities, and when outside their vehicles they must maintain a distance of two metres from other patrons, and this is monitored;
 - d. no food or drink is sold.
- 16. If the organizer is not the owner or operator, the owner or operator must satisfy themselves that the organizer is aware of the requirements in sections 1, 2 and 4 to 13 or, if applicable, section 15, and has the capacity to fulfill them.
- 17. Patrons must comply with
 - a. the limitation on the number of patrons permitted to gather in section 1,
 - b. the distancing and other requirements in sections 2 (e) and (i), 11 and 15 (a) and (c), and

- c. measures, and guidance and directions from owners, operators, organizers or staff, designed to avoid the gathering of more than the permitted number of patrons or the congregation of patrons.

D. PLACES SUBJECT TO THE *FOOD AND LIQUOR SERVING PREMISES ORDER*

1. The gathering of more than fifty patrons at a place *[see definition above]* which is subject to the *Food and Liquor Serving Premises* order for the purpose of an event is prohibited.
2. Subject to a maximum number of fifty patrons, the owner of food and liquor serving premises in which events are hosted must calculate the maximum number of patrons who can be accommodated safely during an event, taking into consideration the requirements of this order and must document this number in the safety plan with respect to events.
3. The organizer must monitor the number of patrons present during an event and ensure that the number of patrons present does not exceed the maximum number documented in the safety plan with respect to events.
4. If the event is a private event, Part C applies.
5. If the event is open to the public the following conditions apply:
 - a. sections 2 (a), (b), (j) and (m); and 7 to 12 of Part C apply;
 - b. patrons must be able to maintain a distance of two metres from other patrons, unless they are separated by physical barriers;
 - c. if patrons remain on the premises, other than tasting rooms with a liquor manufacturer licence, after being served or serving themselves, there must be sufficient seating for them, whether at tables, booths or counters, and patrons must be seated;
 - d. in licensed premises, other than cafeterias, private clubs or tasting rooms with a liquor manufacturer licence, patrons must be assigned to a table, booth or counter and shown to their seats and patrons must stay in the seat assigned to them and must not move from table to table;
 - e. liquor may only be served to patrons who are seated, other than in cafeterias, private clubs or tasting rooms with a liquor manufacturer licence;
 - f. patrons must remain seated in all premises, other than cafeterias, private clubs or tasting rooms with a liquor manufacturer's licence, except to use a self-serve food or non-alcoholic drink station, use washroom facilities or leave the premises;

- g. there must be a sufficient number of staff at premises, other than cafeterias, private clubs or tasting rooms with a liquor manufacturer's licence, to ensure that patrons remain seated;
- h. there must be a sufficient number of staff at premises, other than cafeterias, private clubs or tasting rooms with a liquor manufacturer's licence, to ensure that patrons do not congregate in areas of the premises;
- i. patrons who are not in the same party must be seated two metres apart from one another, unless they are separated by a physical barrier;
- j. there must be no more than six patrons seated at a table or booth, even if they belong to the same party;
- k. there must be a distance of two metres between the backs of the seats of patrons seated at adjacent tables or booths, even if members of the same party are seated at adjacent tables or booths, unless the adjacent tables or booths are separated by physical barriers;
- l. there must be two metres between patrons seated at a counter, unless the patrons are in the same party or they are separated by physical barriers;
- m. if a party of patrons is seated at a counter, there must be no more than six members of the party seated less than two metres apart from one another, unless they are separated by a physical barrier from other members of the party who are seated adjacent to them at the counter;
- n. measures must be put in place to prevent the congregation of patrons outside the premises, such as by taking reservations and requesting patrons to remain in their cars or elsewhere until notified by telephone or an App that there is seating available for them on the premises;
- o. the premises must be assessed for places where patrons may congregate, and measures put in place to avoid congregation;
- p. physical devices, markers or other methods to guide and assist patrons in maintaining a distance of two metres from other patrons if they are not seated must be used.
- q. the premises must be monitored, and patrons reminded to maintain a distance of two metres from one another.
- r. if there are physical barriers between tables or booths or seats at a counter, the tops and bottoms of the physical barriers must be positioned so that the physical barriers block the transmission of droplets produced by breathing, talking,

coughing or sneezing between patrons who are seated at adjacent tables, booths or seats at a counter;

- s. dance floors must be closed with physical barriers or occupied with tables;
 - t. patrons must not sing, engage in Karaoke or dance on the premises;
 - u. jam and open mic sessions must not be held on the premises;
 - v. background music and any other background sounds, such as from televisions or other electronic sound producing devices, must be no louder than the volume of normal conversation;
 - w. if background music is provided by a live performer or performers or a disc jockey, a physical barrier must be installed between the performers or disc jockey and the patrons which blocks the transmission of droplets produced by performers or disc jockey, or there must be at least a three metre separation between performers and patrons;
6. The organizer must ensure that the conditions in section 5 are met.
7. If the organizer is not the owner or operator, the owner or operator must be satisfied that the organizer is aware of the requirements which apply to the event and has the capacity to fulfill them.
8. Patrons must comply with
- a. the limitation on the number of patrons permitted to gather in section 1,
 - b. the distancing and other requirements in sections 5 (d), (f), (i), (j) (k), (l), (m), and (t) and sections 10 and 11 in Part C, and
 - c. measures, and guidance and directions from owners, operators, organizers or staff, designed to avoid the gathering of more than the permitted number of patrons or the congregation of patrons.

E. PERIMETER SEATING VEHICLES AND PERIMETER SEATING BUSES

1. No person may operate, or permit to be operated, a perimeter seating vehicle or a perimeter seating bus with passengers in the affected area between the hours of 11:00 PM and 6:00 AM, except for the purpose of transporting workers to or from a workplace, transporting persons to or from work related meetings or transporting persons to or from health care appointments.

2. No person may operate, or permit to be operated, a perimeter seating vehicle or a perimeter seating bus for the purpose of transporting passengers to or from events, and a passenger must not be present in a perimeter seating vehicle or a perimeter seating bus in the affected area for the purpose of being transported to or from events. This prohibition does not apply if the passengers are workers at the event.

F. RELATED MEDICAL HEALTH OFFICERS ORDERS

Recognizing that the risk differs in different regions of the province and that medical health officers are in the best position to assess local circumstances and to determine whether or not additional or more restrictive steps need to be taken to reduce the risk arising from people gathering together, **I FURTHER ORDER:**

1. A medical health officer may issue an order further to this Order for the purpose of having the provisions of the order incorporated into this Order. Such an order may add further prohibitions, or impose more restrictive limitations or conditions, with respect to gatherings and events in the geographic area of the province, or a part of the geographic area of the province, for which the medical health officer is designated and, subject to section 2, the provisions of the order are incorporated into this Order when posted on my website. For certainty, a contravention of a medical health officer order issued further to this order and posted on my website is a contravention of this Order.
2. While it is in force, a provision in an order made by a medical health officer further to this Order and posted on my website which adds further prohibitions or imposes more restrictive limitations or conditions than this Order applies in the geographic area of the province, or a part of the geographic area of the province, for which the medical health officer is designated, despite the provisions of this Order.

This Order does not have an expiration date.

You are required under section 42 of the *Public Health Act* to comply with this Order. Failure to comply with this Order is an offence under section 99 (1) (k) of the *Public Health Act*.

Under section 43 of the *Public Health Act*, you may request me to reconsider this Order if you:

1. Have additional relevant information that was not reasonably available to me when this Order was issued,
2. Have a proposal that was not presented to me when this Order was issued but, if implemented, would

- (a) meet the objective of the order, and
- (b) be suitable as the basis of a written agreement under section 38 [may make written agreements]

3. Require more time to comply with the order.

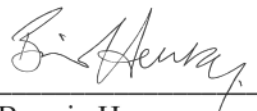
Under section 43 (6) an Order is not suspended during the period of reconsideration unless the health officer agrees, in writing, to suspend it.

If you fail to comply with this Order, I have the authority to take enforcement action against you under Part 4, Division 6 of the *Public Health Act*.

You may contact me at:

Dr. Bonnie Henry, Provincial Health Officer
4th Floor, 1515 Blanshard Street
PO Box 9648 STN PROV GOVT, Victoria BC V8W 9P4
Fax: (250) 952-1570
Email: ProvHlthOffice@gov.bc.ca

DATED THIS: 10th day of November 2020

SIGNED: 
Bonnie Henry
MD, MPH, FRCPC
Provincial Health Officer

DELIVERY BY: Posting to the BC Government the BC Centre for Disease Control websites.

Enclosure: Excerpts of the *Public Health Act* and the *Liquor Control and Licensing Act*.

ENCLOSURE

Excerpts of the *Public Health Act* [SBC 2008] c. 28

Definitions

1 In this Act:

"health hazard" means

- (a) a condition, a thing or an activity that
 - (i) endangers, or is likely to endanger, public health, or
 - (ii) interferes, or is likely to interfere, with the suppression of infectious agents or hazardous agents, or
- (b) a prescribed condition, thing or activity, including a prescribed condition, thing or activity that
 - (i) is associated with injury or illness, or
 - (ii) fails to meet a prescribed standard in relation to health, injury or illness;

When orders respecting health hazards and contraventions may be made

30 (1) A health officer may issue an order under this Division only if the health officer reasonably believes that

- (a) a health hazard exists,
- (b) a condition, a thing or an activity presents a significant risk of causing a health hazard,
- (c) a person has contravened a provision of the Act or a regulation made under it, or
- (d) a person has contravened a term or condition of a licence or permit held by the person under this Act.

(2) For greater certainty, subsection (1) (a) to (c) applies even if the person subject to the order is complying with all terms and conditions of a licence, a permit, an approval or another authorization issued under this or any other enactment.

General powers respecting health hazards and contraventions

31 (1) If the circumstances described in section 30 [*when orders respecting health hazards and contraventions may be made*] apply, a health officer may order a person to do anything that the health officer reasonably believes is necessary for any of the following purposes:

- (a) to determine whether a health hazard exists;
- (b) to prevent or stop a health hazard, or mitigate the harm or prevent further harm from a health hazard;
- (c) to bring the person into compliance with the Act or a regulation made under it;
- (d) to bring the person into compliance with a term or condition of a licence or permit held by that person under this Act.

(2) A health officer may issue an order under subsection (1) to any of the following persons:

- (a) a person whose action or omission
 - (i) is causing or has caused a health hazard, or
 - (ii) is not in compliance with the Act or a regulation made under it, or a term or condition of the person's licence or permit;
- (b) a person who has custody or control of a thing, or control of a condition, that
 - (i) is a health hazard or is causing or has caused a health hazard, or
 - (ii) is not in compliance with the Act or a regulation made under it, or a term or condition of the person's licence or permit;
- (c) the owner or occupier of a place where
 - (i) a health hazard is located, or
 - (ii) an activity is occurring that is not in compliance with the Act or a regulation made under it, or a term or condition of the licence or permit of the person doing the activity.

Specific powers respecting health hazards and contraventions

32 (1) An order may be made under this section only

- (a) if the circumstances described in section 30 [*when orders respecting health hazards and contraventions may be made*] apply, and
- (b) for the purposes set out in section 31 (1) [*general powers respecting health hazards and contraventions*].

(2) Without limiting section 31, a health officer may order a person to do one or more of the following:

- (a) have a thing examined, disinfected, decontaminated, altered or destroyed, including
 - (i) by a specified person, or under the supervision or instructions of a specified person,
 - (ii) moving the thing to a specified place, and
 - (iii) taking samples of the thing, or permitting samples of the thing to be taken;
- (b) in respect of a place,
 - (i) leave the place,
 - (ii) not enter the place,
 - (iii) do specific work, including removing or altering things found in the place, and altering or locking the place to restrict or prevent entry to the place,
 - (iv) neither deal with a thing in or on the place nor dispose of a thing from the place, or deal with or dispose of the thing only in accordance with a specified procedure, and
 - (v) if the person has control of the place, assist in evacuating the place or examining persons found in the place, or taking preventive measures in respect of the place or persons found in the place;
- (c) stop operating, or not operate, a thing;
- (d) keep a thing in a specified place or in accordance with a specified procedure;
- (e) prevent persons from accessing a thing;
- (f) not dispose of, alter or destroy a thing, or dispose of, alter or destroy a thing only in accordance with a specified procedure;
- (g) provide to the health officer or a specified person information, records, samples or other matters relevant to a thing's possible infection with an infectious agent or contamination with a hazardous agent, including information respecting persons who may have been exposed to an infectious agent or hazardous agent by the thing;
- (h) wear a type of clothing or personal protective equipment, or change, remove or alter clothing or personal protective equipment, to protect the health and safety of persons;

(i) use a type of equipment or implement a process, or remove equipment or alter equipment or processes, to protect the health and safety of persons;

(j) provide evidence of complying with the order, including

(i) getting a certificate of compliance from a medical practitioner, nurse practitioner or specified person, and

(ii) providing to a health officer any relevant record;

(k) take a prescribed action.

(3) If a health officer orders a thing to be destroyed, the health officer must give the person having custody or control of the thing reasonable time to request reconsideration and review of the order under sections 43 and 44 unless

(a) the person consents in writing to the destruction of the thing, or

(b) Part 5 [*Emergency Powers*] applies.

May make written agreements

38 (1) If the health officer reasonably believes that it would be sufficient for the protection of public health and, if applicable, would bring a person into compliance with this Act or the regulations made under it, or a term or condition of a licence or permit held by the person under this Act, a health officer may do one or both of the following:

(a) instead of making an order under Division 1, 3 or 4, enter into a written agreement with a person, under which the person agrees to do one or more things;

(b) order a person to do one or more things that a person has agreed under paragraph (a) to do, regardless of whether those things could otherwise have been the subject of an order under Division 1, 3 or 4.

(2) If, under the terms of an agreement under subsection (1), a health officer conducts one or more inspections, the health officer may use information resulting from the inspection as the basis of an order under this Act, but must not use the information as the basis on which to

(a) levy an administrative penalty under this Act, or

(b) charge a person with an offence under this Act.

Contents of orders

39 (3) An order may be made in respect of a class of persons.

Duty to comply with orders

42 (1) A person named or described in an order made under this Part must comply with the order.

(2) Subsection (1) applies regardless of whether the person leaves the geographic area for which the health officer who made the order is designated.

Reconsideration of orders

43 (1) A person affected by an order, or the variance of an order, may request the health officer who issued the order or made the variance to reconsider the order or variance if the person

(a) has additional relevant information that was not reasonably available to the health officer when the order was issued or varied,

(b) has a proposal that was not presented to the health officer when the order was issued or varied but, if implemented, would

(i) meet the objective of the order, and

(ii) be suitable as the basis of a written agreement under section 38 [*may make written agreements*], or

(c) requires more time to comply with the order.

(2) A request for reconsideration must be made in the form required by the health officer.

(3) After considering a request for reconsideration, a health officer may do one or more of the following:

(a) reject the request on the basis that the information submitted in support of the request

(i) is not relevant, or

(ii) was reasonably available at the time the order was issued;

(b) delay the date the order is to take effect or suspend the order, if satisfied that doing so would not be detrimental to public health;

(c) confirm, rescind or vary the order.

(4) A health officer must provide written reasons for a decision to reject the request under subsection (3) (a) or to confirm or vary the order under subsection (3) (c).

(5) Following a decision made under subsection (3) (a) or (c), no further request for reconsideration may be made.

(6) An order is not suspended during the period of reconsideration unless the health officer agrees, in writing, to suspend it.

(7) For the purposes of this section,

(a) if an order is made that affects a class of persons, a request for reconsideration may be made by one person on behalf of the class, and

(b) if multiple orders are made that affect a class of persons, or address related matters or issues, a health officer may reconsider the orders separately or together.

(8) If a health officer is unable or unavailable to reconsider an order he or she made, a similarly designated health officer may act under this section in respect of the order as if the similarly designated health officer were reconsidering an order that he or she made.

Review of orders

44 (1) A person affected by an order may request a review of the order under this section only after a reconsideration has been made under section 43 [*reconsideration of orders*].

(2) A request for a review may be made,

(a) in the case of an order made by a medical health officer, to the provincial health officer, or

(b) in the case of an order made by an environmental health officer, to a medical health officer having authority in the geographic area for which the environmental health officer is designated.

(3) If a review is requested, the review is to be based on the record.

(4) If a review is requested, the reviewer may do one or more of the following:

(a) delay the date the order is to take effect or suspend the order, if satisfied that doing so would not be detrimental to public health;

(b) confirm, vary or rescind the order;

(c) refer the matter back to the person who made the order, with or without directions.

(5) A reviewer must provide written reasons for an action taken under subsection (4) (b) or (c), and a person may not request further review of an order.

Offences

99 (1) A person who contravenes any of the following provisions commits an offence:

...

(k) section 42 *[failure to comply with an order of a health officer]*, except in respect of an order made under section 29 (2) (e) to (g) *[orders respecting examinations, diagnostic examinations or preventive measures]*;

Excerpts of the *Liquor Control and Licensing Act* [SBC 2015] Chapter 19

Conduct at event site or in establishment, service area or liquor store

61 (2) A licensee or permittee or an employee of either must not

(a) sell or serve liquor to an intoxicated person or a person showing signs of intoxication, or

(b) allow

(i) a person in a service area to become intoxicated,

(ii) an intoxicated person to enter or remain in a service area,

(3) A licensee or permittee or an employee of either may,

(a) if he or she believes a person is intoxicated,

(i) request that the person leave a service area, or

(ii) forbid the person from entering a service area,



Notice of Rescission of a Permission to Occupy Crown Land

November 23, 2020

The Minister of Forests, Lands, Natural Resource Operations and Rural Development (the “Ministry”) is responsible for the management of most Crown land in British Columbia, under the authority of the *Land Act* RSBC 1996 Ch. 245.

Access to Crown land may be had through the issuance of tenures under the *Land Act*, or through a permission granted by the Ministry to members of the public under the Permission Policy. The permission to use Crown land is a bare licence which may be limited or rescinded to a greater or lesser extent, from place to place, and from time to time. The Permission Policy authorizes, families, charities and non-profit recreational groups to organize short term events on Crown land, for up to 200 participants (“Organized Events”).

In support of the efforts to reduce the rate of spread of the COVID-19 virus in BC, on June 8, 2020 the Ministry limited access to all Provincial Crown land under its administration, for Organized Events which were not in accordance with the Provincial Health Officer’s orders regarding mass gatherings (the “Mass Gathering Order”). The Provincial Health Officer has subsequently repealed the Mass Gathering Order and replaced it with an order regarding gatherings and events (the “Gatherings and Events Order”). On November 19, 2020 the Provincial Health Officer directed that all events and community-based gatherings as defined in the Gatherings and Events Order are suspended.

Therefore, the Ministry is rescinding permission for persons to be on Crown land throughout the Province of British Columbia for the purpose of all Organized Events. This rescission is effective on November 23, 2020 and will remain in effect until further notice.

Use and occupation of Crown land without lawful authority is contrary to the *Land Act* and is trespass. Persons found using or occupying Crown land for the purpose of Organized Events may face administrative remedies or trespass charges under s. 59 and 60 of the *Land Act*.

For greater clarity, persons exercising Aboriginal Rights recognized and affirmed by section 35 of the *Constitution Act*, 1982 may continue to access Crown land.

Rick Manwaring
Associate Deputy Minister
Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Updated Banner for Posting on FCBC Permission Webpage:

<https://portal.nrs.gov.bc.ca/web/client/-/using-crown-land-without-submitting-an-application>

UPDATE: Please note that in support of the efforts to reduce the rate of spread of the COVID-19 virus in British Columbia the Ministry of Forests, Lands, Natural Resource Operations and Rural Development has rescinded the permission for persons to be on Crown land throughout the Province of British Columbia for the purpose of all organized events until further notice.

MEETING BULLETS

DATE: December 9, 2020

PREPARED FOR: John Allan, Deputy Minister, Ministry of Forests, Lands, Natural Resources and Rural Development

REGARDING: Meeting with HeliCat Canada and Canadian Mountain Holidays

SUMMARY:

- Meeting with Helicopter and Cat Skiing stakeholder association and key industry representatives to clearly articulating the province's goals and objectives in managing disturbance to wildlife (particularly SAR) and to seek sector cooperation.
- Helicat Canada has expressed concern with inconsistent approaches for wildlife management that are being applied to the sector. These inconsistencies are a result of specific regional differences in wildlife status or risk, however there is value in collaborating with the sector to improve management guidelines.
- BC Government is building an amended approach to ensure decisions and management actions are providing needed information and are consistently applied to Helicopter supported recreation across the province to support caribou recovery goals.

Caribou Recovery

- Published research indicates that intensive snowmobiling, helicopter and snowcat activities can disturb caribou, increase stress responses, and displace them from preferred habitats, thereby putting them at risk of predation or reduced survival.
- These factors limit opportunities for recovery and increase the risk to caribou in BC.
- Disturbance related to snowmobiling and helicopter supported commercial recreation is not possible to quantify or measure, due to a complete lack of information related to the location, intensity of duration of activities.
- Commercial snowmobile, helicopter and snowcat skiing operators have extensive tenure areas, allocated under the *Land Act*. These Licenses of Occupation require operators to submit a Management Plan that meets various policies including the Adventure Tourism Policy and the Wildlife Guidelines for Backcountry Tourism / Commercial Recreation in BC.
- Currently, there is no way to monitor activities to determine if operators are adhering to the wildlife mitigation strategies committed to in their Management Plans in caribou recovery areas.
- The Adventure Tourism Policy was last updated in 2013 and does not currently include guidance for operators working in caribou habitat. The Wildlife Guidelines for Backcountry Tourism / Commercial Recreation in BC was last updated in 2006 and contains outdated guidance for operators working in caribou habitat.
- In the past, Resource Stewardship Division staff have negotiated MOU with HeliCat Canada that included guidance for operators working in caribou habitat. The previous MOU expired in June 2017 and has not been renewed, largely because HeliCat Canada insisted on full editorial control of how such information would be used by the Province. Operators have since stopped sharing caribou sighting data with government, severely limiting the Province's ability to report on the sector's activities in caribou habitat or to assess potential impacts of the sector's activities on caribou.
- Commercial snowmobile operations have been managed directly through the tenure agreements by limiting access to areas important for caribou recovery.

STRATEGIC CONSIDERATION AND MESSAGES:

- Given the negative impact that snowmobile, helicopter and snowcat operations can have on caribou, and the lack of information about sector activities currently being shared, ministry staff will be proposing an update to the *approach to tenures and permits for adventure guiding* and the *Wildlife Guidelines for Backcountry Tourism / Commercial Recreation in BC* to better support caribou recovery and enhance oversight of commercial snowmobile, helicopter and snowcat tenure holders.
- Amending the Wildlife Guidelines for Backcountry Tourism/Commercial Recreation to address these challenges will help ensure that a consistent approach is applied in all regions.
- These amendments will also allow government staff to work with sector/company reps to better understand potential issues related to helicopter disturbance and allow for collaborative solutions to be developed
- The updates are informed by current research on caribou recovery and the need to be able to report to Canada under the *Species at Risk Act* on activities on crown land that impact caribou recovery. The updates will include:
 1. Updated guidelines on operating within caribou habitat. This will include information on caribou habitat locations and definitions, snowmobile closures, as well as a requirement to record and report caribou sightings and stay at least 2km horizontal and 500 meters vertical away from any observed caribou, assumed locations based on recent tracks, or most recent location obtained from satellite collars. The 2km threshold is based on recent research conducted on the sector.
 2. A requirement to submit all flight and snowcat GPS track data associated with the *Land Act* tenure(s). This data will allow the ministry to monitor operators to ensure they are complying with the guidelines and inform development of collaborative mitigation strategies to reduce risks to caribou. *HeliCat Canada has resisted requests to share GPS track data and have proposed an alternative approach based on sharing detailed ski run operations. Ministry staff are reviewing this proposal; however, it is not considered to be a viable alternative to achieve caribou recovery objectives.*
 3. Updated reporting requirements on caribou sighting and a streamlined format for data reporting that will save time for operators.
- Stakeholder Engagement on management/policy changes is expected in 2021.
- In addition to updating policies, the Provincial Caribou Recovery program implemented a pilot program last season within the range of the Central Selkirk herd. This herd is down to only 26 animals and is heavily impacted by snowmobile, helicopter and snowcat skiing operators. The pilot program utilized caribou radio collar data to provide an accurate update to operators on no ski /fly/snowmobile zones. The pilot program is targeted to the Central Selkirk herd due to the high proportion of GPS collars on the remaining caribou which allows for accurate and timely updates for operators.
- The utility of using this pilot approach in other locations is being assessed .
- Local snowmobile clubs welcomed this pilot

PREPARED BY:

Darcy Peel
Director Strategic initiatives
Species at Risk Recovery

REVIEWED BY:

	Initials	Date
DM		
Associate DM		
DMO		
ADM	DM	December 3, 2020
Program Dir/Mgr.	RL	December 3, 2020

BRIEFING NOTE FOR INFORMATION

DATE: January 4, 2021

PREPARED FOR: John Allan, Deputy Minister of Forests, Lands, Natural Resource Operations and Rural Development
Rick Manwaring, Associate Deputy Minister of Forests, Lands, Natural Resource Operations and Rural Development

ISSUE: Requirement to use new compliance report for Access, Information Security, Privacy and Records Management Training

BACKGROUND:

- Access, Information Security, Privacy and Records Management Training (IM 117) is mandatory training for all employees in the BC Public Service.
- People and Workplace Strategies Branch (PAWS) provides compliance reporting for mandatory training, including IM 117, using data received from the BC PSA.
- This report excludes some categories of employees – for example most BCWS auxiliaries (except for some supervisors).
- Recently, the Learning Center has launched a new compliance report that does not include any of these previous exclusions.
- Using the new compliance report changes the ministry compliance rate downwards by approximately 10% (for BCWS 13%).
- This is the report that will be used for formal corporate compliance reporting.

DISCUSSION:

IM 117 is a mandatory, self-directed, e-learning course that will familiarize or refresh government employees with information management requirements and introduce practices and controls that will empower employees to act as good stewards of the information they create and receive. The course focuses on records management requirements, the proactive disclosure of information, the duty to assist an FOI (Freedom of Information) applicant, and proper search for records, and concludes with a reminder of our collective privacy obligations, including what to do in the event of an information incident or privacy breach *<taken from The Learning Center abstract>*

Employees must have an IDIR account and a computer to access this training.

Previously, BCWS auxiliaries were not required to take this training. The NRM Privacy Management Branch, Information Innovation and Technology Division, and the Privacy, Compliance and Training Branch (PCT) at CITZ have confirmed that IM117 should be taken by all BC Public Service employees. BC WS auxiliaries are included because they are still generating government records.

In order to align with corporate direction, PAWS will begin using the new compliance report for the next reporting period. This will likely generate questions from BCWS given that their compliance rates will be lower. This will also impact the ministry's overall compliance rate. See appendix 1.

In addition to the new compliance report, we are advised that BCWS will need to have their auxiliaries participate in this training. We have been told by PCT that there are alternative means of delivering the training with support from CITZ. Ian Meier, Executive Director, BC Wildfire Service has been advised and we have recommended that he connect directly with the Ministry Privacy Officer and/or Privacy, Compliance and Training Branch at the Ministry of Citizen Services for next steps. This will also need to include a method of capturing the training into the system so that it is included in the compliance report.

CONCLUSION:

The next update using the new compliance report is expected to be provided to ADMs by the end of January 2021.

Attachment(s):

Appendix 1 – Mandatory Training Status Comparison

PREPARED BY:

Carolyn Young
Executive Director, People &
Workplace Strategies Branch
Corporate Services for Natural
Resource Ministries
(250) 514-5448

REVIEWED BY:

	Initials	Date
DM		
Associate DM		
DMO		
ADM	TD	Jan 5/21
Program Dir/Mgr.	CY	Jan4/21

Appendix 1 – Mandatory Training Status Comparison

**Table: Mandatory Training Status Update - IM117 -
September 30, 2020**

Division and Branch/Region	Source: Learning Centre's Compliance Dashboard)		Source: CIO Corporate Privacy Training Report		Compliance Dashboard Compared to Corporate Privacy Training Report
	Headcount (Active/Leave) ^[1]	% Compliant or Exempt (On Leave) ^[2]	# Required Employees to Complete IM117 ^[3]	% Completed ^[4]	
Associate Deputy Minister's Office	9	88.89%	8	87.50%	1.39%
BC Timber Sales Headquarters	88	97.73%	87	97.70%	0.03%
BC Wildfire Service	1,383	44.40%	280	57.86%	-13.46%
Corporate Services for the Natural Resource Ministries	344	96.51%	336	96.43%	0.08%
Deputy Minister's Office	44	95.45%	44	95.45%	0.00%
Forest Policy and Indigenous Relations	81	81.48%	78	80.77%	0.71%
Integrated Resource Operations	312	95.19%	299	94.98%	0.21%
Office of the Chief Forester	259	82.24%	254	82.28%	-0.04%
Regional Operations - Coast Area	646	97.68%	628	97.61%	0.07%
Regional Operations - North Area	704	95.31%	679	95.14%	0.17%
Regional Operations - South Area	971	90.53%	939	90.20%	0.32%
Resource Stewardship	153	88.24%	147	88.44%	-0.20%
Rural Opportunities, Tenures and Engineering	147	95.92%	139	95.68%	0.23%
FLNRORD Total	5,141	80.04%	3,918	90.48%	-10.44%

^[1] Information was based on data for active and regular employees who were active or on leave as of September 30, 2020, as accessed via the Learning Centre's Compliance Dashboard October 1, 2020.

^[2] % Compliant or Exempt: The number of employees who were compliant or exempt from IM117 due to leave of absence divided by the headcount. Note that employees on STIIP will still have an "active" HR status in the system.

^[3] The figures report on those who were identified as required to complete IM117 in the CIO Corporate Privacy Training Report as of September 30, 2020, as accessed via the BC PSA's HR Analytics website on that date.

^[4] % Completed = the number of required employees who have completed the course/# required employees to complete IM117 (as identified in the CIO Corporate Privacy Training Report)

BRIEFING NOTE FOR INFORMATION

DATE: December 10, 2020

PREPARED FOR: Honourable Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations and Rural Development

ISSUE: Release of audit report of Heritage Branch policy and programs

BACKGROUND:

- In 2019, the ministry's Heritage Branch entered a Memorandum of Understanding (MOU) with the First Peoples' Cultural Council (FPCC), to share expertise and knowledge in Indigenous Cultural Heritage planning, management and conservation. Heritage Branch has since partnered with FPCC on several collaborative projects designed to safeguard and revitalize Indigenous Cultural Heritage (ICH) in British Columbia (BC).
- FPCC is an Indigenous-run Crown Corporation with the legislated mandate to support the revitalization of Indigenous languages, arts, culture and heritage in BC.
- As part of this collaboration, Heritage Branch commissioned an audit of its own policies and programs through FPCC, which worked with renowned academics specializing in Indigenous Cultural Heritage. This academic review consisted of reviewing written materials but did not include interviews. The objective of this study is not only to ensure inclusive cultural heritage in B.C. by recognizing Indigenous worldviews, experience and perspectives but to decolonize it by deconstructing colonial ideologies and structures.
- The three specific tasks of the report were to:
 - review Heritage Branch policies, programs, guidelines and legislation;
 - conduct research on good practices and approaches to initiatives, programs, policies and legislations that relate to ICH; and
 - summarize findings and develop recommendations to help decolonize government legislation and process affecting ICH.
- The resulting audit titled 'Recommendations for Decolonizing British Columbia's Heritage-Related Processes and Legislation' (see Attachment 1) is complete. The report has been shared with the Heritage Branch and will be made available to the public on FPCC's website before the end of 2020.
- The report provides ten recommendations, many of which reflect those in the September 2019 published FPCC Policy Paper titled Recognizing and Including Indigenous Cultural Heritage in B.C. (<https://fpcc.ca/resource/heritage-policy-paper/>). FPCC's two-page policy paper fact sheet is also attached (see Attachment 2).

DISCUSSION:

The audit report is a synthesis of directed research and analysis of the Heritage Branch's policies, programs, guidelines and laws. Its goal is to aid with developing more inclusive, collaborative opportunities for ICH management and stewardship in BC. The directness and clarity of the findings is intended to support planning timely and meaningful action. The report is the first phase in a multi-year

effort to access and determine options for achieving equitable spaces and opportunities to recognize, include and revitalize ICH in BC.

Heritage Branch considers the audit an embodiment of reconciliation; the initiative underlines the importance of ensuring that dated policies and programs are revised to reflect best practices that are appropriate, transparent, and support Indigenous human rights as described in the *Declaration on the Rights of Indigenous Peoples Act*. BC's approach to facilitating Indigenous leadership in the safeguarding of Indigenous cultural heritage is considered groundbreaking in Canada and reflects the provincial government's commitment to reconciliation with Indigenous peoples.

Heritage Branch also acknowledges that the process of modernizing policies and programs is not yet complete. The branch has work to do but it has also started addressing some of the criticisms and recommendations gathered through initial engagement. In particular, the branch is developing a response report that focuses primarily on what actions Heritage Branch will take to realize these recommendations (in addition to recommendations received from the broad heritage sector), with a release of that report anticipated in early 2021. Work planning and priority setting is underway to address additional recommendations, including continued Indigenous engagement, which is planned through partnership with First Peoples' Cultural Council in 2020-21.

SUMMARY:

The audit report reflects continued collaboration and relationship-building to achieve genuine shared goals between the Heritage Branch and FPCC. The report identifies both challenges and opportunities for improving and supporting Indigenous cultural heritage in British Columbia. The Heritage Branch continues to address recommendations put forth by this assessment and will keep the Minister apprised of additional actions that respond to these recommendations, including those put forth in the Heritage Branch Summary and Response report (working title), to be released in early 2021.

Attachment(s):

Attachment 1: Recommendations for Decolonizing British Columbia's Heritage-Related Processes and Legislation

Attachment 2: FPCC ICH Fact Sheet

PREPARED BY:

Judith Cook
Heritage Planner
Heritage Branch
778-698-4180

REVIEWED BY:

	Initials	Date
DM		
Associate DM		
DMO		
ADM		
Program ED	JG	December 15, 2020
Program Dir/Mgr.	RL	December 10, 2020

Recommendations for Decolonizing British Columbia's Heritage-Related Processes and Legislation

Copyright



FIRST PEOPLES'
CULTURAL COUNCIL

Prepared by:
David M. Schaepe
George Nicholas
Kierstin Dolata

DECEMBER 2020

Page 037 of 229 to/à Page 110 of 229

Withheld pursuant to/removed as

Copyright

Page 111 of 229 to/à Page 112 of 229

Withheld pursuant to/removed as

s.13 ; s.16

BRIEFING NOTE FOR INFORMATION

DATE: 6 January 2021

PREPARED FOR: John Allan, Deputy Minister of Forests, Lands, Natural Resource Operations and Rural Development

ISSUE: Cross-Ministry Support for First Peoples Cultural Council's Business Plan

BACKGROUND:

- First Peoples Cultural Council (FPCC) is a Crown Corporation of the Ministry of Indigenous Relations and Reconciliation (MIRR) responsible for providing leadership for the revitalization of Indigenous languages, arts, culture and heritage in B.C.
- DM Caul (MIRR) has invited leadership and key staff from FLNR, TAC and ENV to a presentation (led by FPCC's Chief Executive Officer, Tracey Herbert) of FPCC's business plan for the period 2021-26 (Attachment 1). The plan proposes work that seeks to align with aspects of each of these responsibility areas. These intersections are currently recognized through ad hoc collaborations and funding.
- MIRR provides ~\$1M per annum for FPCC operations; TAC's BC Arts Council, provides \$1.5M per annum to stimulate Indigenous arts programs; and for the last two years FLNR has provided \$0.2M per annum to facilitate the development of FPCC's new heritage program. FPCC receives ~\$13M from federal ministries and other revenue sources.
- FPCC also administers a \$50M grant provided in 2018 to help revitalize Indigenous languages. In fiscal 21, FLNR partnered with FPCC to administer a \$4M grant as part of the Unique Heritage Infrastructure stream of the Community Economic Recovery Infrastructure Program (CERIP) to stimulate economic recovery via the development of Indigenous cultural heritage infrastructure in the wake of the pandemic.
- Heritage Branch (FLNR – Integrated Resource Operations Division) is responsible for non-archaeological cultural heritage under the *Heritage Conservation Act*. In response to government's commitment to reconciliation, in 2019/2020, Heritage Branch and FPCC signed a Memorandum of Understanding to share expertise and knowledge and initiate collaborative projects. Heritage Branch will present a summary of the collaboration at the meeting (see Attachment 2).
- Former FLNR Minister Donaldson had very positive meetings about the collaboration with FPCC's Tracey Herbert and heritage manager, Karen Aird in February 2019 and July 2020.

DISCUSSION:

s.12; s.13; s.16

MINISTRY RESPONSE:

- Reiterate the continuing importance of FLNR's relationship with FPCC within the heritage realm of their mandate and thank them for being open to exploring a new policy approach with the Heritage Branch.
- Thank DM Caul for illustrating how various mandates intersect with the work of FPCC.
- Acknowledge the benefits of a coordinated cross-ministry approach that is inclusive of FPCC's full mandate.
- Express willingness to provide executive support to MIRR as it moves forward to seek comprehensive funding for implementation of FPCC's business plan.



Attachment(s): Attachment 1 – FPCC Business Plan 2021-26; Attachment 2 - Heritage
Branch / FPCC Collaborations

PREPARED BY:

Richard Linzey
Director
Heritage Branch
(778) 698 4184

REVIEWED BY:

	Initials	Date
DM	JA	2021.01.11
Associate DM		
DMO		
ADM	MA	2021.01.08
ED	JG	2021.01.08

s.12; s.13; s.16

Page 116 of 229

Withheld pursuant to/removed as

s.12 ; s.13 ; s.16

MEETING BULLETS

DATE: February 11, 2021

PREPARED FOR: John Allan, Deputy Minister of Forests, Lands, Natural Resource Operations and Rural Development

REGARDING: Meeting with John Bergenske, Wildsight, regarding *Forest and Range Practices Act* and old growth management.

SUMMARY:

- Wildsight is a Kootenays based environmental organization and John Bergenske is a Conservation Director. Wildsight provided input to proposed *Forest and Range Practices Act* (FRPA) changes in 2019. Wildsight is also interested in the province's approach to the old growth management strategic review.
- FRPA amendments are supported through the FRPA Public Advisory Committee (PAC). The PAC has environmental representation through Lisa Matthaus (Organising for Change) and is co-chaired by Garry Merkel, one author of the old growth report. The PAC has been on hold due to the election and will be reconvening after briefings with Minister Conroy.
- Wildsight has expressed FRPA support for: landscape level forest planning; ensuring governments control natural resources; allowing decision makers to reject forest plans when necessary; meaningful collaboration with Indigenous Nations; reduction of resource roads when not needed; prioritizing ecosystem health; reducing cumulative effects; and ensuring tourism as a FRPA value.
- Wildsight is supportive of ensuring the provincial government acts on all 14 recommendations from the old growth report.

s.12; s.13

PREPARED BY:

Brian Bawtinheimer
Executive Director
Resource Stewardship Division
(250) 888-0620

REVIEWED BY:

	Initials	Date
DM	JA	2021.01.11
DMO		
ADM - OCF	DN	Jan 11, 2021
ADM - RSD	DM	Jan 11, 2021
Program Dir/Mgr.	BB	Jan 10, 2021

Page 118 of 229

Withheld pursuant to/removed as

s.12 ; s.13

Page 119 of 229

Withheld pursuant to/removed as

s.12

BRIEFING NOTE FOR INFORMATION

DATE: January 12, 2021

PREPARED FOR: John Allan, Deputy Minister, Ministry of Forests, Lands, Natural Resource Operations and Rural Development

ISSUE: Forest Enhancement Society of BC's 2021-22 Mandate Letter Priorities

BACKGROUND:

- The Forest Enhancement Society of BC (FESBC) was established in February 2016 under the *Societies Act*, and was provided \$235 million in grants to advance and advocate for the environmental and resource stewardship of British Columbia's forests. In September 2020, FESBC was provided an additional \$3 million to deliver projects in fiscal year 2020/21 to support economic recovery.
- On April 10, 2019, FESBC was made a Government Reporting Entity by regulation under section 24 (2) (d) (i) of the *Budget Transparency and Accountability Act*. FESBC has received an annual mandate letter from FLNRORD since 2017.

s.12; s.13

Page 121 of 229

Withheld pursuant to/removed as

s.12 ; s.13



PREPARED BY:

Sandy Postings
Manager, Corporate Planning and Performance
Associate Deputy Minister's Office
250-380-8565

REVIEWED BY:

	Initials	Date
DM	JA	2020.01.11
Associate DM		
DMO		
ED	MH	Jan 11 2021
Program Dir/Mgr.		

BRIEFING NOTE FOR INFORMATION

DATE: January 7, 2021

PREPARED FOR: Honourable Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations and Rural Development

ISSUE: Community Economic Recovery Infrastructure Program Implementation – Unique Heritage Infrastructure

BACKGROUND:

Under the Community Economic Recovery Infrastructure Program (CERIP), announced September 17, 2020 as part of the B.C.'s Economic Recovery Plan, the Province committed up to \$100M to sustain B.C. jobs through infrastructure investments in tourism, heritage, and urban and rural economic infrastructure development, supporting small, shovel-ready projects.

In addition to a separate \$10M stream managed by Ministry of Children and Family Development to support Aboriginal Head Start outdoor play spaces, there are four application-based funding streams:

Funding Stream	Allocation	Responsible Ministry
Community Economic Resilience (CER)	\$30M	Municipal Affairs
Destination Development (DD)	\$20M	Tourism, Arts, Culture and Sport
Unique Heritage Infrastructure (UHI)	\$20M	FLNR - Heritage Branch
Rural Economic Recovery (RER)	\$20M	FLNR - Rural Policy and Programs Branch

UHI supports projects to repair built cultural heritage infrastructure, including heritage structures, cultural heritage sites, facilities that support the transmission of intangible cultural heritage and traditional practice, as well as culturally significant heritage landscapes and trails. UHI also supports improving public access to cultural heritage and strengthening awareness of provincial heritage stewardship policy.

Unlike the other three streams of CERIP which are being managed directly by the responsible ministries, the UHI stream has been managed independently through established community partners (Heritage BC and First Peoples' Cultural Foundation) via Shared Cost Arrangements. Both partners have a strong track record for delivering and managing grant and infrastructure programs to support cultural heritage projects that are aligned with government's objectives.

A portion of the UHI stream (20% or \$4M) has been allocated to fund Indigenous Cultural Heritage Infrastructure Grants (ICHIG). ICHIG is jointly administered by the First Peoples' Cultural Council (FPCC) and the First Peoples' Cultural Foundation (FPCF), Indigenous-led organizations that worked together to design ICHIG to be culturally appropriate and respectful of Indigenous needs during the pandemic while continuing to align with CERIP's main objectives.

The remaining portion of the UHI stream (80% or \$16M) is managed by Heritage BC, a not-for-profit organization that facilitates the preservation of cultural heritage in the province. Heritage BC is the FLNRORD minister's appointed administrator of the Heritage Legacy Fund, an endowment fund originally established in 2001 by the Province to fund community heritage projects.

The CERIP intake ran October 1-29, 2020 (FPCC's ran until November 12). BC and FPCC led the adjudication process (Attachment 1) involving panels of Indigenous and non-Indigenous cultural heritage experts and leaders, selected the projects that will receive funding, and are preparing to

enter into contribution agreements with the successful applicants. Ministry staff supported the review process and will ensure ongoing engagement, oversight and project evaluations. A dedicated Deputy Minister's Committee met December 16 to review CERIP progress.

DISCUSSION:

The UHI stream of CERIP is the largest fund ever launched by the Province specifically to support rehabilitation of cultural heritage infrastructure in B.C.'s communities. As shown in the table below, while all streams are oversubscribed, UHI received the greatest number of applications (263) and the highest value of applications (over \$119M). Projects were capped at \$1M for the Heritage BC stream and at \$400,000 for the ICHIG.

Program Stream	Number of Applications	Total Funding Requested	Available Funding	Oversubscription
CER	213	\$118,090,539	\$30,000,000	\$88,090,539
DD	202	\$98,448,182	\$20,000,000	\$78,448,182
RER	144	\$86,558,568	\$20,000,000	\$66,558,568
UHI	263	\$119,625,633	\$20,000,000	\$99,625,633
Total	822	\$422,722,922	\$90,000,000	\$332,722,922

Details on UHI applications for Indigenous and non-Indigenous led projects are provided below:

UHI Stream	Number of Applications	Funding Requested	Available Funding	Approved Projects	Oversubscription
Non-Indigenous	159	\$73,624,654	\$16,000,000	68	\$57,624,657
Indigenous	104	\$46,000,979	\$4,000,000	11	\$42,000,979
Total	263	\$119,625,633	\$20,000,000	79	\$99,625,633

The variety of proposed and approved projects illustrates the richness of B.C.'s heritage and the vast need for heritage infrastructure funding in the province. Examples of approved projects include: the restoration of a heritage courthouse in Atlin for community use; the restoration of a protected Japanese internment memorial centre in New Denver as a community museum; the building of structures to protect the spiritually significant Tse'k'wa cave site and associated cultural artefacts; and the construction of a traditional pit house on the grounds of an existing cultural heritage centre in Osoyoos (Attachment 2). The geographical distribution of all CERIP projects, including UHI, is illustrated in Attachment 3.

NEXT STEPS:

- UHI delivery partners (Heritage BC and FPCC/FPCF) will enter into contribution agreements with successful applicants in February, in alignment with the other CERIP streams.
- UHI delivery partners will announce their respective projects but will coordinate their timing with the other CERIP streams (announcements are currently embargoed).
- Government Communications & Public Engagement proposes ministerial quotes be provided to our delivery partners to be used in their announcements (respecting independence of the process).
- UHI delivery partners will provide feedback to unsuccessful applicants prior to March 31st, 2021.
- UHI delivery partners will perform ongoing monitoring to ensure successful project delivery.
- Heritage Branch will support scheduled report backs to Treasury Board on the broader program (coordinated through Municipal Affairs).



Attachment 1: UHI Adjudication Process
Attachment 2: UHI Supported Projects
Attachment 3: Maps – all CERIP streams and UHI

PREPARED BY:

Richard Linzey
Director, Heritage Branch
Integrated Resource Operations
250-812-6826

REVIEWED BY:

	Initials	Date
DM		
Assoc DM	RM	2021.01.12
DMO		
ADM	MA	2021.01.11
Program ED	JG	2021.01.10

Page 126 of 229 to/à Page 132 of 229

Withheld pursuant to/removed as

s.13 ; s.16

Attachment 3: Maps – all CERIP streams and UHI (by economic region)

All Streams Chart



CERI_Program_Distri
bution_All_Streams_C

All Streams Total



CERI_Program_Distri
bution_All_Streams_T

UHI



CERI_Program_Distri
bution_UHI_Overview

BULLETS

DATE: January 11, 2021

PREPARED FOR: Honourable Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations and Rural Development

REGARDING: McBride Community Forest Corporation - concerns around their issued authorization to harvest and process timber

SUMMARY:

- McBride Community Forest Corporation (MCFC) submitted an area based Cutting Permit (1CP) application that is currently being consulted with affected First Nations. The 1CP process allows the tenure holder the ability to harvest throughout their tenure area over the next five-year period.
- Their current 1CP expires on January 20, 2021 and the consultation completion date is at minimum February 4, 2021 resulting in a little over 2 weeks with no active cutting permit (CP) and therefor the logging contractor will not be able to work.
- Several First Nations are requesting a further archaeological review. Since the one CP1 process allows harvesting throughout the tenure, the archaeological review would need to take place on that complete area which will take an additional 3-6 months to complete prior to the approval of the 1CP.
- The Prince George Natural Resource District (PGNRD) provided options to MCFC to allow them to harvest this winter, however, both options will result in CP approval after consultation is complete and no earlier then February 4, 2021.

STRATEGIC CONSIDERATION AND MESSAGES:

- The PGNRD has agreed to issue a regular CP on a defined area once consultation is complete allowing for MCFC to continue harvesting this winter pending no further concerns from First Nations.
- The PGNRD will continue to work with the MCFC on their 1CP application for future harvest during this five-year period
- The 1CP authorization process for area-based tenures was developed years ago and is challenging to continue fully implement in relation to the implementation of the FN reconciliation mandate for increased involvement, input and revenue sharing.

PREPARED BY:

John Huybers, RPF
District Manager
Prince George Natural Resource District
(250) 552-2364

REVIEWED BY:

	Initials	Date
DM	JA	Jan 15, 2021
Associate DM		
DMO		
ADM	EO	Jan 15, 2021
RED	GR	Jan 11, 2021

Page 135 of 229 to/à Page 137 of 229

Withheld pursuant to/removed as

s.13 ; s.16



PREPARED BY:

Kate Hughes
Manager Intergovernmental Relations
Office of the Chief Forester
(250) 886-2007

REVIEWED BY:

	Initials	Date
DM	JA	2021.01.19
Associate DM		
DMO		
ADM	DN	Jan 18 2021
Program Dir/Mgr.	KH	Jan 15 2021

Page 139 of 229 to/à Page 175 of 229

Withheld pursuant to/removed as

s.13 ; s.16

INFORMATION BULLETS

DATE: January 25, 2021

PREPARED FOR: The Honourable Katrine Conroy, Minister, Forests, Lands and Natural Resource Operations and Rural Development

REGARDING: Potential Meeting with Minister Conroy, pre-brief for media interview regarding private land logging near Cottonwood lake (Nelson BC)

SUMMARY:

- Jeff Davies, Freelancer will interview Minister Conroy (see Appendix 1 for topics).
- s.13; s.16
- The society was formed in January of 2019 by local concerned citizens to save the land.
- The society has funding target of \$400,000 and appears very close to achieving their goal.
- s.13; s.16
-
- Over past number of years Union of BC Municipalities have endorsed resolutions calling on the province to address the issue of private land logging.

STRATEGIC CONSIDERATION AND MESSAGES:

- The land in question was rural forested land that was not part of a government program.
- Local government would be responsible for land use zoning and faces challenges prioritizing resources to undertake the planning work to implement development oversight on private parcels.
- Citizens are increasingly placing higher value on the protection of green spaces surrounding their communities.
- s.13; s.16
- Minister looks forward to learning about the PMFL Program review before releasing the recommendations.

Attachment(s): Appendix 1 - FLNRO Media Request: Cottonwood Lake
Appendix 2 – Updated 2021 2020-21 Estimates Debate Note_Private Managed Forest Land Program Review

PREPARED BY:

Patrick Russell
Manager, Timber Tenures
Forest Tenures Branch
(778) 974-2483

REVIEWED BY:

	Initials	Date
MO		
DMO	JA	2021.01.25
ADM		
ED	RE	Jan 25, 2021
Program Dir/Mgr.	PR/DK	Jan 25, 2021

Page 177 of 229 to/à Page 181 of 229

Withheld pursuant to/removed as

s.13

BRIEFING NOTE FOR INFORMATION

DATE: January 23, 2021

PREPARED FOR: Honourable Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations, and Rural Development

ISSUE: Spotted Owl Imminent Threat Determination by Environment Climate Change Canada.

BACKGROUND:

- In October 2020, Ecojustice sent a letter to Minister Wilkinson, petitioning that Environment and Climate Change Canada (ECCC) immediately invoke Section 80 of the *Species at Risk Act* (SARA) to apply an emergency order for the protection of Spotted Owl and their habitat in British Columbia, specifically for the Spuzzum and Utzlius creek watersheds. There is one owl in the Utzlius creek area and one pair in the Spuzzum creek area. Ecojustice is specifically seeking to stop all logging activities in these areas.
- There is over 281,000 ha of legally protected Spotted Owl habitat; enough to support a long-term population target of 125 breeding pairs.
- The current habitat protections include 3,027 ha area around the Spuzzum pair, and 18,018 ha around the Utzlius owl, both of which are larger than the recommended home range. Outside of these protected areas there are several harvest blocks that are active, or in development.
- SARA requires ECCC to complete an Imminent Threat Assessment and determine if a Section 80 Order is warranted.

s.13; s.16

Page 183 of 229

Withheld pursuant to/removed as

s.13 ; s.16



s.13; s.16

PREPARED BY:

David Muter
ADM Resource Stewardship
(250) 217-5385

REVIEWED BY:

	Initials	Date
DM	JA	2021.01.25
Associate DM		
DMO		
ADM	DM	2021.01.25
Program Dir/Mgr.		

Page 185 of 229 to/à Page 221 of 229

Withheld pursuant to/removed as

s.13 ; s.16

BRIEFING NOTE FOR INFORMATION

DATE: January 25, 2021

PREPARED FOR: John Allan, Deputy Minister, Ministry of Forests, Lands, Natural Resource Operations and Rural Development

ISSUE: Meeting with CAS ADM, Jeremy Hewitt, and ENV DM, Kevin Jardine, to discuss Climate Preparedness and Adaptation Strategy public release and funding

BACKGROUND:

- The 2018 CleanBC Plan committed government to release a Climate Preparedness and Adaptation Strategy (CPAS) in 2020. The Ministry of Environment and Climate Change Strategy (ENV), Climate Action Secretariat (CAS) is accountable for developing the strategy.
- This commitment was re-confirmed as a government priority in the Minister of ENV's mandate letter, building on previous public commitments including the 2020 Speech from the Throne and StrongerBC.
- The Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) staff are participating in an Inter-Agency Working Group and Executive Director Steering Committee to inform the development of the strategy.
- The Climate Change and Integrated Planning Branch (CCIPB), in the Office of the Chief Forester (OCF) continues to play a coordinating role within the ministry to ensure alignment across the ministry.

s.12; s.13



s.12; s.13

PREPARED BY:

Hayley O'Neil
Policy Analyst
Climate Change and Integrated
Planning Branch
(778)-974-5889

REVIEWED BY:

	Initials	Date
DM	JA	2021.01.29
ADM	DN	Jan 29, 2021
Director	TW	Jan 28, 2021
Policy Analyst	HCLO	Jan 25, 2021

Page 224 of 229 to/à Page 229 of 229

Withheld pursuant to/removed as

s.12 ; s.13