



Bullets

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Environmental Assessment Office

Chris Parks, Environmental Assessment Compliance Officer

Subject: Site C Sediment and Erosion Control Plan

Issue/Background:

- The Site C Clean Energy Project (Project) was issued Environmental Assessment Certificate #E14-02 (EAC) in October of 2014. The EAC included conditions specific to water management, erosion control, and sediment control, including a requirement for an Erosion and Sediment Control (ESC) Plan.
- EAO Compliance and Enforcement (C&E) conducts regular inspections of the Project. In that capacity EAO C&E identified noncompliance with the ESC Plan over a series of inspections in 2015 and 2016.
- In response to the ongoing noncompliance, EAO C&E issued a series of Orders under the Environmental Assessment Act. Those Orders included a requirement issued on April 7, 2016 for a Qualified Professional to prepare an enhanced ESC Plan. BC Hydro complied with that order and provided the required ESC Plan to the EAO.
- As a result of the updated ESC Plan and subsequent enhancements to onsite ESC resources and practice, BC Hydro and their contractors have achieved a significant increase in compliance performance with ESC requirements on the Project
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- The EAO is working with BC Hydro, their contractors, and partner Federal and Provincial regulators to ensure ongoing compliance with the ESC Plan and other EAC requirements. This includes regular site inspections and compliance promotion events to ensure that BC Hydro and their contractors understand and comply with the EAC and other regulatory requirements.

Approved by: Kevin Jardine

**MINISTRY OF ENVIRONMENT AND CLIMATE CHANGE STRATEGY
MEETING INFORMATION NOTE**

November 21, 2017
CLIFF/tracking #: 311276

PREPARED FOR: Honourable George Heyman, Minister of Environment and Climate Change Strategy

DATE AND TIME OF MEETING: Friday, December 6, 2017 from 12:30-1:00pm

ATTENDEES:

Mark Zacharias, Deputy Minister, Environment and Climate Change Strategy
Jim Standen, Assistant Deputy Minister, BC Parks and Conservation Officer Service
Ken Morrison, Manager Planning and Land Administration, BC Parks
Bruce Passmore, Exec. Dir, BC Chapt, Canadian Parks & Wilderness Society (CPAWS)

ISSUE(S): CPAWS wishes to discuss the South Okanagan National Park Reserve; Pathway to Canada Target 1; improving BC Parks; grizzly bear and caribou recovery; and establishing a wildlife connectivity corridor in the Flathead Valley.

BACKGROUND:

1) Proposed National Park Reserve (NPR) in the South Okanagan-Similkameen

On October 27, 2017, the governments of British Columbia and Canada, along with three of the Okanagan Nation communities, announced the renewal of discussions to establish a national park reserve in the South Okanagan. CPAWS was very encouraged by this announcement and issued a supportive news release.

2) Pathway to Canada Target 1:

A Strategic Plan for Biodiversity was adopted in 2010 at the Conference of the Parties for the Convention on Biological Diversity. The plan includes 20 biodiversity targets (known as Aichi Targets) to be achieved by 2020 in order to reverse the decline of biodiversity. In 2015, Canada adopted the “2020 Biodiversity Goals and Targets for Canada.” Canada Target 1, which aligns with the numeric component and focus of Aichi Target 11, states:

By 2020, at least 17% of terrestrial areas and inland waters, and 10% of marine and coastal areas of Canada are conserved through networks of protected areas and other effective area-based measures.

The Pathway to Canada Target 1 is a national initiative aimed at achieving the targets for the protection of terrestrial and inland water areas by 2020. A separate process led by DFO is addressing the marine conservation targets. The framework for Pathway includes a National Steering Committee, National Advisory Panel, an Indigenous Circle of Experts and seven Expert Task Teams all working together to provide advice, guidance and criteria to Ministers to inform the outcomes of the Pathway initiative.

3) Ideas for improving BC Parks, grizzly bear and caribou recovery, and a wildlife connectivity corridor in the Flathead Valley

CPAWS has publicly advocated for increased resources to BC Parks, pushed for the development of species recovery and habitat protection plans and engaged in past discussions on increased wildlife protection and connectivity in the Flathead Valley.

DISCUSSION:

1) Proposed National Park Reserve in the South Okanagan-Similkameen

Working with the federal government and the Okanagan Nation communities to establish a national park reserve is a provincial priority. The three governments will meet shortly to develop a work plan for realizing the establishment of a national park reserve, including identifying boundaries. Public engagement will play a key role in concluding the feasibility assessment and informing management direction going forward. These discussions will also take into consideration the many different interests in the area including the continuation of ranching and recreational activities.

2) Pathway to Canada Target 1

10.6% of Canada is considered protected. 15.3% of BC's land base is protected (including federal designations, provincial Wildlife Management Areas and OECMs). A minimum standards approach will likely be adopted along with the recognition and development of other effective conservation measures (OECMs) and Indigenous Conservation and Protected Areas (IPCAs). The Province is awaiting national guidance on these concepts to inform its work plan to meet the 17% target, which may include expanding the protected areas system through a modernized land use program or upgrading protections afforded to conservation areas that will likely not meet the national criteria.

3) Other ideas for improving BC Parks, grizzly bear and caribou recovery, and a wildlife connectivity corridor in the southern Rockies in the Flathead Valley

Grizzly bear and caribou recovery are provincial priorities, and government is currently investing in a series of habitat and non-habitat recovery measures and developing science-based protection plans. The ministry is also committed to the development of a Species at Risk Act and harmonization of laws to support the protection and recovery of these species.

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SUGGESTED RESPONSE:

As our new government charts the path forward for protecting our environment, advancing reconciliation and creating new and sustainable jobs for British Columbians, CPAWS can be assured that the Province is committed to working with the federal government, First Nations and key stakeholders like CPAWS to achieve these goals. Major initiatives like the establishment of a national park reserve in the South Okanagan, expanding the protected areas system and ensuring that it is properly funded, and developing other wildlife habitat protection and species recovery options will be essential for us to achieve the Pathway to Canada Target 1 goals and increase protection for wildlife habitat and species at risk across the province.

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Author	HD	Oct. 25

**MINISTRY OF ENVIRONMENT AND
CLIMATE CHANGE STRATEGY
MEETING INFORMATION NOTE**

November 9, 2017
File: 280-20
CLIFF/tracking #: 312306

PREPARED FOR: Honourable George Heyman, Minister of Environment and Climate Change Strategy

DATE AND TIME OF MEETING: November 20, 2017, 9:00 am

ATTENDEES:

1. Honourable George Heyman, Minister of Environment and Climate Change Strategy
2. David Suzuki Foundation

ISSUE: Discuss Ministry of Environment and Climate Change Strategy (ENV) priorities including on fugitive methane emissions.

DISCUSSION:

ENV has been making progress on all of its mandate initiatives; updates for each are detailed:

Climate Leadership and Initiatives

- Adding a carbon tax to fugitive and slash burning emissions will be a complicated task and the Government is committed to working with the businesses and industry in British Columbia to protect jobs and ensure our province remains a competitive place to invest.
- We are currently working across Ministries to assess fiscal, policy and legislative implications of broadening the carbon tax to these emissions sources.
- The Climate Solutions and Clean Growth Advisory Council was announced on Monday, October 23, 2017.
- Budget Update September 2017 announced that the carbon tax will increase by \$5/tCO₂e on April 1, 2018 and reach \$50/tCO₂e in 2021. This is an important step to get British Columbia back on track to meet our targets to cut carbon while investing in programs and services that help reduce emissions.
- This Government's first commitment is to make life more affordable for B.C. residents and families. Our goal is to ensure a majority of B.C. families are better off under the new carbon tax approach.
- We are ending the requirement for the carbon tax to be revenue neutral and we will use carbon tax revenue to support families and fund green initiatives.

- In the longer term, using lower carbon fuels and improving the productivity of business and industry will become a competitive advantage for British Columbia and grow low carbon job opportunities.

St Francis Xavier University and the David Suzuki Foundation Fugitive emissions study

- In April, 2017, *Atmospheric Chemistry and Physics* magazine published the results of a study conducted by St Francis Xavier University and the David Suzuki Foundation that estimated British Columbia's methane emissions from oil and gas production.
- The study used a mobile methane detection system that drove past operating and inactive natural gas facilities in BC's Montney gas play to detect the presence of methane in the air.
- The study estimates BC's overall oil and gas sector methane emissions as 2.78 million carbon dioxide equivalent tonnes (Mt CO₂e) per year, higher than the 2 Mt CO₂e reported by facilities under the *Greenhouse Gas Industrial Reporting and Control Act*.
- The Ministry of Environment and Climate Change Strategy and the Oil and Gas Commission have reviewed the study and noted some concerns with the study's methodology that call into question the study's conclusions:
 - The study estimated the average methane emission rate for a facility by using measured ambient methane concentration and back-solving through a computer model taking into account weather-related factors, and concluded an emissions rate of 2.93 m³/hr. The average estimated emission rate used for the study is significantly higher than other analyses which used optical image technology to directly detect leaks at close proximity. The study does not provide enough information to determine whether the dilution factor or meteorological inputs used in the model are reasonable.
 - One sample map from the study showing close proximity of methane sources suggested that there may be a risk of "false positive" results where one well's emissions are attributed to other nearby wells. Further experimentation by the project team is likely necessary to explore potential bias due to field technique and data analysis.
 - In calculating emissions, the study assumed all methane detected was from fugitive or leak-based sources. Some wells had emissions detected just over 50% of the time and in the analysis their leak rate was assumed to be constant and ongoing. Many sources of methane venting are intentional and necessary, and are often short-term and episodic. This may lead to an overstatement of methane emissions.
 - The study appears to use an emissions rate for larger facilities based on research in Pennsylvania that may not be applicable to facilities in BC.
- The study is an interesting field trial of a potential future analysis technique. The Climate Action Secretariat is interested in learning about future developments of the approach and working with the Ministry of Energy, Mines and Petroleum Resources, and Oil and Gas Commission to understand its potential future application.

- The Premier has directed the Minister of Environment and Climate Change Strategy to revitalize the Environmental Assessment (EA) process “to ensure the legal right of First Nations are respected, and the public’s expectation of a strong transparent process is met.”
- This means:
 - **Enhancing Public Confidence:** ensuring impacted First Nations, local communities and governments and the broader public are provided with opportunities to meaningfully engage in, and influence, environmental assessments through all stages of the process;
 - **Pursuing Reconciliation:** integrating Indigenous communities’ values, knowledge, culture and cultural practices and wellbeing into the EA process and seeking consensus with potentially affected First Nations on matters that may impact their rights; and,
 - **Protecting the Environment while Supporting Sustainable Economic Growth** by providing certainty of process and clarity of regulatory considerations: an EA process that is robust, transparent, timely, predictable and provides opportunity for early indications of the likelihood of success.
- EAO is ensuring this work contributes to achieving government’s commitment to fully implement the United Nations Declaration on the Rights of Indigenous People;
- EAO is working to identify the scope and process that will be taken to achieve EA revitalization.
 - Working collaboratively with Indigenous groups over the last two years to identify priority actions to pursue and implement and will continue that engagement;
 - Plans to engage NGOs, academics, Industry, local governments, stakeholders and the public.
- EAO is interested in hearing ideas the David Suzuki Foundation may have on EA revitalization and encourage them to share them during stakeholder engagement opportunities.
- A formal announcement on the process for EA revitalization will be made at a later date.

Kinder Morgan Expansion

- Our government made a commitment to use every tool available to defend BC's interests in the face of Kinder Morgan’s pipeline expansion and increased tanker traffic. Our first step was to appear as interveners in the Federal Court of Appeal hearing. We will continue to explore other legal ways to defend the interests of British Columbians.

Species at Risk Legislation

- There will be opportunity for ENV to engage with stakeholders and the public during the development of legislation on how BC will approach species at risk recovery, including habitat protection. Consultation will begin in the new year.
- Legislation that supports concrete positive conservation outcomes is important.

- By taking into account the social and economic interests of BC's communities and promoting transparency in decision making, we can also better support ecologically sustainable development.

NEXT STEPS:

Discuss ENV priority areas with representatives of the David Suzuki Foundation. Identify contacts for future engagement on particular pieces (e.g. carbon tax and species at risk legislation).

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Author	SH	Nov. 1/17

**MINISTRY OF ENVIRONMENT AND
CLIMATE CHANGE STRATEGY
INFORMATION NOTE**

Dec. 8, 2017
File: 280-30
CLIFF/tracking #: 313182

PREPARED FOR: Honourable George Heyman, Minister of Environment and Climate Change Strategy

ATTENDEES: Washington State Senator Kevin Ranker

ISSUE: Marine oil spill prevention, preparedness and response in the Salish Sea transboundary area

BACKGROUND:

Washington Senator Kevin Ranker has requested a meeting with Minister Heyman to discuss spill management in the Salish Sea transboundary area.

Washington State has a mature spill management program with an industry funding model, strong legislation and regulations, and roughly twice the staff as B.C.'s environmental emergency program. Historically, the Washington Department of Ecology and Senator Maria Cantwell have expressed concerns about B.C.'s level of spill preparedness and response capacity relative to Washington's. These concerns were magnified by the increased potential for transboundary spills posed by the current TransMountain Pipeline proposal. Washington has supported B.C.'s recent strengthening of its response capacity and legislative tools.

Senator Ranker is expected to raise a number of issues: the increase spill risk posed by the TransMountain Pipeline proposal, recent improvements to B.C.'s Environmental Emergency Program, and opportunities for the two jurisdictions to work collaboratively.

DISCUSSION:

Collaboration:

On an operational level, Washington State and B.C. enjoy a close working relationship between their spill management programs. The recent Jake Shearer tug and fuel barge incident on the North Coast is an example of this. During the incident, Washington offered to provide responders through a mutual aid agreement in the event of a large-scale release and B.C. provided Washington with operational updates regarding the potential for transboundary implications. The two agencies also conduct joint spill response exercises and Washington has provided significant technical input into recent improvements to B.C.'s spill legislation and regulations. In addition, B.C. and Washington work together through the following mechanisms:

Pacific States / B.C. Oil Spill Task Force:

The task force is made up of representatives from state and provincial environmental agencies in the Pacific coastal area. It collects and shares data on oil spills, coordinates oil spill prevention projects, and promotes regulatory safeguards. It includes a mutual aid agreement among members.

Transboundary Marine Safety Forum:

B.C. and Washington are currently discussing the potential for a subnational, bilateral marine safety forum that would work to reduce the risks posed by vessel traffic in the transboundary region. The focus of this entity would be marine safety and vessel management. BC has recently proposed a meeting of relevant state and provincial agencies, as well as Canada and U.S. federal agencies, to further scope this concept.

Canada-U.S. Joint Marine Pollution Contingency Plan:

The national-level plan includes three geographic annexes covering the coastal and inland areas of mutual concern. B.C. and Washington participate in working groups for two of those annexes: the Pacific annex (covering the coastal area) and the West Annex (covering the inland border area).

Spill risk in the Salish Sea:

While the current Kinder Morgan pipeline includes a segment running through Washington State to the Cherry Point Refinery, Washington has expressed concern about the increased spill risk posed by the proposed twinning of the line to Burnaby's Westridge Terminal.

Kinder Morgan's Trans Mountain Expansion Project was approved by the federal government with 157 conditions on November 29, 2016. A number of Aboriginal and citizen groups have initiated litigation regarding the federal approval. A provincial Environmental Assessment Certificate for the Trans Mountain Expansion Project was issued on January 11, 2017 with 37 legally-binding conditions. The Environmental Assessment Certificate requires Trans Mountain to develop various environmental management plans in consultation with the Province and Aboriginal groups. Judicial reviews challenging the issuance of the certificate have been commenced by the City of Vancouver and the Squamish First Nation.

The project requires approximately 3,000 provincial permits, under various provincial acts, many of which require First Nation consultation.

SUMMARY:

Both public safety and the protection of the environment must be addressed to mitigate the incremental spill risk resulting from the increasing transport of hazardous materials through B.C.

The federal government is responsible for regulating Marine and inter-provincial transportation in Canada and B.C. is encouraged by the steps they have been taking to strengthen safety rules in these areas.

The Province is working to expand and modernize the provincial spills program including additional staff, new IT infrastructure, and new regulations that will require rail and pipeline companies to do more to be prepared for a spill in B.C.

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Bullets

Cliff# 313127

BC Parks/Provincial Services Branch

Writer: Heather Davies and Amy Thede

Subject: Southern Strait of Georgia NMCAR and Natural Region 7

Southern Strait of Georgia National Marine Conservation Area Reserve:

- BC and Canada have been working collaboratively on determining the feasibility of the proposed national marine conservation area reserve in the Southern Strait of Georgia since 2003, with current efforts focused on joint federal/provincial engagement with the 19 First Nations with interests in the area.
- In 2016, following a significant pause in the project development and staff turnover since 2013, Parks Canada recruited a Project Manager and a First Nations Coordinator who are committed exclusively to this project.
- In February 2017, the Canada/BC Steering Committee reconvened to discuss issues of mutual concern and interest.
- Next steps for the Southern Strait of Georgia National Marine Conservation Area Reserve (SSG NMCAR) proposal include:
 - Complete the development and seek Steering Committee approval for a joint Concept Paper for the SSG NMCAR project to share with the public and guide discussions going forward;
 - Canada to continue to develop Contribution Agreements with the interested Nations to support their interests and involvement in the NMCAR concept/boundary development, feasibility assessment, decision making, and future governance and management discussions related to the proposed NMCAR;
 - Canada/BC to engage directly with interested Nations and develop and seek Steering Committee approval of a Consultation Plan to begin formal consultation on the feasibility of an NMCAR in this area.
 - Canada/BC to continue to engage directly with industry, local government, the public and other key stakeholders on various interests and seek Steering Committee approval to establish specialized stakeholder working groups going forward.
 - Canada/BC to continue to explore and update project feasibility and review the large volume of past work to ensure the data, decisions and directions that were previously made including the proposed boundary information that was released in 2010 and other public communications including future tenure management decisions, phasing of the NMCAR establishment and identified exclusions would still be appropriate going forward.



Natural Region 7

- Canada's National Parks system plan is based upon the principle of representativeness of 39 natural regions across Canada; the goal of the systems plan is to represent each natural region in the national parks system.
- Natural Region 7 is the Northern Interior Plateaux and Mountains, largely contained in northern BC and the southern Yukon. No national parks exist yet in this region. It is considered a "gap" in the system.
- Four representative natural areas were identified in studies carried out by Parks Canada in the early 1980s: Mt. Edziza (BC), Spatsizi Plateau (BC), Kluane-Aiskinik (Yukon), and Yukon River-Southern Ogilvies (Yukon). Subsequent studies have suggested Jennings Lake in BC and Wolf Lake in the southern Yukon.
- In November, 2017, the Kaska Nations of the Daylu Dena Council, Dease River First Nation, and Kwadacha First Nation wrote to Ministers Heyman and McKenna indicating their interest in pursuing new conservation initiatives and opportunities within Kaska Dena territory and to seek financial support in advancing such work in BC.
- The Kaska communities in BC are currently considering new protected area designations within their territory, and have completed foundational work to support moving forward with this process. They are now exploring a suite of conservation designations including national, provincial and territorial parks, conservancies, and Indigenous Protected Areas. Some of the areas under consideration fall within Parks Canada's natural Region 7.
- The Kaska have indicated that they believe this is a key opportunity for the federal and provincial governments to work in partnership with the Kaska nations to advance progress towards Canada's 2020 biodiversity targets.

Approved by:
Jim Standen, December 8, 2017
ADM



Bullets

Cliff#: 313127

BC Parks/Provincial Services Branch

Writers: Heather Davies and Amy Thede, Planning and Land Administration Section

Subject: New Federal Park Establishments

Issue/Background:

- In October 2003, Canada and BC signed a Memorandum of Understanding (MOU) regarding three national park establishment projects in British Columbia:
 - a feasibility study regarding establishment of a national park reserve (NPR) in the South Okanagan – Lower Similkameen region;
 - a feasibility study regarding establishment of a national marine conservation area reserve (NMCAR) in the Southern Strait of Georgia; and
 - Interim management plan for establishment of a NMCAR in the waters surrounding Gwaii Haanas National Park.
- The feasibility studies are overseen by a Steering Committee of senior officials from BC and Canada. Canada's representatives are Vice President, Protected Areas Establishment and Conservation, and the Executive Director, Pacific and Mountain Parks. BC's representatives are the Deputy Minister of Environment and Climate Change Strategy and the Assistant Deputy Minister of BC Parks and Conservation Officer Service. Once the feasibility study is concluded, the Steering Committee is responsible for making a recommendation to their respective governments regarding whether or not a NPR and/or NMCAR is feasible. If both BC and Canada agree that it is feasible, the two governments will enter into negotiations towards the establishment of the NMCAR and/or the NPR.
- The Steering Committee last met in February, 2017.
- Two additional proposals for national park establishment have emerged, which are not part of any current agreement between BC and Canada: Gambier Island and the Flathead Valley.

South Okanagan

- On October 27, 2017, the governments of British Columbia and Canada, alongside the 3 southern communities of the Syilx/Okanagan Nation (the Lower Similkameen Indian Band, Penticton Indian Band and Osoyoos Indian Band), announced the renewal of discussions to establish a NPR in the South Okanagan.
- Next steps for the South Okanagan NPR project are to continue trilateral discussions regarding future governance of the area including cooperative



planning and management models, identifying and evaluating park values/uses and determining study area boundaries for finalizing the feasibility study.

- A detailed work plan and project schedule, which may include the following activities, needs to be developed:
 - Developing and seeking approval for a Communications Strategy;
 - Canada to develop and seek approval for Contribution Agreements with the three bands of the Okanagan Nations;
 - Reviewing past materials and updating GIS Ecological Values and Land Use Data Bases;
 - Conducting a number of trilateral planning workshops to: review existing information; identify information gaps; and the integration of ecological values, traditional knowledge and land uses to identify park concept area;
 - Species at risk planning and implementation workshop;
 - Conducting public consultations on park concept and uses;
 - Seeking approval by the 3 governing parties confirming feasibility, boundary, park concept and land uses; and
 - Beginning negotiations on an Establishment Agreement.

Gambier Island

- Gambier Island (6,899 ha) is the largest of 4 islands located in Howe Sound.
- Approximately 53% of the island is Crown land. Halkett Bay Marine Park was established in 1988, on the southeastern shore of Gambier Island. It encompasses 293 ha of uplands and 155 ha of foreshore.
- The David Suzuki Foundation (DSF) has launched a petition in support of Parks Canada commencing a feasibility study for a national park reserve on Gambier Island, as part of their Sustainable Howe Sound initiative, which calls for a management plan for the lands and waters of the Howe Sound area.
- The DSF has begun public engagement in the area on the potential for a national park reserve, including the creation of a website, and hosting two public meetings. DSF has also formed partnerships with the Squamish Nation and other stakeholders on the island who are in support of encouraging Parks Canada to begin the feasibility study process.
- In September 2016, MLA Jordan Sturdy (West Vancouver-Sea to Sky) wrote a letter of support to enter into an initial round of discussion with Parks Canada. MLA Nicholas Simons (Powell River-Sunshine Coast) has also indicated support for the feasibility study.
- Minister Heyman recently met with DSF staff regarding the Sustainable Howe Sound initiative and expressed interest in Parks Canada exploring the feasibility of establishing a new national park reserve in Howe Sound, with a specific focus on Gambier Island and the surrounding waters.
- Minister Heyman wrote to Minister McKenna offering support should Parks Canada elect to explore this interest.
- Parks Canada has indicated that it has higher priorities both in BC and nationally and would be waiting for the results of the Pathway to Canada Target 1 initiative before commencing any new initiatives.



Flathead

- The Flathead watershed in southeast BC is rich in fish and wildlife resources including several species and ecosystems at risk. The Flathead River is one of North America's last wild rivers, and the watershed borders Waterton-Glacier International Peace Park, which is a UNESCO World Heritage Site and Biosphere Reserve.
- NGOs have been campaigning to establish a national park reserve in the southeastern one-third of the Flathead (adjacent to Waterton-Glacier International Peace Park) and a Wildlife Management Area in the remainder of the valley.
- The Flathead was included in the initial discussions leading to the 2003 MOU between Canada and BC but was subsequently dropped.
- Wildsight has assembled a broad range of stakeholder groups, including hunters and the forest and mining industry, to support a protected areas strategy in the Flathead and Elk valleys.
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Approved by:

Jim Standen December 8, 2017

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