



Ministry of Water, Land and Resource Stewardship

Estimates Binder April 2023

ESTIMATES BINDER FOR MINISTER NATHAN CULLEN APRIL 2023

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Budget 2023 Briefing Note

Ministry of Water, Land and Resource Stewardship

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Issue: Budget 2023 Summary

Recommended Response:

- The Ministry budget for 2023/24 is \$124.009M, representing an increase of \$32.001M compared to the original 2022/23 estimates of \$92.008M.
- The 2022/23 restated estimates of \$103.747M represents an increase of \$11.739M for Inter-Ministry Transfers:
 - \$4.439M - Budget Realignment due to Natural Resource Sector Restructuring
 - \$7.300M - Indigenous Funding Program for Collaborative Indigenous Stewardship Forums
- The 2023/24 estimates budget is an increase of \$20.262M, or 19.53 percent, compared to the 2022/23 restated estimates of \$103.747M.
- Base Budget Lifts of \$20.262M include:
 - \$7.060M - April 2022 Budget Letter 488919 – 99 Net New FTEs
 - \$3.973M - Permitting, Authorizations and Housing Priority
 - \$9.208M - Shared Recovery Wage Mandate
 - \$0.021M - Minister's Office

Budget 2023 Briefing Note

Ministry of Water, Land and Resource Stewardship

Key Facts:

	2022/23 Estimates (Original)	2022/23 Estimates (Restated)	2023/24 Estimates	Variance
Ministry Operations by Core Business				
Land Use Policy and Planning and Ecosystems	42.274	55.032	57.465	2.433
Water, Fisheries and Coastal Policy and Planning	8.052	7.917	10.355	2.438
Natural Resource Information and Digital Services	18.846	19.731	26.225	6.494
Reconciliation and Natural Resource Sector Policy	1.992	1.835	3.254	1.419
Natural Resource Sector Secretariat	6.088	4.396	6.953	2.557
Executive and Support Services	14.756	14.836	19.757	4.921
Total Ministry Operations	92.008	103.747	124.009	20.262
April 2022 Plan	92.008	92.008	99.068	7.060
Total Inter-Ministry Transfers	11.739	11.739	11.739	-
Total Base Budget Lifts (Reductions)	-	-	13.202	13.202
February 2023 Plan	103.747	103.747	124.009	20.262
Percentage Change				19.53%

	2022/23 Estimates (Original)	April 2022 Budget Letter - 99 Net New FTEs	2022/23 Estimates (Restated)	Permitting, Authorizations and Housing Priority	Shared Recovery Wage Mandate	Minister's Office	Inter-Ministry Transfers (incl internal STOB adjs)	2023/24 Estimates
Land Use Policy and Planning and Ecosystems	42.274	(0.008)	42.266	0.158	2.283	-	12.758	57.465
Water, Fisheries and Coastal Policy and Planning	8.052	1.678	9.730	0.081	0.679	-	(0.135)	10.355
Natural Resource Information and Digital Services	18.846	0.125	18.971	3.091	3.278	-	0.885	26.225
Reconciliation and Natural Resource Sector Policy	1.992	1.098	3.090	0.164	0.157	-	(0.157)	3.254
Natural Resource Sector Secretariat	6.088	1.811	7.899	0.288	0.458	-	(1.692)	6.953
Executive and Support Services	14.756	2.356	17.112	0.191	2.353	0.021	0.080	19.757
Total Ministry Operations	92.008	7.060	99.068	3.973	9.208	0.021	11.739	124.009

Date Prepared/Revised:

Ministry Executive Sponsor:

Name: Sonja Martins, EFO

Phone: (250) 889-1774

Program Contact for Issue:

Name: Tamra McQuitty, CFO

Phone: (250) 882-4429

Budget 2023 Briefing Note

Ministry of Water, Land and Resource Stewardship

Issue: Budget Realignments due to Natural Resource Sector Restructuring

Recommended Response:

The creation of the new Water, Land and Resource Stewardship Ministry and the reorganization impacts to Ministry of Forests were effective on April 1, 2022.

Ministry budgets for 2022/23 were published in February 2022 and reflected a point in time understanding of the impacts from the reorganization.

Post restructuring, ministries reviewed the changes that were reflected as of February 2022 and compared to further changes that were effective April 1, 2022. Ministries identified and transferred misallocated budgets between ministries and across divisions.

Key Facts:

Budget Realignments - Natural Resource Sector Restructuring (\$M)	Divisions	2023/24	2024/25	2025/26
WLRS Transfer to FOR				
96 positions: Regional Land Use, Species-At-Risk and Resource Planning and Provincial Stewardship program areas	LUPPE	(8.281)	(8.281)	(8.281)
14 Front Counter and 2 ADMO positions	NRSS (PASS)	(0.937)	(0.937)	(0.937)
11 Geomatics positions	NRIDS	(0.488)	(0.488)	(0.488)
Total WLRS transfer to FOR		(9.706)	(9.706)	(9.706)
FOR Transfer to WLRS				
Together for Wildlife	LUPPE	7.872	7.872	7.872
Caribou Recovery Program	LUPPE	5.078	5.078	5.078
30 positions: Geospatial Services, Aquatic Ecosystems Branch and Provincial Stewardship Strategies and Planning	NRIDS/ WFCPP	2.520	2.520	2.520
Overhead for 249 positions	WLRS OH	1.992	1.992	1.992
Total FOR transfer to WLRS		17.462	17.462	17.462
WLRS Transfer to ENV				
Groundwater Hydrometrics Program	NRIDS	(3.136)	(3.136)	(3.136)
WLRS Transfer to MUNI				
2 positions: to resolve financial, procurement and SHR issues	CSNR	(0.181)	(0.181)	(0.181)
Total Budget Realignments - Natural Resource Sector Restructuring		4.439	4.439	4.439

Date Prepared/Revised:

Ministry Executive Sponsor:

Name: Sonja Martins, EFO

Phone: (250) 889-1774

Program Contact for Issue:

Name: Tamra McQuitty, CFO

Phone: (250) 882-4429

Budget 2023 Briefing Note

Ministry of Water, Land and Resource Stewardship

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Issue: Minister's Office Budget & GCPE Resources

Recommended Response:

- For FY 2023/24, the Minister's Office budget is \$863,000.
- The increase of \$249,000 over FY 2022/23 includes:
 - Two additional FTEs: Second Parliamentary Secretary and Executive Assistant to support both.
 - Base Salaries increase of 5%.
 - Legislative Salaries (for Minister and Parliamentary Secretaries) increase to current salary rates.
 - Office and Business increase of \$5,000 for training.
- The Salary and Benefits budget of \$732,000 supports 9 FTEs:

Positions	2023/24 Estimates	Name
Minister	1	Honourable Nathan Cullen
Parliamentary Secretary	2	Fin Donnelly + Kelly Greene
Chief of Staff	1	Roari Richardson
Ministerial Advisor	1	Scott Andrews + Tristan Jones
Executive Assistant	2	Quinn MacTavish + Vacant
Administrative Coordinator	1	Hailey Walters
Administrative Assistant	1	Nicole Moreira
Ministers Office Total	9	

- WLRS is supported by six Government Communications and Public Engagement (GCPE) staff:
 1. Communications Director, Band 4 (Sean Leslie)
 2. Communications Manager, Band 3 (Glen Plummer)
 3. Senior Public Affairs Officer, Band 2 (Thomas Winterhoff)
 4. Senior Public Affairs Officer, Band 2 (Vacant)
 5. Public Affairs Officer, Band 1 (Katie Norris)
 6. Public Affairs Officer, Band 1 (Chitra Arcot)

Budget 2023 Briefing Note

Ministry of Water, Land and Resource Stewardship

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Key Facts:

STOB	STOB Description	2022/23 Estimates (Original)	2022/23 Estimates (Restated)	2023/24 Estimates	Variance
50EA	Base Salaries	384,000	384,000	479,000	95,000
5298	Employee Benefits	101,000	101,000	122,000	21,000
52EA	Legislative Salaries - Indemnities	15,000	15,000	38,000	23,000
54EA	Legislative Salaries	40,000	40,000	93,000	53,000
	Salary and Benefits Sub-total	540,000	540,000	732,000	192,000
57EA	Public Service Travel Expenses	42,000	42,000	71,000	29,000
63EA	Information Systems-Operating	7,000	7,000	12,000	5,000
65EA	Office and Business Expenses	7,000	7,000	17,000	10,000
82EA	Legislative Assembly	9,000	9,000	15,000	6,000
85EA	Other Expenses	9,000	9,000	16,000	7,000
Total		614,000	614,000	863,000	249,000

Date Prepared/Revised:

Ministry Executive Sponsor:

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Name: Tamra McQuitty, CFO

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MINISTRY OF WATER, LAND AND RESOURCE STEWARDSHIP

Vote 46: Ministry Operations

DRAFT
February 28, 2023

MINISTRY OF WATER, LAND AND RESOURCE STEWARDSHIP
2023/24 Budget Highlights

OPERATING BUDGET: \$124.009M (Increase of \$20.262M, or 19.53%, from 2022/23 Restated)

Budget Lifts: \$20.262M

April 2022 Budget Letter 488919 - 99 Net New FTEs	\$7.060M
Permitting, Authorizations and Housing Priority	\$3.973M
Shared Recovery Wage Mandate	\$9.208M
Minister's Office	\$0.021M

Inter-Ministry Program Transfers: \$11.739M

1. Budget Realignments due to Natural Resource Sector Restructuring

From Ministry of Forests	\$7.756M
To Ministry of Environment & Climate Change Strategy	(\$3.136)M
To Ministry of Municipal Affairs	(\$0.181)M
2. Transfer from Indigenous Funding Program for Collaborative Indigenous Stewardship Forums:

From Ministry of Indigenous Relations and Reconciliation	\$7.300M
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See Inter-Ministry Program Transfer worksheet for specific details on individual transfers.

CAPITAL BUDGET: \$0.003M (Decrease of \$0.242M or 98.78% from 2022/23 Restated)

1. Budget 2022 provided capital funding of \$0.245M for one-time costs associated with setting up the ministry.
2. Budget 2023 is reduced to \$0.003M as recurring CRF capital funding for Office Furniture and Equipment.

FTEs/ STAFFING:

FTEs - 1,282 Approved

1. Budget 2022 included funding for 1,240 FTEs: 1,141 FTE transfers and new funding for 99 net new FTEs.
2. Budget 2023 adds 40 new FTEs, for the Permitting, Authorizations and Housing Priority.
3. Budget 2023 adds 2 new FTEs, for the Minister's Office: 1 Parliamentary Secretary and 1 EA.

Staffing

1. As of April 1, 2022, 1,141 staff were transferred to WLRS.
2. As of December 31, 2022, 89 of the 99 net new positions were filled.
3. As of February 1, 2023, the WLRS Headcount is 1,292, with 1,239 Active and 53 On Leave.

MINISTRY OF WATER, LAND AND RESOURCE STEWARDSHIP
2023/24 Budget Briefing
THREE YEAR BUDGET CHANGES FROM FEBRUARY 2023 PLAN
OPERATING (\$Ms)

	2022/23 Estimates	2023/24 Estimates	2024/25 Plan	2025/26 Plan
A April 2022 Plan				
Vote 38 - Ministry Operations	92.008	99.068	99.068	99.068
Total April 2022 Plan	92.008	99.068	99.068	99.068
Year-to-year change in 2022/23 Service Plan	-	7.060	-	-
B Inter-Ministry Transfers				
Budget Realignment - from Ministry of Forest	7.756	7.756	7.756	7.756
Budget Realignment - to Ministry of Environment and Climate Change Strategy	(3.136)	(3.136)	(3.136)	(3.136)
Budget Realignment - to Ministry of Municipal Affairs	(0.181)	(0.181)	(0.181)	(0.181)
Transfer from Indigenous Funding Program for Collaborative Indigenous Stewardship Forums - from Ministry of Indigenous Relations and Reconciliation	7.300	7.300	7.300	7.300
Total Inter-Ministry Transfers	11.739	11.739	11.739	11.739
C Base Budget Lifts (Reductions)				
Permitting, Authorizations and Housing Priority	-	3.973	5.711	5.711
Shared Recovery Wage Mandate	-	9.208	11.095	11.095
Minister's Office	-	0.021	0.021	0.021
Total Base Budget Lifts (Reductions)	-	13.202	16.827	16.827
Total Transfers and Adjustments	11.739	24.941	28.566	28.566
Year-to-year change in 2022/23 Service Plan	11.739 12.76%	24.941 25.18%	28.566 28.83%	28.566 28.83%
	2022/23 Restated Estimates	2023/24 Estimates	2024/25 Plan	2025/26 Plan
D February 2023 Plan				
Vote 46 - Ministry Operations	103.747	124.009	127.634	127.634
Total February 2023 Plan	103.747	124.009	127.634	127.634
Year-to-year change in 2023/24 Service Plan		20.262 19.53%	3.625 2.92%	-
Year-to-year change from April 2022 Plan to February 2023 Plan		32.001 34.78%		-

MINISTRY OF WATER, LAND AND RESOURCE STEWARDSHIP
2023/24 Budget Briefing
THREE YEAR BUDGET CHANGES FROM FEBRUARY 2023 PLAN
CAPITAL (\$Ms)

	2022/23 Estimates	2023/24 Estimates	2024/25 Plan	2025/26 Plan
A April 2022 Plan				
Vote 38 - Ministry Operations	0.245	-	-	-
Total April 2022 Plan	0.245	-	-	-
Year-to-year change in 2022/23 Service Plan	-	(0.245)	-	-
<hr/>				
	2022/23 Restated Estimates	2023/24 Estimates	2024/25 Plan	2025/26 Plan
D February 2023 Plan				
Vote 46 - Ministry Operations	0.245	0.003	0.003	0.003
Total February 2023 Plan	0.245	0.003	0.003	0.003
Year-to-year change in 2023/24 Service Plan		(0.242) (98.78%)	-	-

MINISTRY OF WATER, LAND AND RESOURCE STEWARDSHIP
2023/24 Budget Briefing
THREE YEAR BUDGET CHANGES FROM FEBRUARY 2023 PLAN
Inter-Ministry Transfers (\$Ms)

Inter-Ministry Transfers	Operating	EAT #	Note
	(8.281)		Duplicate budgets for 96 positions - LUPPE
	(0.937)		14 Front Counter and 2 ADMO positions not transferring - PASS
	(0.488)		11 Geomatics positions remaining in FOR - NRIDS
Budget Realignment - to FOR	(9.706)	T004001	
	7.872		T4W - portion not yet transferred
	5.078		CRP - portion not yet transferred
	2.520		30 positions for Geospatial Services, Aquatic Ecosystems, PSSP
Budget Realignment - from FOR	15.470	T004003	
Budget Realignment - from FOR	1.992	T004006	Overhead for 249 positions
Budget Realignment - from FOR	7.756		Note 1 - for additional details
Budget Realignment - to ENV	(3.136)	T004002	Groundwater Hydrometrics program (NRIDS)
Budget Realignment - to MUNI	(0.181)	T004011	TACS: Two level 21 positions related to NRS restructure
Total Net Budget Realignments	4.439		Budget Realignments due to Natural Resource Sector Restructuring
IFP Transfer - from MIRR	7.300	T004014	Transfer from Indigenous Funding Program for Collaborative Indigenous Stewardship Forums - from MIRR to LUPPE
Total Inter-Ministry Transfers	11.739		

Note 1

Transfers from WLRS to FOR:

NRSS (PASS) (0.937) Return budget for 14 Front Counter and 2 ADMO positions not transferring - PASS

Transfers from FOR to WLRS:

LUPPE 4.669 Return duplicate budgets for 96 positions, add T4W and CRP program dollars
WFCPP 1.086 Add \$1.086M (of \$2.520M)
NRIDS 0.946 Return budget for 11 Geomatics positions remaining in FOR, add \$1.434M (of \$2.520M)
WLRS Corporate Overhead 1.992 Overhead for 249 positions omitted in original transfer
Total 8.693

Net transfer from FOR to WLRS **7.756**

MINISTRY OF WATER, LAND AND RESOURCE STEWARDSHIP

**2023/24 Budget Briefing
Budget 2023 Summary (\$M)**

	2022/23 Estimates (Original)	2022/23 Estimates (Restated)	2023/24 Estimates
Ministry Operations by Core Business			
Land Use Policy and Planning and Ecosystems	42.274	55.032	57.465
Water, Fisheries and Coastal Policy and Planning	8.052	7.917	10.355
Natural Resource Information and Digital Services	18.846	19.731	26.225
Reconciliation and Natural Resource Sector Policy	1.992	1.835	3.254
Natural Resource Sector Secretariat	6.088	4.396	6.953
Executive and Support Services	14.756	14.836	19.757
Total Ministry Operations	92.008	103.747	124.009
April 2022 Plan	92.008	92.008	99.068
Total Inter-Ministry Transfers	11.739	11.739	11.739
Total Base Budget Lifts (Reductions)	-	-	13.202
February 2023 Plan	103.747	103.747	124.009
Percentage Change			

MINISTRY OF WATER, LAND AND RESOURCE STEWARDSHIP
2023/24 Budget Briefing
Permitting, Authorizations and Housing Priority (\$M)

	2023/24	2024/25	2025/26
Priority Projects (Housing, Connectivity, Aggregate)	0.422	0.718	0.718
Strategic Work	1.860	3.167	3.167
Corporate Services for Natural Resources	0.191	0.326	0.326
FTE Related Operating Funding	2.473	4.211	4.211
NRIDS Contracting and Data Costs	1.375	1.375	1.375
Aquatic Ecosystems Data and Systems	0.125	0.125	0.125
Total Program Operating Resourcing	1.500	1.500	1.500
Total Permitting, Authorizations and Housing Priority	3.973	5.711	5.711

MINISTRY OF WATER, LAND AND RESOURCE STEWARDSHIP
2023/24 Budget Briefing
Budget Realignments - Natural Resource Sector Restructuring (\$M)

Budget Realignments - Natural Resource Sector Restructuring (\$M)	Divisions	2023/24	2024/25	2025/26
WLRS Transfer to FOR				
96 positions: Regional Land Use, Species-At-Risk and Resource Planning and Provincial Stewardship program areas	LUPPE	(8.281)	(8.281)	(8.281)
14 Front Counter and 2 ADMO positions	NRSS (PASS)	(0.937)	(0.937)	(0.937)
11 Geomatics positions	NRIDS	(0.488)	(0.488)	(0.488)
Total WLRS transfer to FOR		(9.706)	(9.706)	(9.706)
FOR Transfer to WLRS				
Together for Wildlife	LUPPE	7.872	7.872	7.872
Caribou Recovery Program	LUPPE	5.078	5.078	5.078
30 positions: Geospatial Services, Aquatic Ecosystems Branch and Provincial Stewardship Strategies and Planning	NRIDS/ WFCPP	2.520	2.520	2.520
Overhead for 249 positions	WLRS OH	1.992	1.992	1.992
Total FOR transfer to WLRS		17.462	17.462	17.462
WLRS Transfer to ENV				
Groundwater Hydrometrics Program	NRIDS	(3.136)	(3.136)	(3.136)
WLRS Transfer to MUNI				
2 positions: to resolve financial, procurement and SHR issues	CSNR	(0.181)	(0.181)	(0.181)
Total Budget Realignments - Natural Resource Sector Restructuring		4.439	4.439	4.439

2023/24 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Issue: B.C. Biodiversity and Ecosystem Health Framework

Recommend Response:

- We are working hard at laying the foundation for a new B.C. Biodiversity and Ecosystem Health Framework (“Biodiversity Framework”) to prioritize ecosystem health and biodiversity, in response to a recommendation made in the Old Growth Strategic Review (OGSR) report.
- We are collaborating with First Nations on the content of this biodiversity framework, as well as engaging with interested parties, local governments, and communities.
- We had previously referred to this as a Declaration on Ecosystem Health, however the term “declaration” has confused some groups and the feedback from the ongoing engagement has been to shift away from this term. In order to provide clarity, we are now referring to this work as the Biodiversity and Ecosystem Health Framework.
- In January and February, the Province brought together more than 300 First Nations and multi-sector participants at two provincial forums to share ideas and better understand the current state, opportunities for improvements and the future management of our forests and ecosystems.
- We are continuing those conversations through a series of virtual sessions scheduled through April and May to hear additional insights on how a new Biodiversity Framework could be created to sustainably manage land, water, and resources.
- We expect to have a final draft of this framework, prioritizing the conservation, and management of ecosystem health and biodiversity across all ecosystems and all sectors in June 2023.

2023/24 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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- That will be followed by the co-development of a legislative framework, and other enabling tools, to support implementation.
- The B.C. government is already leading the way on various aspects of ecosystem health and biodiversity, including implementing the Together for Wildlife Strategy; contributing over \$67 million for watershed, wetland and species, ecosystem conservation, and restoration projects since 2021; and establishing a new conservancy area in the Incomappleux Valley.

Key Facts:

- The conservation of long-term ecosystem health and biodiversity is crucial for the health and well-being of communities, economic sustainability, maintaining clean air and water, and the responsible stewardship of wildlife and natural resources for future generations.
- In September 2020, the B.C. government committed to implementing all 14 recommendations of the independent OGSF report, including Recommendation #2 to “*declare the conservation and management of ecosystem health and biodiversity of British Columbia’s forests as an overarching priority and enact legislation that legally establishes this priority for all sectors.*”
- This recommendation is led by the Land Use Policy, Planning and Ecosystems Division in the WLRS with support from the FOR.
- Initiatives already leading the way on various aspects of ecosystem health and biodiversity include:
 - Protection of at-risk species
 - Biodiversity enhancement and restoration
 - Development of co-managed land and resource stewardship practices with Indigenous peoples
 - Modernized land use planning.
 - Together for Wildlife Strategy
 - Watershed Security Strategy
 - Coastal Marine Strategy
 - Cumulative Effects Framework
- The Biodiversity Framework will apply to all sectors and be developed in partnership with Indigenous Peoples (in recognition of aboriginal and treaty rights) and with guidance and input from all sectors, local communities, municipal leaders, academia, and other interested parties.
- The process will consist of two phases:

2023/24 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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- Phase one will focus on the co-development of the Biodiversity Framework on prioritizing ecosystem health and biodiversity with First Nations.
 - Phase two will focus on developing or updating legislation and other enabling tools to achieve the vision and intent of the Framework.
- The Province has committed to support communities as this gradual shift to more sustainable jobs and economies occurs.
- The Province has contributed over \$67 million for watershed, wetland and species and ecosystem conservation and restoration projects since 2021. In 2021, the Ministry of Environment and Climate Change Strategy contributed a total of \$37 million for watershed, wetland and species, and ecosystem conservation and restoration:
 - The Healthy Watersheds Initiatives (HWI) received \$27 million (in partnership with the Real Estate Foundation).
 - The Conservation Economic Stimulus Initiative (CESI) received \$10 million (in partnership with the Habitat Conservation Trust Foundation).
- \$30 million was provided in Budget 2022 to improve B.C.'s watersheds.
- The potential socio-economic impacts of the Biodiversity Framework will be assessed in the coming months as this framework is developed.

Date Prepared/Revised: March 3, 2023

Ministry Executive Sponsor:

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Alternate Contact for Issue:

Name: Sagarika Saha

Phone: 250 952-1193

ADVICE TO MINISTER

CONFIDENTIAL ISSUES NOTE

Ministry of Water, Land and Resource
Stewardship
Date: Feb. 28, 2023
Minister Responsible: Hon. Nathan Cullen

Declaration on ecosystem health and biodiversity

ADVICE AND RECOMMENDED RESPONSE:

Advice/Recommendations

Other actions related to ecosystem health and biodiversity:

- The B.C. government is already leading the way on various aspects of ecosystem health and biodiversity. Examples include:
 - continuing to implement the Together for Wildlife Strategy, including Goal 12 to review and improve the *Wildlife Act*
 - contributing over ^{Advice/Recommendations} for watershed, wetland and species and ecosystem conservation and restoration projects since 2021
 - establishing a new conservancy area in the Incomappleux Valley
- Together with First Nations, we're building on and implementing B.C.'s Wild Salmon Strategy and developing a Watershed Security Strategy and Fund, as well as B.C.'s first-ever Coastal Marine Strategy.
- The implementation of the declaration will include the identification of potential changes to programs, policies and regulations.

- **This will be supported by improved information and data sharing, while also considering longer-term changes to B.C.'s legislative framework to support the vision and intent of the declaration.**

KEY FACTS:

On Feb. 15, 2023, the Ministry of Forests issued a news release about old growth and forest stewardship, which included a backgrounder on a variety of forestry-related initiatives. In that backgrounder, a reference was made to a declaration to prioritize ecosystem health and biodiversity in B.C.

The conservation of long-term ecosystem health and biodiversity is crucial for the health and well-being of communities, economic sustainability, maintaining clean air and water, and the responsible stewardship of wildlife and natural resources for future generations.

In September 2020, the B.C. government committed to implementing all 14 recommendations of the independent Old Growth Strategic Review report, including Recommendation #2 to *"declare the conservation and management of ecosystem health and biodiversity of British Columbia's forests as an overarching priority and enact legislation that legally establishes this priority for all sectors."*

A declaration to prioritize ecosystem health and biodiversity conservation will improve land management practices in B.C. to: better protect species; conserve vital ecosystem resources; and ensure the long-term social and economic well-being of communities throughout the province. The earliest expected opportunity to announce the declaration would be June 2023.

The B.C. government is moving toward a co-management system that fosters improved ecosystem health. Initiatives already leading the way on various aspects of ecosystem health and biodiversity include:

- protection of at-risk species
- biodiversity enhancement and restoration
- development of co-managed land and resource stewardship practices with Indigenous peoples
- modernized Land Use Planning
- Together for Wildlife Strategy
- Watershed Security Strategy
- Coastal Marine Strategy
- Wild Salmon Strategy
- Cumulative Effects Framework

A declaration prioritizing ecosystem health and biodiversity will apply to all sectors and be developed in partnership with Indigenous Peoples (in recognition of aboriginal and treaty rights) and with guidance and input from all sectors, local communities, municipal leaders, academia, and other interested parties.

The process will consist of two phases:

- **Phase 1** will focus on the co-development of the declaration on prioritizing ecosystem health and biodiversity with First Nations.

ADVICE TO MINISTER

- **Phase 2** will focus on developing or updating legislation and other enabling tools to achieve the vision and intent of the declaration.

B.C.'s long-term economic stability and jobs for many British Columbians will rely on a healthy environment. In the short-term, the Province is committed to supporting communities during this transition. The Province has committed to support affected communities as this gradual shift to more sustainable jobs and economies occurs.

The Province has contributed over \$67 million for watershed, wetland and species and ecosystem conservation and restoration projects since 2021. In 2021, the Ministry of Environment and Climate Change Strategy contributed a total of \$37 million for watershed, wetland and species and ecosystem conservation and restoration:

- The Healthy Watersheds Initiatives (HWI) received \$27 million (in partnership with the Real Estate Foundation).
- The Conservation Economic Stimulus Initiative (CESI) received \$10 million (in partnership with the Habitat Conservation Trust Foundation).

An additional \$30 million was provided in Budget 2022 to improve B.C.'s watersheds.

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File created	Feb. 28, 2023	
File updated	Date	

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Ministry of Water, Land and Resource Stewardship

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Issue: Modernized Land Use Planning

Recommend Response:

- My mandate letter state's "continue to transform the management and stewardship of our waters, lands and resources, together with First Nations, and work toward modern land use plans and permitting processes rooted in science and Indigenous knowledge that consider new and cumulative impacts to the land base."
- Modernized land use planning (LUP) sets the strategic direction to guide sustainable resource stewardship and management of provincial public land and waters that meets economic, environmental, social, and cultural objectives.
- LUP is a partnership-based model between First Nation governments and the Government of British Columbia, that also includes meaningful and targeted engagement with stakeholders, including local governments, industry, non-government organizations and the public.
- The WLRS will continue to strengthen B.C.'s commitment to land-use policy and planning to bring more certainty to investors, communities, and First Nations by confirming social choice on the land base.
- The \$7.78 million annual budget will continue to support LUP program development and implementation.
- Additional funding may be allocated to address emerging planning pressures resulting from B.C.'s strengthened commitment to land use policy and planning.
- Developing strong relationships with First Nations using a partnership-based approach to the LUP process takes time and helps to establish trust in the process, benefitting all parties as planning implementation continues.
- Projects are being initiated in high priority areas, at the appropriate scale, varying between comprehensive to issue specific plans that seek to address defined community needs

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Ministry of Water, Land and Resource Stewardship

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and assist implementation of the *Declaration on the Rights of Indigenous Peoples Act*.

- The Government is actively working to ensure coordination and alignment between other provincial planning initiatives, including Forest Landscape Planning and Water Sustainability Planning. This is particularly important where planning boundaries of different initiatives overlap and may impact the work and outcomes of one another.

Key Facts:

- WLRS is the lead for all land use planning initiatives in B.C.
- Land use planning sets the social choice and management regime for land use in a given region. Other ministries in the natural resource sector (FOR, Ministry of Energy Mines and Low Carbon Innovation {EMLI}, Ministry of Indigenous Relations and Reconciliation {MIRR}, ENV) participate in land use planning projects and will support the implementation of land use plans.
- Drivers for land use planning include reconciliation, a strong sustainable economy, addressing cumulative effects, landscape level disturbance, water sustainability, climate impacts, and species at risk.
- The Indigenous Funding Envelope provided First Nations capacity funding for involvement in modernized land use planning in the amount of \$700,000 in 2021/2022 and will require a similar amount for 2022/2023.
- Modernized land use planning program funding supports eight staff in branch and 24 staff distributed across the eight regions. In addition, program funding also supports staff in each of MIRR and EMLI.
- Alignment with other ministry priorities including supporting implementation of the Old Growth Strategic Review Recommendations, the Together for Wildlife action plan, and collaboration with other levels of planning will help advance a more coordinated approach to planning in the province.
- Branch staff are involved in provincial-level engagement, policy, communications, tool development, and program administration. Regional staff are involved in active land use planning, foundational work to support future projects, including cumulative effects assessments, laying the groundwork for Indigenous partnerships on projects, and engagement regionally with stakeholders.
- The Province continues to engage First Nations provincially to collaboratively refine program principles and products that guide the program. A public engagement platform to support modernized land use plans was launched in January 2020.
- In February 2023, five LUP projects advanced to the stage of detailed plan development and formal multi-sector and public engagement on draft plan recommendation and direction on managing for plan area values. These are:

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- **Previously Initiated:** Tahlitan Nation: Tahlitan-B.C. Land Use Plan; Gitanyow/Nisga'a: Meziadin Salmon Habitat Plan; 'Namgis: Gwa'ni Land Use Plan.
- **New:** Kaska Nation – Dene: K'éh Kusān Land Use Plan; Taku River Tlingit: Tulsequah River Watershed Plan.
- All projects share the same next key steps:
 - Explore, identify, and analyse new land use zones and options, including new conserved areas, socio-economic analysis on options, and reconciliation benefits.
 - Work in partnership with the partner First Nation(s) to engage stakeholders and the public in options, seek feedback, and develop recommended options for both governments.
- Other plans include:
 - Fort St. John LRMP Update Project and Extensions (3 projects within)
 - shíshálh Nation Land Use Planning Project
 - Nicola Watershed Land Use Planning Project
 - Southeast Wildlife Corridor Land Use Planning Project
 - Wetzin'kwa Water Sustainability Project

Date Prepared/Revised: March 3, 2023

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Advice/Recommendations

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Key Facts:

- Engagement on IPCAs will be led by WLRS due to the relationship with modernized land use planning and to confirming social choice on the land base as well as a co-managed land and resource regime. Other ministries in the natural resource sector will support this work (ENV, EMLI, MIRR, FOR).
- In 2017, Canada brought together Indigenous experts along with federal, provincial, and territorial (FPT) government experts as a committee to explore a new approach to protected areas built, in part, from the international Indigenous Community Conserved Areas model. The committee (Indigenous Circle of Experts, or ICE) wrote the report *We Rise Together* a collection of 26 recommendations and advice to all governments on considering IPCAs.
- IPCAs continue to be an emerging issue in BC due to various factors including:
 - Direct federal funding to BC First Nations to pursue IPCAs in their territories;
 - Interest in the new 30% protection targets;
 - Nations who are seeking renewed land use plans with the province; and
 - Nations who wish to exert and express more formally rights and title.
- The concept of an IPCA is desirable to many First Nations. This, together with federal encouragement including resources, has resulted in several IPCA proposals from Nations across the province. Although IPCAs may vary in approach, most will result in two critical land management results:
 - change the current land designation configurations resulting in a different social land use outcome; and
 - overall reduce economic activities on the land base affecting jobs, revenues, and the economy.
- Addressing IPCA proposals is best managed through publicly involved land use planning projects, and those projects should occur where there are land use conflicts or where new land use objectives are needed. Currently, the land use planning program is a modest program that has fully allocated resources.

Date Prepared/Revised: March 3, 2023

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ADVICE TO MINISTER

CONFIDENTIAL ISSUES NOTE

Ministry of Water, Land and Resource
Stewardship
Date: Jan. 16, 2023
Minister Responsible: Hon. Nathan Cullen

Indigenous Protected and Conserved Areas (IPCAs)

ADVICE AND RECOMMENDED RESPONSE:

- **We respect and acknowledge the efforts of First Nations to protect ecosystems within their territories and care for the water, land, animals and other natural resources that their communities have relied on for millennia.**
- **My ministry is committed to working together with First Nations on a co-managed approach to land and resource management.**

Advice/Recommendations; Intergovernmental Communications

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- **Our government welcomes the opportunity to work with First Nations to better understand and share our collective perspectives and to jointly develop an approach to land stewardship.**

If asked why the Province hasn't recognized a specific IPCA:

- **We respect and acknowledge the efforts of First Nations to protect ecosystems within their territories and care for the water, land, animals and other natural resources that their communities have relied on for millennia.**
- **We understand the importance of doing this through Indigenous laws, governance, and knowledge systems.**

- **The Province is open to working with First Nations to understand their perspectives and the values reflected by their communities.**
- **There have been increasing numbers of IPCAs declared in recent years. Each of them is unique and reflects that First Nation's perspective on land and water stewardship.**

Advice/Recommendations; Intergovernmental Communications

KEY FACTS:

Indigenous Protected and Conserved Areas (IPCAs) typically encompass lands and waters where Indigenous governments have a primary role in protecting and conserving ecosystems through Indigenous laws, governance and knowledge systems. They reflect Indigenous peoples' multi-generational perspective on resource stewardship.

However, declarations of Indigenous governments' expectations in their traditional territories have led to uncertainty amongst B.C. citizens and government staff about their ability to access infrastructure and facilities (e.g., roads, parks, campsites) and undertake certain activities on public land, especially those for which a fee is paid (e.g., fishing and hunting licences).

BACKGROUND:

Interest in Indigenous-led conservation and stewardship measures like IPCAs has increased significantly since the 2018 *We Rise Together* report was issued by the Indigenous Circle of Experts (ICE). The Province participated in the report's development as a member of ICE, along with a wide cross-section of representatives from Indigenous governments, environmental non-profit organizations, academics, and the federal government.

Dozens of IPCA proposals in various forms are currently existing or being contemplated by First Nations in B.C. It's expected that more First Nations are planning or preparing to declare IPCAs within their territories. An increasing number of IPCAs is one of the challenges the Province faces in developing its response to these declarations.

Although IPCAs differ in size and scope, they often include interests in Guardian-like activities and often include Indigenous-led goals related to:

- maintaining the ecological integrity of the area
- protecting fish, wildlife and ecosystems
- protecting cultural and archaeological sites and features, or
- protecting harvesting and hunting areas

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In some cases, IPCAs have been identified in areas of shared territory between Nations. Advice/Recommendations; Intergovernmental Communications Advice/Recommendations; Intergovernmental Communications

Examples of recently declared IPCAs (see more extensive list at bottom of document):

- In June 2022, the Kitasoo Xai Xais Nation declared a Marine Protected Area in the Kitasoo Bay (Gitdisdzu Lugeyks) area of the Central Coast (on the west coast of Swindle Island), stating that the bay “and all of its lands, waters, fish, and wildlife are integral to Kitasoo Xai’xais culture and way of life.” The Kitasoo Xai Xais Nation is looking to strengthen protection measures for fish resources in the area, particularly herring, salmon and groundfish.
- On April 28, 2022, the Lower Similkameen Indian Band (LSIB) declared an Indigenous Protected and Conserved Area in the Ashnola Watershed west of Keremeos, encompassing the entire Ashnola River watershed from its headwaters in the United States to where it joins the Lower Similkameen River. In late September 2022, LSIB sent out a ‘Notice to Vacate Ashnola’, stating that access to the area would be restricted to visitors. In October 2022, \$200,000 in provincial funding was secured for LSIB through the Indigenous Funding Program to help relieve some of the pressure LSIB has been experiencing and bring them to the table for discussion about their interests in protecting and conserving the Ashnola Watershed.
- In November 2021, the Mamalilikulla First Nation declared part of its traditional territory on the Central Coast as an IPCA, calling for a five-year moratorium on logging and protection of a marine area called Hoeya Sill. The Ministry of Water, Land and Resource Stewardship and the Ministry of Forests have entered into an agreement with Mamalilikulla First Nation to explore and implement a variety of land/sea integrated management techniques.

Fulfilling IPCA elements and Indigenous perspectives in land and water stewardship is best accomplished through government-to-government land use planning (LUP). LUP begins with identifying a long-term vision for stewardship that includes where identified, appropriate activities (such as any resource extraction or recreation use) can occur while ensuring natural and cultural values are protected or conserved. LUP sets out management responsibilities and roles between the governments and other parties and identifies financial implementation strategies and resources required for successful stewardship outcomes. Overall, LUP helps ensure a common approach to stewardship between governments.

Federal funding for First Nations-led conservation initiatives (announced Dec. 7, 2022):

On Dec. 7, 2022, the federal government announced “\$800 million over seven years, starting in 2023-24, to support up to four Indigenous-led conservation initiatives.” Once completed, the four

projects could help protect up to one million square kilometres and support the federal government's commitment to protecting 30% of Canada's land and waters by 2030.
<https://pm.gc.ca/en/news/news-releases/2022/12/07/protecting-more-nature-partnership-indigenous-peoples>

One of the four projects involves the waters in the Northern Shelf Bioregion of B.C., which includes a design for a marine protected area (MPA) network. This region covers about two-thirds of the B.C. coast from the top of Vancouver Island to Alaska, an area also known as the Pacific North Coast or the Great Bear Sea. The amount of federal funding that will be allocated to the Great Bear Sea project has not been determined yet.

This initiative aligns with the goals laid out in Minister Cullen's mandate letter, two of which are to partner with "the federal government, industry, and communities, and working with Indigenous Peoples, lead the work to achieve the Nature Agreement's goals of 30% protection of B.C.'s land base by 2030, including Indigenous Protected and Conserved Areas" and to "develop a new conservation financing mechanism to support protection of biodiverse areas."

Advice/Recommendations; Intergovernmental Communications

ADVICE TO MINISTER

Advice/Recommendations; Intergovernmental Communications

Media Interest: Recently declared IPCAs have received a moderate amount of regional media coverage. As the number of declared IPCAs increases, more media interest is expected.

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Advice/Recommendations ; Intergovernmental Communications

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Issue: Government Actions Regulation

Recommend Response:

- Under the Forest and Range Practices Act (FRPA), the Government Actions Regulation (GAR) directs how the B.C. provincial government establishes land designations or stewardship measures for forest and range values.
- On December 7, 2022, Order in Council 658 assigned the responsibilities for certain sections of the FRPA to me as the Minister of Water, Land and Resource Stewardship.
- Specifically, the Minister of Water, Land and Resource Stewardship is designated as the Minister responsible sections of FRPA that relate to stewardship of wildlife, watersheds, habitat and wetlands including:
 - The ability to establish ungulate winter ranges, wildlife habitat areas and general wildlife measures.
 - The ability to designate a community watershed and to establish water quality objectives.
 - The ability to identify an area that has significant fisheries values and watershed sensitivity, and,
 - To establish regulations for the classification of streams, wetlands, and lakes and to establish riparian management areas and temperature sensitive streams.
- In applying these authorities under FRPA, GAR provides the regulatory structure and criteria to implement these measures.
- Typically, the authorities under these sections of FRPA are delegated to statutory decision makers within the Ministry. We are in the process of updating the delegation matrix to ensure that these authorities are held with the correct position in the Ministry of Water, Land and Resource Stewardship.
- The ministry has already applied these sections of FRPA to improve conservation and stewardship of Wildlife and

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habitat. Most recently we established 19 Wildlife Habitat Areas to support the protection of Northern Goshawk nest sites in the South Coast Region.

- The GAR still requires that any orders must not unduly reduce the supply of timber from B.C.'s forests and that the benefits of the order must outweigh adverse impacts from increase delivered wood costs and constraints to the ability for a licence to exercise their tenure rights.
- These criteria are out of date with our government's commitments improving stewardship and conservation.
- We are committed to prioritizing Ecosystem Health and Biodiversity.
- The ministry will bring forward regulation changes to update this section of the GAR by removing the unduly clause and bring this regulation into alignment with the commitments to prioritize ecosystem health and biodiversity and modernize forest management.

Key Facts:

- The protection of fish, wildlife and habitat values are significant components of Government's mandate and WLRS mandate. To effectively meet the requirements in the mandate the Minister of WLRS requires both regulatory tools and legal authorities to establish protections for fish, wildlife habitat over the long term.
- The vision of FRPA was predicated on a balance between a forest or range tenure holder's economic interests, the sustainability of the Province's timber supply and the protection of non-timber values.
- Numerous independent reviews and audits deemed that the balance point was not effectively meeting the public interests for the environment or First Nations' affirmed treaty or constitutional rights.
- The GAR enables the establishment of localized land designations for areas and features that require special management for the stewardship of wildlife, fish, water, biodiversity, visual quality, cultural heritage resources, recreation resources and resource features. The role of GAR is crucial with respect to the effectiveness of FRPA as legislation that protects the environment and "non-timber values".
- GAR designations also help to provide operational certainty through the identification of values across the land base and establishment of various

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measures or objectives that clearly outline government's expectations for outcomes.

- The process of delegating authorities for FRPA (and Oil and Gas Activities Act) to staff positions within WLRS is underway and will be completed in the coming months.
- While WLRS has the authority to establish protection measures for wildlife under these sections of FRPA, FOR retains the authority to issue exemptions to licensees to the requirements of General Wildlife Measures issued by WLRS under FRPA.
- There is a need for Ministry of Forests and WLRS to work together to ensure that government objectives and transparent reporting and decision making process are in place for any exemptions to FRPA conservation measures established by WLRS.

Date Prepared/Revised: March 3, 2023

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Ministry of Water, Land and Resource Stewardship

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Issue: Nature Agreement

Recommend Response:

- In June 2021, the Environment and Land Use Committee (ELUC) provided direction for the development of a Canada – B.C. Nature Agreement (the Agreement) to improve coordination of a federal-provincial collaboration on land stewardship and to direct a significant portion of new federal funding envelopes through 2030.
- The Agreement does not commit B.C. to any specific conservation initiative, it does commit to making progress towards targets which does imply a future fiscal impact for B.C.
- The mandate letter for WLRS includes a new commitment to protecting and conserving 30% of B.C.'s land base by 2030.
- B.C. continues to work with Canada and the First Nation Leadership Council to develop a tripartite agreement.
- Recently through the Chiefs Council meetings, the Union of BC Indian Chiefs, Assembly of First Nations and First Nations Summit have confirmed a mandate that they will work with us and Canada to develop a tripartite agreement.
- There is recognition of the need to do the work contemplated in the Nature Agreement and in most cases, that work is already underway or contemplated through established mandates.
- The opportunity is unique because of the alignment that exists with the federal government and the ability it presents to leverage existing commitments and attract significant federal funding.

Key Facts:

- B.C. is expecting Canada to offer \$600 million to support the Agreement, \$50 million of which is available to support socio-economic impacts of conservation in some coastal forest ecosystems and in the Interior wet belt forest ecosystem.

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- The Nature Agreement primarily focuses on the following key areas:
 - Indigenous leadership and partnership;
 - Habitat and ecosystem conservation and protection;
 - Habitat enhancement and restoration;
 - Species at risk recovery and protection; and
 - Foundational knowledge and information sharing.
- While the draft Nature Agreement was nearing completion in late 2022, concerns were raised by the First Nations Leadership Council (FNLC) that the agreement was not built with Indigenous involvement and that it should be a tripartite agreement with First Nations.
- B.C., Canada and the FNLC continue to work towards completing an Agreement that will include Indigenous support.

Date Prepared/Revised: March 3, 2023

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2023/24 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Issue: Approach to 30 Percent Protection by 2030

Recommend Response:

- My mandate letter states “Partnering with the federal government, industry, and communities, and working with Indigenous Peoples, lead the work to achieve the Nature Agreement’s goals of 30% protection of BC’s land base by 2030, including Indigenous Protected and Conserved Areas.”
- Government has recognized the importance of conserving biodiversity and ecosystem health, and we will continue to protect and conserve important areas through designations that align with international guidance.
- This mandate is in early stages, and we will work with First Nations as partners in developing policy and guidance that aid in selecting conserved areas.
- Government is interested in partnering with First Nations on modernized land use planning which may include Indigenous Protected and Conserved Areas.
- Addressing IPCA proposals and advancing conservation is best managed through publicly involved land use planning projects, and those projects should occur where there are land use conflicts or where new land use objectives are needed. Currently, the land use planning program is a modest program that has fully allocated resources.
- In the coming year we are going to continue to work with federal colleagues and First Nations partners towards a trilateral Nature Agreement that we expect will include increased investments from the federal government to support Modernized Land use planning
- LUP is a partnership-based model between First Nation governments and the Government of British Columbia, that also includes meaningful and targeted engagement with stakeholders,

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including local governments, industry, non-government organizations and the public.

If asked about Socio Economic impacts

- Land use planning is intended to be used in areas where there is conflict or where the current land use plan was not developed with First Nations input or is out of alignment with current government and First Nations goals.
- In these areas the modernized land use planning process will reduce conflicts and will create the conditions for improved economic certainty and investment.
- Modernized land use planning can mean a shift in our economies in these areas, and understanding those shifts will be done through detailed socio-economic analysis.
- During, the first phases of planning we work to understanding the status quo economic situation.
- Information and data is gathered to understand the current economic activities that could be affected – both positively and negatively – in the area.
- This information helps us understand the scope and scale of what is included in new land use scenarios.
- As we go forward in the land use planning process, we initiate engagement on planning scenarios which includes, public engagement and refinement. All scenarios considered will have full socio-economic impact analysis completed to help with final decision-making. Public engagement here is key to the work.
- Again, the goal of Modernized Land use planning is to work in partnership with First Nations in a way that also includes meaningful and targeted engagement with stakeholders, including local governments, industry, non-government organizations and the public.

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Key Facts:

- Protecting and conserving 30% of lands and waters by 2030 was first recommended through the International Union of the Conservation of Nature following concerns of global biodiversity loss. Canada was an early adopter of the target and encouraged provincial and territorial governments to support.
- Formal adoption of 30% by 2030 was made at COP15, the global biodiversity conference in Montreal in December 2022. The target (Target 3) was one of 23 actions endorsed as part of the post-2020 biodiversity framework.
- Target 3 states:
 - Ensure and enable that by 2030 at least 30 per cent of terrestrial, inland water, and of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem functions and services, are effectively conserved and managed through ecologically representative, well-connected and equitably governed systems of protected areas and other effective area-based conservation measures, recognizing indigenous and traditional territories, where applicable, and integrated into wider landscapes, seascapes and the ocean, while ensuring that any sustainable use, where appropriate in such areas, is fully consistent with conservation outcomes, recognizing and respecting the rights of indigenous peoples and local communities, including over their traditional territories.
- Areas that will count towards the 30% can be comprised of:
 - Parks and protected areas – established specifically to protect or conserve conservation values; or
 - “Other effective conservation measures” (OECMs) which are areas protected or conserved for alternative reasons yet provide effective conservation.
- Several policy questions remain following the mandate commitment. These include but are not limited to:
 - Is 30% a cap or a guideline?
 - What is the relationship to the rest of the land base for other activities?
 - Will it be representational across the province?
 - What is considered for new protected or conserved areas? Ecological, recreational, cultural?
 - Criteria or priorities for areas? SAR, old growth, connectivity?
 - Baseline data, conservation information needs to inform choices.
 - The role of LUP compared to other processes.
- IPCAs are expected to contribute to the 30% targets once government-to-government planning processes are completed and new areas established. In some cases, IPCAs may contain areas or zones where some level of economic development may occur that would not meet international criteria. In these cases, the non-conforming areas would be netted out.
- In 2023/24, WLRS will lead policy development that will clarify:
 - Direction, consideration and guidance for planners selecting areas to protect and conserve in land use and other planning processes.

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- Resolve policy for a BC specific approach to OECMs that meet the intent of international guidance but also reflect the unique land management designation approach in BC.
- Policy development in these areas is critical for the public, user groups, communities and others to understand the path to 2030 and how areas will be considered.
- Financial costs associated with new protections will be addressed through the new conservation finance mechanism and with contributions through the draft Nature Agreement.

Date Prepared/Revised: April 2, 2023

Ministry Executive Sponsor:

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ADVICE TO MINISTER

CONFIDENTIAL ISSUES NOTE

Ministry of Water, Land and Resource
Stewardship
Date: February 14, 2023
Minister Responsible: Hon. Nathan Cullen

30 by 30 Nature Agreement

ADVICE AND RECOMMENDED RESPONSE:

- **British Columbia has the greatest diversity of species, ecosystems, and habitats of any of Canada's provinces or territories. B.C. has always been a leader in conservation and was among the first provinces or territories to adopt and meet past conservation targets of 12% and 17%.**
- **The Province is now working toward conserving and protecting 30% of B.C.'s land base by 2030. Almost 20% has already been conserved – more than any other province or territory.**
- **This work will be done in partnership with First Nations – the rights and title holders and stewards of these lands since time immemorial.**
- **The Province's commitment to protecting and conserving 30% of B.C.'s land base by 2030 is closely tied to work by the International Union for Conservation of Nature and to the new Post-2020 Global Biodiversity Framework that was adopted at the 15th United Nations Biodiversity Conference (COP15) in Montreal in December 2022.**
- **B.C. will continue to be guided by international advice on achieving protection targets through parks, protected areas, and other area-based conservation measures.**
- **Our government's renewed land use planning process will not only provide greater certainty about what areas of the province need to be protected, but also clearly identify those areas where resource development and industrial activity can occur.**

(If asked what 30% means in terms of actual square-footage)

- **British Columbia has approximately 18.5 million hectares of protected and conserved areas, making up 19.6% of B.C.'s total land area.**
- **Of that 19.6%, about 15.5% consists of parks and protected areas, and about 4.1% consists of Other Effective Conservation Measures (OECMs).**
- **To reach the 30% target, another 10.4% of BC's land base (or about 9.9 million hectares) will need to be protected or conserved.**

KEY FACTS:

The B.C. government has committed to protecting 30 per cent of the province's land by 2030, joining global efforts to protect nature and reverse potentially disastrous biodiversity loss.

BACKGROUND:

Minister Cullen is tasked in his mandate letter with leading efforts to meet government's commitment to protect 30 percent of the province's land by 2030:

- Partnering with the federal government, industry, and communities, and working with Indigenous Peoples, lead the work to achieve the Nature Agreement's goals of 30% protection of B.C.'s land base by 2030, including Indigenous Protected and Conserved Areas.

British Columbia has approximately 18.5 million hectares of protected and conserved areas, making up 19.6% of B.C.'s total land area. Of that 19.6%, about 15.5% consists of parks and protected areas, and about 4.1% consists of Other Effective Conservation Measures (OECMs). To reach the 30% target, another 10.4% of BC's land base (or about 9.9 million hectares) will need to be protected or conserved.

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File created	Feb. 14, 2023	
File updated	Date	

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Ministry of Water, Land and Resource Stewardship

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Issue: T̓silhqot'in National Government and the Nen Transformation Table

Recommend Response:

- Active negotiations between the T̓silhqot'in National Government (TNG) and B.C. (WLRS, Ministry of Indigenous Relations and Reconciliation (MIRR) and FOR) continue to strengthen relationship and collaborative efforts this past year.
- The T̓silhqot'in Nation is recognized for its leadership in advancing Indigenous rights, and the Xeni Gwet'in [HUN-nee wah-TEEN] as caretakers of the Declared Title Area.
- B.C. is committed to travelling the uncharted waters of declared title areas with TNG. There are no easy answers – but we are working together to figure it out.
- The T̓silhqot'in Nation, former Premier John Horgan and five B.C. ministers gathered on T̓silhqot'in Title Land on September 21, 2022, to discuss opportunities to further reconciliation and T̓silhqot'in self-determination.
- B.C. recognizes tenure holders in the declared title area are in a challenging position as we continue to work through the transition of governance.
- B.C. recognizes that the most pressing work for the TNG, is Wildlife and Habitat Stewardship Planning Table being discussed at the Nen (Nen means “lands”) Transformative Tables (including sub tables).

Additional Response points (if needed):

- TNG concerns regarding moose populations are being discussed during regular Nen Transformation Table meetings.
- A wildlife planning table has been established to address habitat stewardship opportunities for moose harvesting and access management.

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- The upcoming FOR moose Limited Entry Hunt decision, anticipated late spring/early summer, continues to be a contentious topic.

Key Facts:

- The Supreme Court of Canada (SCC) made a declaration of Aboriginal title to the T̓silhqot'in Nation (TN) on June 26, 2014. The TN is the only First Nation in Canada to have a declaration of Aboriginal title affirmed by the SCC.
- Since 2014, B.C.'s regional and executive staff have been working with the TNG in advancing the outcomes of the Aboriginal title declaration.
- 2024 marks the 10-year anniversary of the T̓silhqot'in 2014 SCC decision. TNG expects the Province show tangible progress and completed milestones by the June 26, 2024 anniversary.
- TNG is comprised of 6 communities that are primarily located west of Williams Lake throughout the Chilcotin Plateau: ̓Esdilagh (*ess-de-la*), Tsideldel (*tsigh-dell-dell*), Tl'etinqox-t'in (clay-teen-co-teen), Toosey (*two-zee*), Yunesit'in (*you-neh-seh-teen*), and Xeni Gwet'in (*hon-ay-gwi-teen*).
- B.C. and TN are signatories to the following agreements that recognize the T̓silhqot'in Nation 2014 SCC decision:
 - *Nenqay Deni Accord's* (2016) with commitments related to land and resources; and
 - The tripartite *Gwets'en Nilt'i Pathway Agreement* (2019), which identified a B.C./TNG Nen Transformation Table as one of the pathways, contains short, mid- and long-term milestones to guide implementation of land and resource management, including moose.
- Assistant Deputy Ministers are the Provincial representatives at the Nen Transformation Table.

Date Prepared/Revised: March 6, 2023

Ministry Executive Sponsor:

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Appendix: Ongoing Conversations with TNG

- Access. B.C. and TNG are actively discussing access management and motor vehicle closures related to hunting and recreational users. B.C. and TNG both agree managing for access is an important factor for ensuring healthy ecosystems and the wildlife populations which inhabit them. B.C. regional staff continue to work on Access Management at the regional scale and acknowledge that collaboration with First Nations, Industry and other stakeholders is key to advancing this important work.
 - TNG have provided a list of roads they would like closed because they feel there is a lack of education and enforcement on motor vehicle closures, loop roads make it too easy to harvest wildlife (including poaching), and heavy use of the roads impedes TNG members from successfully harvesting big game.
- Annual Allowable Harvest (AAH) and Limited Entry Hunting (LEH). The TNG believe wildlife populations are insufficient to fulfil food, social, and ceremonial Aboriginal rights. B.C. does not agree. Information collected, through 25 recent moose surveys, demonstrates the populations are sufficient to not only fulfil Aboriginal rights but a LEH and Guide Outfitter Quotas.
 - Population estimates, established by significant wildlife monitoring and inventory, are utilized to support the 5-year AAH process which informs annual statutory decisions for LEH's and Guide Outfitter Quota.
 - In September 2022, Premier Horgan and five Provincial Ministers met with TN leaders. TN voiced concerns regarding moose populations, the recent AAH process, and the upcoming 2023 LEH/Guide Outfitter Quota decisions within the entirety of Tsilhqot'in territory.
 - Since September, B.C. staff continue to meet with TN representatives to develop a Wildlife and Habitat Stewardship Workplan. Instead of a species by species approach the team is focussing on habitat and ecosystem health to the benefit of all wildlife and plants while addressing important concerns around access and wildlife population levels.
- 'Category A' Negotiations Process. A jointly drafted discussion paper for this topic has been developed; this creates a thoughtful, informed approach to negotiations. The Nen Transformation Table (NTT) will be asked to endorse the format and content. Internally, FOR, WLRS and MIRR will need to develop a project charter to guide the provincial approach, including roles and responsibilities across agencies.
- Declared Title Area (DTA) Transition.
 - Tenure transition and stakeholder engagement are priority tasks.

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- There are four remaining Guide Territory Certificate holders in the DTA. The question of 'compensation' for particularly guide outfitters is an ongoing discussion.
 - B.C. is actively working on a solutions package that will resolve outstanding concerns.
 - Access, consent-based decision making and bridging agreement renewals are also under consideration and discussion.
 - The Attorney General is in the process of finalizing a legal opinion on the continued issues of access through the DTA and on the status of the roads within the DTA.
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- Shared Decision Making. Through a discussion paper related to "*Recognizing T̓silhqot'in Authorities, Transforming Relationship*" (an Implementation Plan category), the paper explores approaches for advancing shared decision making, confirming agreement, and seeking direction on differences. Ideally, this work will support and track existing collaboration and commitments, and describe where we are at, on the spectrum of shared decision making.

 - Strategic Plan for the Management of T̓silhqot'in Cultural Heritage. In the absence of a Section 4 (*Heritage Conservation Act*) Agreement with the T̓silhqot'in, the following has been achieved between the Nation and the Province: 1) signed information sharing and confidentiality agreement (August, 2021) to support the initial discussions on 3 critical heritage sites on private lands, including options regarding joint management; and 2) ongoing positive discussions seeking the T̓silhqot'in's collaboration on updating the regional Archaeological Overview Assessment model.

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Issue: Spotted Owl Recovery and Canada's Imminent Threat Assessment

Recommend Response:

- B.C. is doing everything we can to help Spotted Owls recover, including:
 - protecting more than 280,000 hectares of Spotted Owl habitat, which is enough to support a future population of 125 breeding pairs;
 - running the world's only captive breeding and release program; and
 - actively managing invasive Barred Owl populations.
- Spotted owl populations are at risk due to habitat loss (primarily from past logging activities), climate change, and competition from invasive barred owls.
- B.C. has been actively working on spotted owl recovery since 1991 and has developed and refined a recovery plan to achieve the population goal of 250 mature spotted owls (125 breeding pairs).
- B.C. invests approximately \$600,000 annually to support the Captive Breeding and Release Program and monitor the wild population. B.C. partners with the federal government and Environmental Non-Government Organizations in various partnerships.
- There are currently 31 spotted owls in the breeding program.
- The first ever release of 3 captive owls occurred last summer in collaboration with Spuzzum First Nation and we are learning together and from the released owls to further inform the program.
- Spotted Owl experts, with decades of experience in Spotted Owl recovery, do not recommend additional spatial protections of habitat at this time.

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- Spotted Owl experts recommend a science-based, adaptive habitat management approach that adjusts protection measures in response to the behaviour of released owls.
- FOR recently continued deferrals of logging in two Fraser Canyon watersheds specifically to help protect additional Spotted Owl habitat, as well as other areas of old-growth forests which removes imminent threats to survival.
- An additional 49,257 hectares of habitat is already managed (allows harvest with retention) in Wildlife Habitat Areas (WHA) for recruitment of future habitat.
- We continue to work with First Nations partners and the federal government on Spotted Owl recovery.

Key Facts:

- The Spotted Owl *caurina* subspecies is listed as Endangered under the federal *Species at Risk Act* (SARA) and is listed in the Province under Forest and Range Practices Act. WLRS leads the recovery of the Spotted Owl in Canada. FOR supports through the implementation of regulations and forest operational planning.
- The federal government is currently engaging on an amended recovery strategy, which builds on the previous strategy which was led by B.C. and developed by the Canadian Spotted Owl Recovery Team (comprised of scientific experts from academia, federal and provincial governments, and forest industry). The B.C.-led strategy was adopted by the federal government in 2006.
- The amended federal recovery document contains a complete identification of Northern Spotted Owl Critical Habitat (CH). Logging that is proposed or approved in the potential CH identified and which is not protected led to the federal Minister's opinion of the imminent threat to recovery.
- Ecojustice on behalf of the Wilderness Committee is petitioning that Environment and Climate Change Canada (ECCC) immediately invoke section 80 of SARA to apply an emergency order to protect the Spotted Owl habitat by April 2, 2023.

Date Prepared/Revised: March 17, 2023

Ministry Executive Sponsor:

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ADVICE TO MINISTER

CONFIDENTIAL ISSUES NOTE

Ministry of Water, Land and Resource
Stewardship
Date: Feb. 24, 2023
Minister Responsible: Hon. Nathan Cullen

Spotted owls: release, recovery, and Ecojustice petition to federal government

ADVICE AND RECOMMENDED RESPONSE:

- Protecting and promoting the recovery of threatened species in B.C. is a priority for this ministry.
- We're doing everything we can to help spotted owls recover, including running the world's only captive breeding and release program for this endangered species.
- We've protected more than 280-thousand hectares of spotted owl habitat, an area equivalent to about 690 Stanley Parks, which is enough to support a future population of 125 breeding pairs.
- We recently deferred logging in two Fraser Canyon watersheds specifically to help protect additional spotted owl habitat, as well as other areas of old growth forests.
- We continue to work with First Nations partners and the federal government on spotted owl recovery.

If asked about how spotted owl decisions are made:

- Decisions that support spotted owl recovery are based on the best available science and Indigenous knowledge – and we are confident in the approach we're taking.
- The conservation of spotted owls took a monumental step forward in August 2022 when we released three owls born and raised in the breeding facility – the first such release of these rare and endangered birds into the wild anywhere in the world.

- The long-term goal is to expand the spotted owl program and release as many as 20 spotted owls into the wild each year. Recovery of spotted owls in B.C. will depend both on the continued success of the breeding program and how released owls fare in the wild.

If pressed about the Ecojustice petition and logging claims:

- We understand the importance of protecting critical spotted owl habitat from activities that could disrupt the birds' recovery.
- That's why we've collaborated with First Nations and biologists to protect more than 280,000 hectares of spotted owl habitat, enough to support a self-sustaining population of 125 breeding pairs in the future.
- That's why, in 2021, we deferred logging in two Fraser Canyon watersheds to help protect spotted owl habitat and reduce the risk of noise disturbance.
- We are aware that Steven Guilbeault, federal Minister of Environment and Climate Change, intends to recommend to the federal cabinet that an emergency order be issued under the *Species at Risk Act* to further protect spotted owls in B.C.
- The B.C. government is committed to recovering spotted owls and we are confident we are on the right path.
- We continue to work closely with the federal government on the development of an updated Spotted Owl Recovery Strategy. The updated draft Spotted Owl Recovery Strategy has now been posted online for public feedback.

If further pressed about the Ecojustice petition, including about temporary vs. permanent deferrals:

- My colleagues in the Ministry of Forests have reviewed all cut block permits in the area and found that about 1% overlap with identified spotted owl habitat.
- In old growth habitat where consultation with local First Nations is ongoing to explore options for additional protection of these ecosystems, issuance of cutting permits is also on hold.
- No logging is permitted in the protected area set aside for spotted owls.

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If asked about the chances of the released owls surviving:

- A dedicated team that includes First Nations is doing everything it can to help spotted owls recover, but it is a long-term process with no guarantee of success.
- We are confident that the first release of spotted owls into the wild in August 2022 will help us learn more about raising and releasing captive-bred owls.
- That release was an important and historic step to help this species recover in British Columbia.

If asked about the October 2022 injury to one owl released in August 2022

- On Oct. 23, 2022, one of the three released spotted owls was found injured beside the train tracks.
- The injured owl was taken to the Orphaned Wildlife Rehabilitation Society (OWL) in Delta and treated there, before being returned to the breeding facility in Langley.
- In the coming months, it will be determined if that owl will be eligible to be released again into the wild.

If asked about the lethal removal of invasive barred owls:

- As a larger species, the invasive barred owl poses a significant threat to spotted owl survival.
- Barred owls are aggressive and compete with other owls for prey and habitat.
- Their behavior is also known to suppress spotted owl breeding.
- To help support spotted owl recovery in B.C., 207 barred owls were relocated or removed between 2007 and fall 2022 under the provincial Barred Owl Control Program.
- This program is ongoing and includes extensive monitoring.
- The United States took similar steps to remove barred owls, and those measures have been effective in stopping spotted owl declines in some instances.

If asked about a potential subdivision of the property where the breeding facility is located:

- Our government has a month-to-month lease arrangement with the property owner for the portion of land being used by the breeding facility.
- If the owner's application to subdivide the property is approved, we will work with the owner to develop options and determine how best to continue the recovery program.
- At the same time, the Province is exploring options for a second site or expansion of the facility.

If asked about the expansion of the Trans Mountain pipeline near the spotted owl breeding facility:

- The success of the breeding program is crucial to our spotted owl recovery plan, and we will continue to work for what's best for the owls.
- Trans Mountain is proposing directional drilling for its pipeline expansion project under the right-of-way located within 40 metres of the nearest spotted owl aviary at the captive breeding facility.
- Trans Mountain has indicated that directional drilling is likely to fully mitigate noise impacts on spotted owls at the Langley breeding facility. However, a final mitigation plan has not yet been received from the company.

KEY FACTS:

On Oct. 25, 2022, Ecojustice Canada (on behalf of the Wilderness Committee) submitted a petition to the federal Minister of Environment and Climate Change (ECCC) for an Emergency Order Recommendation for the northern spotted owl. Among other claims, the grounds for the order include:

- spotted owls are on the brink of extirpation due to extreme recent population declines and serious and ongoing habitat degradation and loss;
- a plan to spatially identify critical habitat, as promised in a 2006 recovery strategy, has not been released;
- many of the Province's commitments, particularly critical habitat identification and protection, have gone unfulfilled;
- no permanent protection of the watersheds where the owls are currently is in place; and
- the Province continues to authorize logging in suitable spotted owl habitat; there are presently 452 approved or pending cut blocks overlapping fully or partially with areas identified as suitable spotted owl habitat.

The federal SARA is "safety net" legislation that requires the assessment of the status of species. If the federal minister (Environment and Climate Change Canada) is of the opinion that

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a species faces an “imminent threat” to its survival or recovery, the minister must prepare a recovery strategy that includes the identification of critical habitat and make a recommendation to provide for the protection of the species.

In a Feb. 14, 2023 letter to Ecojustice, the Canadian Wildlife Service said that Steven Guilbeault, federal Minister of Environment and Climate Change, intends to recommend to the federal cabinet that an emergency order be issued under the federal *Species at Risk Act* to further protect spotted owls in B.C.: *“The Minister has determined that the Spotted Owl is facing imminent threats to its survival and recovery based on an Imminent Threat Assessment that used the best available information, including information provided by Ecojustice and the Government of British Columbia... The Imminent Threat Assessment examined the impact of logging within the Spuzzum and Utzlius Creek watersheds that support the last three remaining Spotted Owls known to exist in the wild in Canada, as well as the impact of forestry and other land clearing activities across the species’ habitat in British Columbia. The Minister has determined that any resumption of logging activities in Spotted Owl habitat in the Spuzzum Creek and Utzlius Creek watersheds poses an imminent threat to the survival of the species.”*

The Province worked closely with the federal government on the development of an updated draft Spotted Owl Recovery Strategy, which identifies areas of critical spotted owl habitat and “potential” critical habitat (i.e., it has suitable characteristics but is not currently protected, and it’s uncertain whether it’s needed to achieve the population recovery objective). The federal government and the Province have differing opinions on what constitutes “critical” spotted owl habitat (vs. “suitable” spotted owl habitat), and they have yet to agree on how to map those areas. The draft Spotted Owl Recovery Strategy is currently posted online for public review and comment (<https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/recovery-strategies/spotted-owl-amended-proposed-2023.html>)

There is currently no ability within SARA for the federal minister to consider social or economic impacts that may result from recommendations to protect a species. Recommendations by the federal minister under SARA are provided to the federal cabinet, where social and economic impacts and other provincial perspectives may be considered.

Release of spotted owls into the wild (August 2022)

In August 2022, three male spotted owls raised in the Northern Spotted Owl Breeding Program in Langley were released into protected forests in the Anderson Wildlife Habitat Area (WHA) and the Spuzzum Wildlife Habitat Area in the Fraser Valley. This is where the only previously known wild spotted owl (a female) is located. This was the first-ever release of spotted owls into the wild anywhere in the world.

It’s too early to tell how well the owls will fare and breed in the wild. One of the owls was found injured in late October 2022, was treated, and then returned to the Langley breeding facility. Spotted owls in captivity can hunt for their food, and so far the other two released owls have been doing the same in the wild. While it remains to be seen how well they will become established in the wild, this is a significant step forward in the Province’s efforts to help spotted owls achieve a self-sustaining population in B.C. Ministry staff have been working on this project in partnership with the Spuzzum First Nation.

A monitoring plan is helping ministry staff better understand the behaviour and responses of the released owls. Their movements are being tracked using GPS tags and their health is being

monitored. The released owls may be supplementally fed by ministry staff or possibly recaptured if they are not doing well, which was recently the case when one of the owls was found injured near train tracks just outside of the protected area. This owl was treated for a broken wing and a scratched eye and then returned to the Langley breeding facility. Its long-term prognosis, including whether it can be returned to the wild, is not yet known.

B.C. is aiming to be the “go to” source for accurate information about spotted owl recovery, both for First Nations and others interested in this work.

Decline and Recovery

The spotted owl (*caurina* subspecies) is listed as an endangered animal under the federal *Species at Risk Act* (SARA). It is also red-listed (a species most at risk of becoming extirpated or extinct) by the B.C. Conservation Data Centre and is listed under both the provincial *Forest and Range Practices Act* and *Oil and Gas Activities Act* as a species at risk.

At the time the Province’s 2022 surveys were conducted, only one spotted owl had been detected in the wild in British Columbia, which is the northern edge of the birds’ range. The spotted owl population in B.C. had declined from an estimated 100 breeding pairs in 1991. Over the past century, spotted owl population declines have been primarily due to extensive habitat loss and fragmentation associated with human settlement, industrial activities (e.g., forestry) and natural disturbances (e.g., wildfires), as well as competition from barred owls. As a larger species, the barred owl poses a significant threat to spotted owl survival by competing for prey and habitat and, through its aggressive behaviour, suppressing spotted owl breeding.

Spotted owl populations are also in decline in Washington and Oregon. In the July 2021 issue of *Biological Conservation*, a meta-analysis assessed population trends in northern spotted owls in the two states using 26 years of data from 11 study areas. The analysis found that barred owls were the primary factor negatively affecting life history traits (the number of spotted owls, offspring size/sex ratio, timing of reproduction, age/size at maturity, growth patterns and longevity) and rates of population change. It went on to state that spotted owls potentially face extirpation if the negative effects of barred owls are not mitigated, while also maintaining spotted owl habitat.

<https://www.sciencedirect.com/science/article/pii/S0006320721002202>

Threats to spotted owls include loss and fragmentation of habitat, competition from barred owls, climate change, noise disturbance, and a low population in the wild. The decline in the wild population of spotted owls in B.C. is in part due to the breeding program extracting owls from the wild to establish a breeding population at its facility. Twenty owls (14 juveniles and six adults) have been removed from the wild over a 14-year period. Two captive- born and two wild birds from the U.S. have also contributed to the overall breeding efforts.

Existing and future spotted owl recovery actions include: habitat protection, captive breeding, barred owl control, and release of captive-bred spotted owls into the wild.

In April 2007, the B.C. government initiated the Northern Spotted Owl Breeding Program and the Interagency Northern Spotted Owl Steering Committee to oversee all recovery actions for the species, including field research, population monitoring, and the captive breeding program. In May 2009 (the last year the committee was active), it approved a revised Spotted Owl Management Plan that includes the legal protection of 281,284 hectares of spotted owl habitat in B.C. and a recovery target of 125 breeding pairs (250 mature owls), which is considered to be a self-sustaining population. The 281,284 hectares of protected spotted owl habitat consists of:

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- about 100,000 hectares within Long-Term Owl Habitat Areas (i.e., Wildlife Habitat Areas, or WHAs).
- about 180,000 hectares within provincial parks, Greater Vancouver Watersheds, ecological reserves and regional parks.

There are currently 31 spotted owls at the Northern Spotted Owl Breeding Program facility in Langley. Mating of these owls is carefully managed to create a more genetically diverse population. Spotted owls that are not released into the wild will remain at the breeding facility in the hope that they can breed and produce viable offspring for future releases. They may also be loaned out to other breeding facilities to help promote B.C.'s recovery program.

In 2021, the B.C. and federal governments agreed that logging would be deferred in the Spuzzum and Utzlius watersheds in the Fraser Canyon (covering 32,671 hectares) to help protect spotted owl habitat. This was done in part to forestall the possibility that the federal government would impose an Emergency Order for habitat protection under the federal *Species at Risk Act* (SARA). The current logging deferral is set to expire on Feb. 28, 2023, and a cabinet decision on whether to approve a two-year extension is expected by the end of that month.

B.C. is currently in discussions with Canada and First Nations on a "Nature Agreement" to support conservation. This logging deferral supports the proposed agreement's goal of improving species-at-risk protections and enhancing biodiversity in the province. The agreement is still being negotiated but could be signed in 2023. The agreement, once it's in place, should provide greater certainty related to future land use decisions and adaptive habitat management methods. The Province is also working closely with the federal government to support the revision and approval of an updated Spotted Owl Recovery Strategy.

To help support spotted owl recovery, 207 barred owls were removed under the provincial Barred Owl Control Program between 2007 and fall 2022. Barred owls continue to be actively monitored and removed from the area where the spotted owls were released in August 2022 and will be removed from other potential release areas in future.

The removal of barred owls in B.C. could be controversial, with some people possibly questioning the decision to kill one species to protect another. However, ministry staff advise that barred owl removal efforts have been well-publicized since 2007 and no significant opposition to this approach has been received. The United States has undertaken similar measures to remove barred owls, and they have been effective in stopping spotted owl declines in that country.

Trans Mountain pipeline expansion near breeding facility

The twinning of the Trans Mountain Pipeline from central Alberta to Burnaby was approved by the federal government in 2019. The project right-of-way occurs within 40 metres of the nearest spotted owl cage at the Northern Spotted Owl Breeding Program facility. Ministry staff are very concerned about the potential impact of construction activity and related noise on the spotted owls, including their future breeding output. Since successful breeding is the cornerstone of the program, delays to the breeding cycle caused by over three months of pipeline construction could have a significant impact on the program.

Trans Mountain is proposing to directional drill under the right-of-way. The company has indicated it is likely that noise impacts on owls at the captive breeding facility can be fully mitigated. However, a final mitigation plan has not yet been received from the company.

Proposed subdivision/purchase of breeding facility property

The Northern Spotted Owl Breeding Program facility is on private property under the jurisdiction of the Township of Langley and is part of the Agricultural Land Reserve. The B.C. government currently has a month-to-month lease arrangement with the property owner for that portion of the property used by the breeding facility. Both the government and the landowner want to ensure that the spotted owl breeding facility remains where it is.

The landowner listed the entire property for sale in 2019 but did not sell it. The landowner now wishes to subdivide the land to support and keep the breeding facility on site. If the subdivision is approved, the B.C. government will work with the owner to develop options and determine how best to support the long-term recovery of spotted owls in British Columbia. At the same time, the Province is exploring options for a second site or expansion of the facility.

Media Interest: The fate of spotted owls has received considerable media coverage for years, often within the context of logging and old-growth protection.

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File created	June 10, 2022	
File updated	Feb. 24, 2023	

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Issue: Caribou Recovery Program (Southern Group, Central Group, Boreal, Northern Group and Northern Mountain)

Recommend Response:

- The Caribou Recovery Program is a long-term commitment to the recovery and stewardship of caribou in B.C.
- The programmatic approach supports the efficient implementation of comprehensive recovery actions based on traditional knowledge and science.
- On average, B.C. has invested nearly \$10 million/year over the last five years. This funding has leveraged partnerships and additional funding. Canada is our largest contributing partner providing up to \$5 million/year through Shared Cost Agreements.
- To halt and reverse the decline in caribou populations, we will continue this level of investment in the Caribou Recovery Program.
- We are also increasing partnerships with First Nation governments and supporting indigenous-led efforts to achieve shared program goals.
- A priority this coming year is to reach out to communities, industry, and stakeholders to collaborate in the development of specific habitat objectives.
- The Section 11 Agreement with Canada helps ensure a shared understanding of priorities, actions, and outcomes.

Key Facts:

- One of the main factors of caribou population decline is habitat loss and fragmentation due to human activities such as logging, mining, and oil and gas development.
- Large areas of mature forests have been converted to young and more open forest landscapes that provide ideal foods for deer, elk, and moose. These ungulate species are the primary prey of wolves and cougars, which has resulted in a higher density of predators, particularly wolves, in areas that were historically predator refuges for caribou.

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- Recent implementation of intensive management actions (i.e., maternal penning, and predator control) combined with habitat protection has resulted in positive population trends for several herds.
- For example, in partnership with Saluteau, and West Moberly First Nations, habitat protection, predator management, and maternal penning has reversed the declining caribou population where the population has grown from 162 in 2014 to 355 in 2021.
- WLRS staff are focusing on herds that have high feasibility of recovery, enhancing existing and exploring new partnerships with First Nations, and collaborating with communities and subject matter experts to develop herd plans and implement specific recovery objectives.
- Successful caribou recovery requires a coordinated approach (depending on the specific conditions faced by a herd) involving a unique combination of actions such as:
 - Habitat protection
 - Habitat restoration
 - Predator management
 - Management of other prey species like moose and deer
 - Maternal penning/conservation breeding
- Despite these investments and actions all 6 of the Boreal herds and 14 of 32 the Southern Mountain caribou herds are in decline. Ten of the 55 herds in B.C. have fewer than 25 animals.
- BC will continue to prioritize recovery actions to achieve the goal of self-sustaining herds and to uphold the rights of First Nations. Without continued investment in caribou recovery, the province is at risk of Federal intervention through a habitat protection order under the federal Species at Risk Act.

Date Prepared/Revised: March 07, 2023

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Issue: Predator Management for Caribou Recovery

Recommend Response:

- Caribou are an iconic species at risk. Population declines are a result of complex interaction among multiple factors including habitat loss and increased rates of predation.
- In the short term, while habitat conditions are restored, managing predators is an important recovery action to ensure local extinctions do not occur.
- Decisions to implement predator management are not taken lightly and are supported by a detailed assessment of the specific circumstances.
- Through monitoring efforts, and in partnership with researchers, we are documenting positive trends in caribou populations in many of the areas where predator management is being implemented.
- We will continue to assess the results of predator management, as well as the effects of other recovery actions including habitat protection, habitat restoration, and maternal penning as we work toward our objective of self-sustaining caribou populations in B.C.

Key Facts:

- Wolf densities in some areas and overlapping declining caribou populations are significantly above what is expected when compared to historic distributions and the scientifically supported threshold needed to ensure a self-sustaining caribou population.
- Predator management is only implemented for caribou populations where there is no licensed harvest and habitat protections are in place or underway.
- When predator management is applied effectively, the targeted wolf density can be achieved quickly and usually results in positive population response through increased calf survival and fewer adult cow mortalities.
- Working with First Nation communities, trappers and through hunting regulations may be a preferred approach to reducing wolf densities; however, these techniques are often not effective over large, difficult to access areas. Therefore, intensive efforts with helicopters is the primary technique used for wolf management.

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Previous 2 years of predator management:

Program Area	Wolves Removed 2021	Cougars Removed 2021	Wolves Removed 2022	Cougars Removed 2022	Total cost 2022 (\$)
Southern Mountain – Southern Group					
Central Selkirks	3	4	11	2	129,358
Columbia North	6	4	3	5	116,366
North Cariboo			7	0	65,000
Hart Ranges	32	-			155,000
Southern Mountain – Northern Group					
Graham	31	-	10	0	185,936
Itcha-Ilgachuz	10	-	66	0	175,529
Tweedsmuir	48	-	36	0	235,959
Southern Mountain – Central Group					
South Peace	40	-	26	-	140,000
Northern Mountain					
Pink Mountain	40	-	50	0	225,131
Boreal					
Chinchaga (Milligan Core)	27	-	41	0	119,243
TOTALS	237	8	250	7	\$1,547,522

Date Prepared/Revised: March 07, 2023

Ministry Executive Sponsor:

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ADVICE TO MINISTER

**CONFIDENTIAL
ISSUES NOTE**

Ministry of Water, Land and Resource
Stewardship
Date: Jan. 23, 2023
Minister Responsible: Hon. Nathan Cullen

Predator reduction program (wolves and cougars) to support caribou recovery

ADVICE AND RECOMMENDED RESPONSE:

- The recovery of woodland caribou populations is a top priority for our government.
- After years of research, we know that predator management is an effective, temporary measure to halt and reverse caribou population declines in B.C.
- No one wants to see caribou disappear.
- The decision to reduce predator populations is not taken lightly, and our approach is based on science and sound wildlife management principles.
- This is just one tool used to support the recovery of caribou herds.
- Habitat protection, habitat restoration, and maternal penning are also key parts of our caribou recovery strategy, but research has shown that these measures alone are not enough.
- Without addressing high predation pressure from wolves, many caribou herds could face the risk of local extinction (extirpation).

If needed:

- The Province is committed to caribou recovery. That's why we created the Provincial Caribou Recovery Program in 2017. We continue to support this work with an investment of over \$10 million each year.
- We are implementing collaborative research and regular monitoring to evaluate the effectiveness of all caribou recovery activities.

If asked about effectiveness of current predator reduction measures:

- Years of research on wolf reduction measures show that this approach has immediate, positive impacts on caribou populations.
- Predator reduction measures on 13 of B.C.'s 54 caribou herds have helped stabilize or increase populations in all these herds, whether implemented alone or with other management strategies.
- For example, the Kennedy Siding herd has more than doubled since 2015 — from 49 animals to 115, with wolf reduction and supplemental feeding.
- Other examples:
 - Klinse-za (Scott/Moberly) herd: from 38 animals in 2013 to 114 now, with wolf reduction measures and maternal penning.
 - Columbia North herd: from 124 animals in 2014 to over 200 now, with wolf and cougar reduction and maternal penning.
 - Survival rates of adult and calf caribou have increased in nearly all cases where wolf population densities have been reduced.

If asked about using radio collars to track wolves to their pack (the Judas method, although this is not a term that government uses):

- In some circumstances, an individual wolf is captured and fitted with a GPS radio collar.
- This method provides data to government biologists about wolf movements and pack territories, and helps facilitate the removal of entire packs during winter wolf reduction efforts.
- The removal of entire packs within treatment areas is based on extensive research and science, and is critical to supporting caribou survival.

If asked about the humaneness of the wolf reduction process:

- There is a high level of government oversight during aerial wolf reduction activities.
- We consider animal welfare and the humaneness of our procedures in our wolf reduction program, and we follow the American Veterinary Medical Association's *Guidelines for the Euthanasia of Animals* and *Guidelines for the Depopulation of Animals*.

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- **According to those guidelines, a gunshot is an acceptable and effective method for humanely killing carnivores, and is the preferred method for removing large, free-ranging carnivores from the landscape.**
- **Aerial-based shooting also avoids any risk of animals other than wolves being killed. Aerial-based shooting is only considered after ground-based methods (hunting or trapping) through licensed or First Nation hunters and trappers is deemed not feasible or effective.**

KEY FACTS:

Predator reduction is an effective tool in caribou recovery, but the decision to remove animals of one species to benefit a species at risk is controversial. Some people find the idea of deliberately removing wolves to benefit a species at risk unsettling. This approach is supported by science and is necessary if we choose to recover caribou herds that will otherwise go extinct.

BACKGROUND:

Caribou recovery is a complex challenge, requiring multiple tools applied across the landscape. All potential recovery management actions are considered, tested and (where needed) implemented to help stabilize and reverse the decline of caribou herds in B.C.

These actions may include: reduction of wolf and cougar populations; management of primary prey (i.e., species that support high predator densities and attract predators to caribou habitat); maternity penning; habitat protection and restoration; recreation management; supplemental feeding; and population augmentation.

Wolves are the primary predators of caribou in most herds, and high wolf populations are directly linked to the decline of caribou populations in B.C. (Cougars are a primary predator of caribou in some herds in the Southern Mountain ranges.)

Predator reduction occurs in 13 of B.C.'s 54 woodland caribou herds. The results of a five-year analysis (2015-2019) of wolf reduction in the Central Group of Southern Mountain Caribou showed that predator reduction had immediate, positive impacts on caribou populations. More recent research has found similar positive effects of predator reduction. For example, the Klinseza (Scott/Moberly) herd has tripled in size from 38 animals to 114 since wolf reduction measures began in 2015, in conjunction with maternity penning.

The Province has long acknowledged that habitat protection and restoration is crucial for caribou recovery. Natural disturbances and human activities (such as forest harvesting, mining, and oil and gas extraction, plus associated roads, seismic lines, pipelines and urbanization) have degraded caribou habitat in B.C.

Predator reduction is used as an interim measure for at-risk herds where the maximum wolf density target has been exceeded. Without undertaking predator reduction in the short term, habitat protection alone will not allow caribou populations to increase, since currently disturbed habitat needs time to recover. Research shows that wolf populations can rebound quickly. Therefore, intensive wolf reduction in localized treatment areas (i.e., caribou herd boundaries)

must be achieved to reverse the decline of caribou herds. When wolf reduction has occurred without high rates of removal, there was no beneficial response in caribou populations.

The use of poisons is prohibited in B.C. for the purpose of wildlife control or management.

Public engagement process regarding predator reduction:

In late 2021, the Caribou Recovery Program received approval for a five-year continuation of predator reduction, starting the winter of 2021-2022. Public engagement and First Nations consultations related to this program were conducted from Sept. 15 to Nov. 15, 2021. The public engagement process included:

- introductory letters sent to First Nations
- introductory letters sent to affected tenure holders
- an EngageBC website where members of the public could read about the project, comment on it, and participate in an online survey

A total of 15,196 online surveys were completed from Sept. 15 to Nov. 15, 2021. The overwhelming majority of respondents (98%) feel that caribou recovery is important.

- 42% of the respondents from B.C. were in support of predator reduction.
- People in areas where caribou occur indicated greater support for the application of this management tool (53% to 82%), compared to other areas of the province (22% to 47%)

Media coverage can prompt responses from advocacy groups and on social media. Some of these comments can be both racist and threatening, but usually do not target individuals. However, monitoring social media is an important consideration when predator management is in the news.

Wolf reduction statistics:

A breakdown of the number of wolves removed since the predator reduction program began in B.C. is provided below:

2015: 68
2016: 210
2017: 119
2018: 152
2019: 180
2020: 482
2021: 237
2022: 279

More information about B.C.'s caribou recovery program can be found online:

<https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/wildlife/wildlife-conservation/caribou/management-activities>

Media Interest: On April 28, Global TV and CKNW ran stories about the wolf reduction program, including critical comments from Adam Olsen of the Green Party.

Communications contact	Thomas Winterhoff, Sr. PAO, GCPE WLRS	778 679-5541
Program contact	Michael Bridger, Wildlife Biologist, WLRS	778 576-8933
File created	April 29, 2022	
File updated	Jan. 23, 2023	

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Issue: Species at Risk Recovery

Recommend Response:

- WLRS works collaboratively across ministries, First Nations, and federal counterparts in Environment and Climate Change Canada (ECCC), Parks Canada and the Department of Fisheries and Oceans to establish consistent and effective management actions for Species at Risk recovery.
- Species at risk recovery is a priority and the province will continue to support and implement recovery actions.
- Determining recovery actions begins with identification of a population objective that upholds indigenous rights, as well as the consideration of cultural, social, and economic values.
- Specific species recovery plans are developed in collaboration with First Nations Rights and Title holders and engagement with stakeholders and the public.
- Threats to species recovery are assessed and mitigation options, including both legal and non-legal mechanisms, are identified. Successful recovery often requires multiple approaches and partnerships through intensive management efforts (e.g., captive breeding, control of predators or competitors).
- Through the Land Based Investment Strategy, \$600,000 is the average funding available for species at risk recovery, not including spotted owl or caribou. Operational funding is leveraged from multiple sources including Canada.
- In partnership with First Nations, we are working on the development of a Biodiversity and Ecosystem Health policy framework that is intended to establish a more holistic approach to biodiversity conservation and should reduce the likelihood of species becoming at risk while better ensuring resilience of social and economic wellbeing in the province.

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Key Facts:

- Species at Risk Recovery in B.C. is led by WLRS. Other ministries in the natural resource sector support the implementation of recovery strategies through establishing objectives, permitting, and authorizing activities as set out in species-at-risk recovery plans (Land Use Objectives Regulation Orders, Government Actions Regulations, wildlife management, habitat restoration, permit conditions, etc.).
- Recovery actions are guided by numerous statutes, few of which are held by WLRS.
- The fragmented approach that involves multiple ministries, that sometimes have overlapping mandates and competing objectives, as well as the varying levels of conservation certainty (i.e., effective protection) has led to the federal Minister being unable to confirm that provincial strategies are adequately meeting the requirements of the federal Species at Risk Act (SARA). Extensive criticism from Non-Government Organizations (NGOs) and legal risks (infringement of rights, petitions to Canada to enact safety net orders under SARA) also impact the public trust and confidence in the provincial program.
- Currently, 253 species in B.C. are listed under SARA, 102 of which have legally identified critical habitat (approximately 30.6 million hectares, not accounting for overlap) in the federal recovery strategies.
- Globally, biodiversity is in decline with an estimated 60% decline in populations of vertebrate species. While the state of biodiversity in B.C. is likely better than many jurisdictions, B.C. is increasingly seen as a last refuge for many North American species and is facing pressures internationally to achieve high standards for conservation outcomes and realize a global stewardship responsibility.
- Declines in biodiversity are primarily due to five main threats: (1) climate change; (2) habitat loss or alteration; (3) invasive species; (4) overexploitation; and (5) pollution. Species at risk are often impacted by the cumulative effects of multiple threats. Species at Risk recovery plans are therefore complex, and implementation of actions involves complicated environmental, social, and economic trade-offs.
- Biodiversity has intrinsic cultural and ceremonial value to Indigenous Peoples who have expressed a strong interest in shared conservation decision-making. That said, cultural values and rights to self-determination, including interest in economic opportunities, can sometimes conflict with species recovery objectives (e.g., moose is a preferred species over caribou).

Date Prepared/Revised: Feb 28, 2023

Ministry Executive Sponsor:

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2023/24 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Issue: Together for Wildlife and Minister's Wildlife Advisory Council

Recommend Response:

- Wildlife and habitat are of vital importance to British Columbians, and their health and resilience reflect a sustainable future for our lands.
- Together for Wildlife (T4W) establishes five goals and 24 actions to advance the vision of thriving and resilient wildlife and habitat that enrich the lives of all British Columbians, while advancing reconciliation and co-management, and improving public trust and confidence.
- We need to consider the diverse values and perspectives of all British Columbians to improve outcomes for wildlife and habitat. Since August 2020, the Minister's Wildlife Advisory Council (MWAC) has provided independent advice to support implementation of the T4W strategy.
- Since 2021/22, up to \$10 million per year has been allocated to implement T4W. This funding supports priority wildlife and habitat stewardship projects across the province, including monitoring, inventory, and research; wildlife objective-setting; on-the-ground stewardship; review of the effectiveness of legal land designations; policy development, data sharing and communications.
- T4W funding is often leveraged through partnerships with Indigenous Governing Bodies, Non-Government Organizations, and academic institutions.

Additional Response points (if needed):

- The MWAC consists of British Columbians from across the province who have a broad understanding of the important role that wildlife plays for Indigenous communities, for local economies and for the environment.
- If MWAC recommendations are raised: Many of the recommendations are already being incorporated into policy development by staff. We will continue to work with MWAC

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on their recommendations as T4W and related initiatives like the Declaration on Ecosystem Health, 30 x 30, and conservation finance mechanisms.

Key Facts:

- The T4W Strategy is the result of comprehensive discussions with over 120 Indigenous communities and 60 stakeholder groups, as well as more than 1400 comments received from members of the public.
- WLRS leads implementation of T4W. T4W establishes five goals and 24 actions. The goals outline a framework for governance and communication (Goal 1); information (Goal 2); action (Goal 3); performance (Goal 4); and reconciliation and co-management (Goal 5).
- Since the release of T4W, progress has been made on all 24 actions, including:
 - the launch of the Minister's Wildlife Advisory Council (MWAC);
 - the continuation of the First Nations-B.C. Wildlife Habitat and Conservation Forum (Forum);
 - the development of draft policies on objective setting, regional wildlife advisory committees and shared decision-making;
 - introduction of amendments to the Wildlife Act;
 - inventory and monitoring of varied species across B.C.;
 - enhancement of data management and public-facing websites;
 - launch of a scholarship program to support research; and
 - work to identify appropriate methods to capture Indigenous knowledge to support sound government decision-making.
- T4W funding is distributed across regional and provincial teams according to T4W actions. In addition, it supports program administration.
- Implementation is shared primarily across the Ministry of Water, Land and Resource Stewardship, Forests, and Environment and Climate Change Strategy. Ministry of Transportation and Infrastructure is also a partner.
- The MWAC was established in 2020 (fulfilling the T4W Action 1) to provide oversight of T4W implementation, as well as advise and support to the Ministers of Water, Land and Resource Stewardship and Forestry on stewardship.
- The Council has had up to 18 members; currently there are 15. Members are non-representative and are expected to provide expertise, through their diverse perspectives, to build consensus recommendations related to wildlife and habitat stewardship.

Date Prepared/Revised: March 1, 2023

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Issue: Wildlife Act Review

Recommend Response:

- In the Together for Wildlife Strategy, the Province committed to review the Wildlife Act (the Act).
- The Together for Wildlife Strategy identifies priority areas to be included in the review: reconciliation with Indigenous peoples, determination of objectives for wildlife populations, improved wildlife stewardship, effective and accessible service delivery, and dedicated funding.
- In addition to these priority areas, there are also a number of administrative updates needed to support the proper functioning of the Act.
- A review of the Act also supports the commitment in the Declaration on the Rights of Indigenous Peoples Act to align provincial laws with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in consultation and cooperation with Indigenous peoples.
- A Consultation and Cooperation Plan describing the scope, collaboration processes and timelines has been adopted.
- The Province has initiated the policy exploration stage with members of the First Nations-B.C. Wildlife and Habitat Conservation Forum.
- The Wildlife Act review expands upon the reconciliation-focused amendments made in Bill 14 in Spring 2022, which supports the incorporation of Indigenous Knowledge into decision-making and recognizes traditional hunting protocols between First Nations.
- It is anticipated that the Wildlife Act review will be complete in the spring of 2026.

Additional Response points (if needed):

- Together for Wildlife is founded on several principles, one of which being evidence-based decision making. This recognizes the importance of science, as well as Indigenous

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knowledge, which is a different, and equally valuable knowledge system.

- Local knowledge and other types of evidence are becoming more and more important with climate change uncertainty and the rapid changes in our management system.

Key Facts:

- WLRS is the lead for the Together for Wildlife Strategy which includes Action 12 to undertake a review of the Act.
- As the legislative authority for the Act resides with the Ministry of Forests, both ministries will lead the Wildlife Act review collaboratively.
- The Act has not been significantly updated since 1981 and remains largely focused on extractive activities (e.g., hunting, trapping).
- The review will cover 6 themes
 - Reconciliation with Indigenous peoples, including shared decision making,
 - Objective setting,
 - Hunting, angling, trapping and commercial activities,
 - Fish and wildlife habitat, conservation lands and stewardship,
 - Compliance and enforcement, and
 - Funding, administration, and errata
- We have heard from Indigenous leadership that wildlife stewardship is a key priority in reconciliation, and an important venue for developing co-management and shared decision-making processes that will advance the alignment of provincial legislation with UNDRIP.
- In addition to updates to align laws with UNDRIP, the scope of the review will also consider updates to support objective setting for wildlife populations, habitat stewardship, compliance and enforcement, funding, and improved hunting, trapping and angling practices.
- Priorities are expected to improve wildlife stewardship and habitat conservation, advance reconciliation and support public trust and confidence in the Act.
- Recent court decisions such as *R. v. Desautel* (2021) and *Yahey v. British Columbia* (2021) have further highlighted obligations of Government in managing wildlife stewardship and use.
- The review will be coordinated with and informed by other provincial initiatives related to ecosystem stewardship and land management that have the potential to support wildlife stewardship and habitat conservation (e.g., Old Growth Strategic Review recommendations such as the declaration to prioritize ecosystem health and biodiversity).

Date Prepared/Revised: March 2, 2023

2023/24 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Issue: Cumulative Effects Framework

Recommend Response:

- WLRS's mandate includes direction to: "increase the Province's capacity to manage for cumulative effects through integration of science-based land, aquatic, resource, geographic and Indigenous knowledge to evidence-informed policy and decisions can be made by statutory decision makers".
- Cumulative Effects (CE) assessments under the B.C. Cumulative Effects Framework (CEF) are a foundational component of natural resource stewardship. They assess the cumulative effects of natural and human-caused disturbances on key provincial values to inform planning and decision-making throughout B.C. and across natural resource agencies. CE outputs provide a common understanding of value condition and trend.
- A shift towards increased delivery of the CEF through regional Forums and the Collaborative Indigenous Stewardship Framework (CISF) model demonstrates B.C.'s response to the B.C. Supreme Court's *Yahey* decision and provides a venue for strategic response province-wide, as Indigenous Nations look to the Northeast and demand similar action in their territories.
- The Cumulative Effects Framework provides foundational information to the CISF. Cumulative effects assessments are a key interest and priority for many Indigenous governments. Through CISF, trusted data is collected, and assessments are conducted collaboratively to inform operational and strategic decision-making, reflecting Indigenous perspectives and knowledge.
- CEF products are used to inform: (1) modernized land use planning and forest landscape planning; (2) implementation of the provincial Old Growth Strategic Review recommendations; (3) environmental assessments for major projects; (4) natural

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resource authorizations, such as roads and forestry activities; (5) watershed security planning and fish habitat management; (6) consultation with Indigenous Nations and impact assessment to Aboriginal rights and title; and (7) other strategic, tactical and operational natural resource management decisions.

- To date, current condition reports and accompanying data generated under the CEF on various values have been published for all of the eight Natural Resource Regions and many more reports are in progress.

Additional Response points (if needed):

Next steps for CEF implementation include:

- Continue publishing CE assessment results for all five provincial CE values (Grizzly Bear, Forest Biodiversity, Old Growth, Aquatic Ecosystems, and Moose), including building web-based reporting tools to communicate assessment results to users. Continuing engagement with First Nations through CISF to share information and seek collaboration on assessment protocols and reports.
- Completing workshops with decision-makers and their staff to support the consideration and implementation of the CEF in natural resource decisions.
- Engaging on the effective delivery of CE assessment results to support modernized land use planning and forest landscape planning.
- Advancing CE data into operational decision-making through the development of management considerations and guidance.

Key Facts:

- WLRS is the lead agency for the Cumulative Effects Framework, including the development of policy, guidance, assessments, and reporting.

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- The Cumulative Effects Framework Interim Policy is an NRS-wide policy; all natural resource ministries have a role to play in the application of the Framework to the decisions they make on the land base.
- **Audit:** In 2015, the Office of the Auditor General completed an audit on “Managing Cumulative Effects of Natural Resource Development in B.C.”, concluding that FOR was not adequately addressing CE in decision-making and that the CEF was a much-needed step forward, but that there needed to be further clarity as to how the government would use the framework in decision-making. The Public Accounts Committee has stated that the response to the audit is now complete (as of February 2023).
- **Yahey vs. B.C.:** In the 2021, B.C. supreme court decision, Justice Burke found that “The Province has not implemented a fully functioning regime where cumulative effects in the Blueberry Claim Area and impacts on the exercise of treaty rights can be assessed and managed.”
- **CEF Implementation** – outputs to date include:
 - Assessments have been completed for the five provincial values. Reporting out on these assessments is ongoing, including online.
 - Regions are completing assessments on additional CE values specific to their areas and management issues, in some cases through related initiatives such as Collaborative Indigenous Stewardship Forums.
 - Overall, 24 CE reports have been published, covering 10 different values in 8 regions.
 - Case studies are posted on the CEF website to demonstrate how CE has informed decision-making across the natural resource agencies.
 - Policy, procedures, decision support tools, and governance structures are in place.
 - Ongoing guidance is being provided to business areas on the implementation of the policy.

Date Prepared/Revised: March 3, 2023

Ministry Executive Sponsor:

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Alternate Contact for Issue:

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Issue: Watershed Security Strategy and Fund

Recommend Response:

- Protecting water and watersheds is a priority for this government.
- We are at the mid-way point of developing the Watershed Security Strategy (Strategy), which is intended to shape water and watershed management in British Columbia (BC) for the next 20 years.
- An Intentions Paper released on March 6, 2023, welcomes input from British Columbians on five policy intentions that government intends to take action on.
- We continue to advance work towards co-developing the Strategy through the BC-First Nations Water Table, ongoing relationships with First Nations leadership, Treaty Nations, Métis nations, and existing government-to-government tables.
- We expect to launch the final Strategy along with a five-year implementation plan in Winter 2023/24.
- Ensuring this work is coordinated with other priorities such as the Coastal Marine, Flood and Salmon strategies and work on drinking water continues to be a priority for this government.

Additional Information

- In early March, 2023, Government announced a \$100 million investment towards the establishment of a permanent Watershed Security Fund (Fund) to support work needed to improve outcomes for our watersheds. Establishing the long-term co-governance of the Fund with First Nations will be a key milestone in the coming years.
- A joint BC-First Nations Water Table (Water Table) was also formally launched in March 2023 and is intended to be a collaborative structure that addresses watershed security concerns through co-development and consensus. For

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example, the Water Table members worked together on the Intentions Paper in recent months.

Key Facts:

- Ministry of Water, Land and Resource Stewardship leads the development of the Strategy and Fund through the Water Protection and Sustainability Branch. The Ministry coordinates this work with ministries who play a role in watershed security in BC.
- Drought, flood, climate change, urban development, industrial demand for water, and community sustainability are key watershed issues driving development of the Strategy.
- The Strategy intends to address watershed security through action in five key areas, including watershed governance, aligning water legislation with the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration), watershed science and knowledge, holistic watershed management and ecosystem protection, and balancing water and supply demand.
- Public engagement (including with other levels of government and First Nations) on the Intentions Paper will take place until mid-April 2023. This engagement will be followed by a series of regional workshops, sessions with sectors and others with watershed interests in the spring.
- Developing the Strategy continues to be of significant interest to Indigenous Peoples in BC because of their relationships with water. It is an opportunity to advance reconciliation through new partnerships that support advancing shared interests and goals for watershed security.
- Engagement with Indigenous Peoples has continued to prioritize a multiple pathways approach for the Strategy, with the goal of building enduring, collaborative relationships around provincial-level water policy and legislation, consistent with our commitment to the UN Declaration and to implementing the *Declaration on the Rights of Indigenous Peoples Act*.
- Government continues to collaborate with other ministries and engage with local and federal governments, environmental non-government organizations, industry and business groups, the agricultural sector, and other external stakeholders as the Strategy and Fund options develop.
- Work is underway to align across related government priorities that include: Drinking water, wild salmon, flood and coastal marine strategies; Climate action; Together for Wildlife; *Forest and Range Practices Act* renewal and the Old Growth strategy; Biodiversity and conservation; and, Economic recovery initiatives.

Date Prepared/Revised: March 22, 2023

Ministry Executive Sponsor:

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ADVICE TO MINISTER

CONFIDENTIAL ISSUES NOTE

Ministry of Water, Land and Resource
Stewardship
Date: March 13, 2023
Minister Responsible: Hon. Nathan Cullen

Watershed Security Fund

ADVICE AND RECOMMENDED RESPONSE:

- B.C.'s watersheds are the lifeblood of this province, and for too long, not enough has been done to protect them – that's why our government and the B.C.-First Nations Water Table recently announced an unprecedented \$100-million investment into a Healthy Watersheds Fund to help ensure safe, clean water is available to communities throughout B.C. for generations.
- This \$100-million investment and our ongoing work with First Nations on co-developing a Watershed Security Strategy will inspire philanthropists, the federal government and other partners to help grow the Fund and ensure we have healthy ecosystems and communities today and for our children's children.
- Co-developing a path forward with the B.C.–First Nations Water Table, will help us achieve the consensus needed to implement a Watershed Security Strategy that works for all British Columbians.

If asked about why this fund was created:

- The current challenges facing B.C. watersheds will grow, and we are being called on to establish a permanent Fund, external to government, that can provide long-term funding stability to these efforts.
- In our conversations with First Nations, we have heard watersheds referred to as 'health infrastructure' for their communities. This has been echoed by the Auditor General, the Provincial Health Officer, and local governments across B.C. who are calling on the province to do more to ensure protection of our source water through enhanced watershed management.

- Funding is needed to support governance, restoration, and watershed planning. Some groups estimate that up to \$1 billion will be required to address these needs.
- The creation of the Fund with this unprecedented initial investment will inspire philanthropists, the federal government, and other partners to contribute to the Fund's growth to support this work.

If asked about how the fund will be managed and projects selected:

- To establish the Fund, the recommended course of action is to transfer up to \$100 million in year-end funding to a trusted third-party.
- Working with a trusted partner and the B.C.-First Nations Water Table is key for the co-development and long-term operation of the Watershed Security Fund.
- The expectation is that the chosen entity would handle Fund disbursements and allocation of the Fund monies. The Fund's co-design also includes the third party's previous working relationships, capacity to handle the size of the Fund, and the capacity to co-develop the Fund, strategy and policies.

If asked how this fund will grow:

- We can realize contributions from external funding sources, such as federal, philanthropic and industry contributions to supplement the Province's investment.
- Our watersheds, and the resiliency that we wish to build up through this fund, require a long-term vision—beyond funding for six months, funding for a year, even funding for five years.

What if there are no federal or philanthropic contributions to the fund? Does it just get spent?

- The grant agreement is under negotiation right now. It will describe the extent to which the \$100M can be drawn down for expenses relating to its co-development with First Nations as well as support for early projects.

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- The ultimate goal is for a significantly larger Fund that can provide enduring financing for watershed projects across BC over the long term.
- If no other contributions are made, the Fund will continue to exist using the return on investments to finance future works.

How much will be available every year to actually fund projects?

- The grant agreement is under negotiation right now.
- There will be an allowance to draw down the Fund for costs relating to co-development with First Nations as well as early projects.
- The long-term ability to fund projects will depend on the ability to attract new financial contributions from philanthropic, industry or federal sources, and also the investment performance of the Fund.

How much will administration costs be every year, as a percentage of the fund?

- The grant agreement is being negotiated right now.
- We are discussing a balance between maintaining the \$100 million for investments that can finance long term investments in watersheds against the needs for immediate costs of co-development with First Nations, early projects as well as administrative costs.

KEY FACTS

During Supplementary estimates on the government's \$100-million Watershed Security Fund, the Opposition asked Minister Cullen the following questions about the fund:

- Why was the fund created?
- How will the fund be managed and projects selected?
- How will the fund grow?
- What if there are no federal or philanthropic contributions to the fund? Does it just get spent?
- How much will be available every year to actually fund projects?
- How much will administration costs be every year, as a percentage of the fund?

BACKGROUND:

On March 6, 2023, government and the B.C.-First Nations Water Table announced an unprecedented \$100-million investment in healthy watersheds and the launch of engagement on a new co-developed watershed security strategy intentions paper to help ensure safe, clean water is available to communities throughout B.C. for generations.

The \$100-million investment in the Watershed Security Fund builds on government's \$30-million commitment announced in Budget 2022 and will continue to improve B.C.'s watersheds and build on the success of a previous \$27-million investment in the Healthy Watersheds Initiative (HWI) under the StrongerBC economic plan.

The *Watershed Security Strategy Intentions Paper* reflects input received from British Columbians during public engagement in 2022 about development of B.C.'s Watershed Security Strategy. The intentions paper outlines potential priority strategies for government, including examples of actions government could take to improve watershed health, such as strengthening existing water data and the tools used to monitor demand and supply, and enhancing local watershed governance.

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File created	8 March 2023	
File updated	13 March 2023	

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Issue: *Water Sustainability Act*

Recommend Response:

- I am the Minister responsible for provincial water policy and the Water Security Strategy and Fund (WSS&F).
- The *Water Sustainability Act* (WSA) is the principal law for managing the diversion and use of water resources and for regulating changes in and about streams.
- I have specific responsibility for setting the direction of the WSA, and for those WSA provisions relating to Water Sustainability Plans, water objectives and advisory boards.
- The Ministry of Forests (FOR) Minister is accountable for implementing WSA provisions relating to water allocation and regulations under the WSA regarding dam safety, groundwater protection and water fees, rentals, tariffs and charges.

Additional Response points (if needed):

Regarding WSS&F

- Protecting water and watersheds is a priority for this government. We are at the mid-way point of developing the Watershed Security Strategy (WSS), which is intended to shape watershed management in British Columbia (BC) for the next 20 years.
- The WSS may recommend legislative changes, including WSA alignment with the *Declaration on the Rights of Indigenous Peoples Act*.

Regarding the WSA

- Both FOR and Ministry of Water, Land and Resource Stewardship (WLRS) Ministers shared general WSA regulation-making powers.

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- The WSA took effect on February 29, 2016, and modernized how BC manages water to meet the needs of BC residents and our ecosystems, today and into the future.
- Groundwater is as important a water source as surface water, and the WSA helps us manage both together as one source of water.
- The WSA provides the opportunity for setting water objectives, undertaking water sustainability planning, and developing area-based regulations to address specific issues.
- The WSA provides additional requirements to consider environmental flow needs in allocation decisions.
- The WSA provides the ability to restrict and manage water use to protect aquatic ecosystems and fish populations during times of drought and water scarcity.

Key Facts:

- The Minister WLRS is the minister responsible for provincial water policy, including specific responsibility for those WSA provisions regarding Water Sustainability Plans, water objectives and advisory boards.
- WLRS' Water Protection and Sustainability Branch is responsible for advancing changes to the WSA and associated regulations as well as authoring operational policies to support WSA implementation.
- The Minister of FOR is the minister responsible for provisions under the WSA and associated regulations which relate to water allocation, dam safety, groundwater protection and water fees, rentals, charges and tariffs.
- Staff at the BC Energy Regulator have also been designated as statutory decision makers under the WSA and are involved in water allocation.

Date Prepared/Revised: February 28, 2023

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Issue: Water Sustainability Planning

Recommend Response:

- Our government is committed to protecting water and watersheds in British Columbia (BC)
- Water sustainability planning supports healthy sustainable watersheds by addressing water use conflicts and considering aquatic ecosystem health.
- The Province intends to co-develop Water Sustainability Plans (WSPs) with First Nations.
- Water sustainability planning is a collaborative process. Other levels of government, provincial agencies and public with an interest in a watershed will be engaged.

Additional Response points (if needed):

- The Koksilah is the first watershed to be designated for a WSP.
- Water sustainability planning is being considered in other watersheds throughout the Province.

Key Facts:

- WSPs are enabled by Sections 64 – 85 of the *Water Sustainability Act* (WSA) and the Minister of Water, Land and Resource Stewardship (WLRS) has the authority to make orders under these sections.
- WLRS will collaborate with First Nations and coordinate with other ministries and governments who have interests in watershed management.
- The water sustainability planning program does not have dedicated funding. Projects obtain funding through other programs such as the Indigenous Funding Program, the Collaborative Indigenous Stewardship Forums, and the BC Freshwater Legacy Initiative.

Water Sustainability Plans

- An area may be designated for the development of a WSP to address conflicts between water users, conflicts between water users and environmental flow needs, risks to water quality, or risks to aquatic health. They may also identify restoration measures for damaged aquatic ecosystems.
- Water sustainability planning provisions are augmented by regulation making authority in the WSA. Regulations can be developed that restrict or prohibit a specified use of land or natural resources in the WSP area, amend the terms and conditions of licences, or require that other specified planning processes consider the WSP.

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Koksilah WSP

- The Xwulqw'selu – Koksilah watershed near Duncan, BC, is the first area to be designated for a WSP due to recurring low flows. The main causes of recurring low flows are believed to be unsustainable water use for agriculture, climate change, and land use impacts.
- Temporary protection orders were issued in 2019 and 2021 to restore flows and address water quality issues. In 2021 these impacted nearly 50 users and cost at least \$660,000. Long-term planning is needed to avoid impacts in the future.
- Cowichan Tribes and the Province are finalizing a government-to-government agreement to support the water sustainability planning process and developing the ministerial orders and terms of reference that will guide the process.
- Over the last three years, Cowichan Tribes has received \$326,000 from the Province, and an additional \$50,000 from the Freshwater Legacy Initiative and \$500,000 from the Healthy Watersheds Initiative to support this work. Malahat Nation has also received \$40,000 to support their engagement.

Township of Langley Water Management Plan Transition

- The Township of Langley drafted a Water Management Plan under the *Water Act* to address local aquifer declines and nitrate contamination. This Plan is being transitioned to a Water Sustainability Plan under the WSA.
- The team is engaging with Kwantlen, Katzie and Matsqui on the draft Plan in advance of recommending it for ministerial approval.
- \$105,000 transferred to First Nations support capacity; \$45,000 spent on contracts to support WSP development.

Other areas where a WSP may be developed

- WLRS is engaged in several other watershed planning projects that are considering using water sustainability planning tools in the future, including:
 - **Nicola Watershed** – considering a WSP to address low water availability in the summer and to identify restoration measures for the watershed which has been damaged by extensive flooding. (Indigenous Partners: Coldwater, Lower Nicola, Nooaitch, Shackan and Upper Nicola Bands; \$4,681,279 over the last five years)
 - **Liard Watershed** – early stages of developing a co-governance and shared decision making framework to support water planning (Indigenous Partner: Fort Nelson First Nation; \$2000 in the last year)
 - **Widzin Kwah Watershed** – considering setting WSA Objectives to protect water quality in the Upper Bulkley and Morice watersheds from land use activities. (Indigenous Partner: Wet'suwet'en; \$550,000 over three years)

Date Prepared/Revised: February 27, 2023

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2023/24 Estimates Debate

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Issue: Groundwater Licensing Policy

Recommend Response:

- British Columbians who were using groundwater for non-domestic purposes (such as irrigation, industrial, waterworks, etc.) before February 29, 2016, when the *Water Sustainability Act* (WSA) took effect had until March 1, 2022, that is six years, to apply for a water licence to legalize their groundwater use.
- Now that the March 1, 2022 deadline has passed, all non-domestic groundwater users who have not already applied for a water licence must apply as new applicants.
- Licensing groundwater gives government a more complete picture of groundwater use and enables government to better manage this important resource.

Additional Response points (if needed):

- Where unauthorized groundwater use is occurring, the WSA decision makers at the Ministry of Forests (FOR) and the British Columbia (BC) Energy Regulator (BCER) will make the decisions on the compliance actions to be taken.
- Government made significant outreach efforts since 2016, and particularly in 2021 and 2022 to communicate the licensing requirements and encourage groundwater users to apply.
- There are resources available through FrontCounter BC to help apply for a water licence and to clarify whether to register as a domestic groundwater user or apply for a licence.

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Key Facts:

- FOR and BCER are responsible for the operational implementation of the WSA, while the Ministry of Water, Land and Resource Stewardship (WLRS) is the lead agency on provincial water policy, including the WSA.
- The WSA was brought into force on February 29, 2016, and introduced a requirement for people using groundwater for non-domestic purposes to apply for and obtain a water licence.
- Licensing groundwater establishes rights to use groundwater based on the same priority system as surface water users. Many groundwater and surface water sources are interconnected.
- Water rights is a sensitive topic for Indigenous peoples and there are differences of opinion regarding water licensing: some Nations support engaging in the licensing process and hold water licences, whereas others are strongly opposed.
- Many First Nations have expressed concern with the WSA's priority of rights system. This policy issue is being considered through Treaty the co-development of the Watershed Security Strategy and Fund with First Nations.
- Government provided those using groundwater before February 29, 2016, six years to apply for water rights that recognize the date of first use (DOFU) of the groundwater.
- Those who missed the deadline forfeited DOFU recognition, must cease diverting water, and cannot lawfully resume until they apply for and receive a water licence.
- The DOFU or priority date is significant in times of water scarcity because the oldest water licence gets first access to water.
- Multiple provincial agencies conducted outreach and engaged potential existing groundwater users throughout the entire six-year transition period. A significant increase in engagement with the public and First Nations occurred in the year leading up to the deadline.
- Government estimated 20,000 existing use applications but 7,711 (44 percent) were submitted by March 1, 2022, with over 40 percent received in February 2022. Government received applications from 44 First Nations.
- It is assumed that many groundwater users who did not apply by March 1, 2022, continue to use groundwater. Those users may be ordered to stop using the groundwater and/or fined for unlawful water use.

Date Prepared/Revised: February 28, 2023

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Issue: Source Water Protection and Drinking Water

Recommend Response:

- Clean, safe and secure drinking water is critical for the health of British Columbians and is a key priority for government.
- My ministry provides strategic leadership on drinking water policy and is responsible for source water protection and development of government's source to tap strategy to protect drinking water.
- One of the key goals of the Watershed Security Strategy (WSS) is to improve how we manage our lands and resources to better protect our supply and quality of drinking water. Source water protection goals and actions will be included in the WSS.
- We continue to make progress on the commitments government made to improve drinking water security in response to the Office of the Auditor General drinking water audit of 2019.
- WLRS, the Ministry of Health (HLTH), and the Office of the Provincial Health Officer (OPHO) are collaborating closely to implement improvements to government's role in preventing and responding to drinking water challenges and supporting implementation of the *Drinking Water Protection Act* (DWPA).

Additional Response points (if needed):

- Annual reports authored by the OPHO and issued under the DWPA will be directed to my attention.

Key Facts:

- The DWPA is the primary legislation to protect drinking water in British Columbia
- On February 25, 2022, the Minister of Water, Land and Resource Stewardship (WLRS) was mandated to "provide provincial leadership on water policy and

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strategies including the coordination of government's source to tap strategy to protect drinking water".

- The WLRS, HLTH, and OPHO have collaborated to define key drinking water accountabilities and responsibilities as follows:
 - WLRS will have overall accountability for source to tap drinking water protection and management of drinking water issues and will lead future reporting to the Office of the Auditor General (OAG);
 - The OPHO will continue their oversight role in monitoring and reporting progress and trends in the protection of drinking water;
 - The Provincial Health Officer (PHO) will submit reports on annual activities under the DWPA (s. 4.1) and drinking water situations that are impeding public health or arising from the actions of government (DWPA s. 4.2) to the Minister of WLRS;
 - The PHO will make recommendations regarding drinking water protection plans (DWPA Part 5) to the Minister of WLRS; and,
 - HLTH and the regional health authorities will retain other accountabilities under the DWPA.
- In 2019, the OAG identified source water protection and a source to tap strategy as key gaps in the Province's protection of drinking water. In response, HLTH and OPHO committed to taking numerous actions, including clarifying accountabilities for drinking water protection with partner agencies.
- The OAG report made eight recommendations: five directed to HLTH and three to OPHO.
- In December 2022 we reported to the OAG that five of their eight recommendations have been fully implemented, two have been substantially implemented, and one has been partially implemented.
- Staff are working on addressing gaps in source water protection by integrating key goals and actions into the WSS.
- Once the WSS is released, WLRS will lead development of the source to tap strategy, which is expected to address source water protection, small water systems, clear monitoring and reporting systems, emergency planning, infrastructure planning and financing, and land use planning.
- Access to safe drinking water is a top priority of Indigenous communities and engagement with Indigenous peoples and alignment with the *Declaration on the Rights of Indigenous Peoples Act* will be foundational to the development of the source to tap strategy.

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Issue: Drought Management

Recommend Response:

- My Ministry is responsible for the British Columbia (BC) Drought Response Plan. This plan outlines the responsibilities of provincial and local governments and provides guidance for responding to water scarcity such as issuing Temporary Protection Orders (TPOs) under the *Water Sustainability Act* (WSA) to protect environmental flows and fish populations.
- The Watershed Security Strategy and Fund currently under development will help give local governments, First Nations, and stakeholders more accountability and the tools needed to prioritize watershed health and long-term water supply.
- The Ministries of Forests (FOR) and the BC Energy Regulator (BCER) are responsible for implementing WSA drought response tools in times of water scarcity.

Additional Response points (if needed):

- The Ministry of Emergency Management and Climate Readiness (EMCR) is responsible for supporting Local Authorities and First Nations experiencing drought and related water shortage emergencies.
- EMCR is leading Provincial Water Scarcity Planning to increase drought resilience in high-risk areas, beginning with the Sunshine Coast Regional District (SCRD).
- BC's \$500 million Climate Preparedness and Adaptation Strategy (CPAS) is aimed at building a better, more resilient future for people and communities across the province.
- The WSA has several tools that can be utilized for drought response, including TPOs. TPOs require irrigators to cease water diversions during summer months. They are put in place when voluntary conservation measures aren't enough.

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- No TPOs were issued in 2022 since the most significant drought impacts were not felt until after the end of the irrigation season. Instead, FOR staff conducted targeted inspections to address unauthorized water use in sensitive watersheds.
- Some regions such as the SCRD experience summer drought conditions annually. In Fall 2022, SCRD, District of Sechelt and Shíshálh Nation declared a State of Local Emergency due to low reservoir levels.

Key Facts:

Drought Management Responsibilities Across Governments

- **Ministry of Water, Land and Resource Stewardship (WLRS)** is responsible for leading the development of legislation and policy related to drought management in BC; providing internal-to-government guidance on drought; and stewardship and governance evolution.
- **WLRS Minister** is responsible for Water Objectives and Water Sustainability Plans, which can be established to address chronic water scarcity. Not accountable for TPOs (this is FOR Minister's responsibility).
- **FOR** is responsible for issuing water authorizations for storage and distribution, enforcing the terms and conditions, and communicating drought information with water licensees.
- **EMCR** is responsible for supporting provincial coordination and Local Authorities and First Nations during emergency response activities.
- **Ministry of Agriculture and Food** is responsible for assessing drought impacts on the agricultural sector and communicating drought information with producers.
- **Water suppliers** manage reservoirs and distribution systems authorized under the WSA through water licences administered by FOR.
- **Local governments** are responsible for managing their water supplies, which includes assessing, planning, and mitigating local drought risks.

Date Prepared/Revised: February 28, 2023

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Issue: Livestock Watering

Recommend Response:

- A Livestock Watering (LSW) policy and accompanying legislative changes to the *Water Sustainability Act* (WSA) were developed in 2020.
- The policy proposal aimed to secure water for use by livestock on extensive Crown and private grazing lands, and to protect water quality and riparian habitat.
- Government paused this work in 2021 in response to uneven support across the ranching sector for the proposal, and to focus on new legislative priorities, to address organizational restructuring, and to advance development of a Watershed Security Strategy and Fund (WSS&F).
- This policy may be advanced for government decision at a future date.

Additional Response points (if needed):

- I appreciate the time and feedback that ranchers, Indigenous peoples and organizations, the British Columbia (BC) Cattlemen's Association (BCCA), and members of the public provided to the development of the 2020 Proposed Livestock Watering Policy.
- Work on this policy was paused in 2021, in part due to challenges achieving consensus across the ranching sector on the proposed policy options.
- It's expected that livestock watering will be reconsidered in the context of local watershed plans enabled under the proposed WSS&F.
- As we have now passed the March 1, 2022 deadline for licensing pre-existing groundwater use, ranchers can now apply for new surface or groundwater licences, but should expect to receive priority dates based on their dates of the application.

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Key Facts:

- Livestock watering policy development was a cross-ministry collaboration of the Ministry of Agriculture, Food and Fisheries (AFF), the former Ministry of Environment and Climate Change Strategy (ENV) and the former Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNR).
- BCCA was engaged throughout the policy development, but some of their members were opposed to government requiring them to hold water authorizations for their water use.
- Support was particularly lacking in the Northeast. BCCA was unable to consolidate unanimous support across their membership prior to the ministries advancing the policy for government's decision.
- The decision was made to postpone further work due to BCCA's lack of full support and so that government could focus on new legislative priorities, address organizational restructuring (ENV and FLNR to FOR and WLRS) and to advance development of a WSS&F.
- Former Ministers Popham (AFF) and Conroy (FLNR) met with the BCCA to advise them of the decision to postpone further LSW policy development.
- Following government's decision to postpone the advancement of the LSW policy, BCCA provided a position paper on March 15, 2021, requesting that government:
 - Resume LSW policy work for implementation in 2022;
 - Provide a one-year extension to the existing use groundwater (EUGW) deadline which was March 1, 2022;
 - Create provisions guaranteeing their priority of access to water over other uses during drought; and,
 - Remove regulatory barriers and create opportunities to encourage sector growth.
- Government did not respond to the position paper.
- February 2023 ADM James Mack spoke at a University of BC seminar on Agricultural Water Policy in the Era of Drought which prompted a media request from Country Life in BC on groundwater licensing for livestock watering.

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Issue: Koksilah Water Management

Recommend Response:

- Our government remains committed to its work in the Koksilah River Watershed.
- Designating the Koksilah River Watershed for the purposes of a Water Sustainability Plan (WSP) was the first step in enabling the long-term, sustainable management of the watershed.
- Developing and implementing the WSP will require new resources in the short term but will alleviate the need for additional resources and reactive measures in the long-term.
- Collaboration with Cowichan Tribes on this initiative strongly supports our government's mandate to work towards reconciliation.

Additional Response points (if needed):

- Other Indigenous Nations, agencies, levels of government, and interested industry and public will be engaged in the planning process.

Key Facts:

- The Ministry of Water, Land and Resource Stewardship is the lead for the work in the Koksilah River watershed. As part of this work, the ministry will coordinate with other ministries and governments who have interests in watershed management in the Koksilah.

Koksilah River Temporary Protection Order:

- In recent years, recurring low flows in the Koksilah River watershed have been a cause for concern due to the significant impact on fish populations.
 - The main causes of low flows in the watershed are believed to be (1) unsustainable water use for agriculture; (2) impacts of a changing climate; and (3) cumulative impacts of forestry.
- During summer droughts in 2019 and 2021, voluntary measures were insufficient, and Temporary Protection Orders (TPOs) were issued by the Ministry of Forests (FOR) in the watershed to restore flows and address water quality issues.
 - Under the 2021 TPO, nearly 50 operators including irrigators of forage crops and aggregate production had restricted water use. This had an estimated total financial impact of at least \$660,000.

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- The regularity of critical low flows, and impacts of climate change, suggest that regulatory responses such as this will likely become more frequent in future summers. For now, FOR:
 - Has paused processing existing use groundwater licence applications;
 - Is not contemplating any new use of water within the watershed without summer water use being supported by storage options;
 - Continues to monitor flows in the Koksilah Watershed and make the information public; and,
 - Has initiated work with the Cowichan Tribes to explore the development of a regulation under the *Water Sustainability Act* (WSA) to close or restrict access to water within the watershed while water sustainability planning is underway.

Koksilah River WSP:

- Cowichan Tribes and the Province have been working together to identify a tool best suited to address the issues resulting from low flows.
 - On February 7, 2020, an Interim Letter of Agreement was signed between the Chief of Cowichan Tribes and the Province to collaboratively explore a long-term solution for sustainable water management in the watershed.
 - A new agreement between the Province and Cowichan Tribes is being drafted to continue supporting the planning process.
- A Steering Committee made up of Cowichan Tribes and FOR staff identified areas of common understanding and recommended moving forward with a WSP.
 - As members of the Steering Committee, Cowichan Tribes support a WSP, and other First Nations whose territory overlaps the watershed have provided letters of support.
- On January 13, 2022, Minister Conroy signed a Ministerial Order under the WSA designating the Koksilah River Watershed for the purpose of a WSP.
 - Next steps include preparing an order establishing the plan development process, and, if required, an order limiting the planning process or recommendations may be made under a WSP.
- Funding to support Cowichan Tribes' involvement in this work has been provided through multiple pathways.
 - Over the last three years, Cowichan Tribes has received \$326,000 from the Province, an additional \$50,000 from the Freshwater Legacy Initiative, and \$500,000 from the Healthy Watersheds Initiative to support this work.
 - Malahat Nation has also received \$40,000 to support their engagement.

Date Prepared/Revised: February 27, 2023

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Issue: Hullcar

Recommend Response:

- Clean, safe and secure drinking water is critical for the health of British Columbians' and is a key priority for the Province.
- The Province continues to ensure residents who rely on groundwater from the Hullcar aquifer have access to safe drinking water.
- The Province and Splatshin continue to collaborate and are working on a new Memorandum of Understanding to support shared management and water monitoring.

Additional Response points (if needed):

- My ministry provides leadership on all aspects of water, including drinking water.
- We are leading the development of a Watershed Security Strategy which will be instrumental in the protection of drinking water sources, such as the Hullcar aquifer.

Key Facts:

- The Ministry of Water, Land and Resource Stewardship (WLRS) is leading the collaboration with the Splatshin on the Hullcar/Claahl aquifer.
 - Ministries of Environment and Climate Change Strategy (ENV), Health, Agriculture and Food (AF), Forests (FOR) and Indigenous Relations and Reconciliation (IRR) support the Steering Committee and Technical Working Groups. The Interior Health Authority also sits on the Steering Committee.
 - In addition, ENV continues to ensure compliance with the Agricultural Environmental Code of Practice and supports water monitoring activities.
- The Hullcar/Claahl aquifer is the drinking water source for 22 private water wells, the Splatshin First Nation, and for the Steele Springs Waterworks District (SSWD), which provides water for about 250 residents.
- Nitrate levels were consistently elevated above the Canadian Drinking Water Guidelines at the SSWD in March 2014 and June 2018.
- A consultant's report identified farms and feedlots as the primary cause of nitrate

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contamination as well as some residential septic systems

- In response to the nitrate contamination of the Hullcar/Cicahl aquifer:
 - A water quality advisory was issued July 2014 by Interior Health Authority, but rescinded March 2019 when a deeper well was drilled;
 - Nine pollution abatement orders were also issued to farm-feedlot operators between 2014 and 2016 by ENV;
 - An independent review of nitrate pollution was completed in 2017 by POLIS, a water policy non-governmental organization from the University of Victoria;
 - A Memorandum of Understanding (MOU) between Splatins and the Province was signed in 2017 and a Steering Committee was established;
 - The Hullcar Aquifer Response Plan (HARP), British Columbia's response to the POLIS report, was published in 2018; and
 - The Province updated the *Environmental Management Act* with an Agricultural Environmental Management Code of Practice to promote best management practices, implemented by ENV and AF.
- The HARP committed the Province, in collaboration with Splatins, to reviewing legislation/roles, establishing an advisory board, amending the Agricultural Waste Regulation, promoting compliance, developing a monitoring program, establishing a technical working group, and to determining the feasibility of an anaerobic digester for natural gas production.
- The Province, in collaboration with Splatins and through a Technical Working Group, continues to monitor the aquifer:
 - Between 2019 and 2020 six new monitoring wells were drilled.
 - While nitrate levels in shallow wells remain close to the Maximum Allowable Concentration of 10 milligrams per litre (mg/L), they are not necessarily representative of nitrate concentrations at depths where wells are typically sourcing drinking water.
 - February 2022 groundwater well readings ranged from <0.010 mg/L in deeper wells to 11.2 mg/L in shallower wells.
- The MOU expired in 2020 and the Province and Splatins are actively working on a new MOU, which will include the Ministries of ENV, Health, FOR, AF, IRR and WLRS.
- The Province is transferring \$305,000 this fiscal to the Splatins to support this work. We have also spent \$1,216,605 over the previous five years to support water monitoring and modelling contracts, Splatins engagement, and facilitation. The Province also provided \$950,000 in 2017 to ensure safe drinking water for residents of the Hullcar/Cicahl aquifer.

Date Prepared/Revised: March 3, 2023

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Ministry of Water, Land and Resource Stewardship

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Issue: BC Water Table

Recommend Response:

- The British Columbia (B.C.)-First Nations Water Table (Water Table) was first convened in June 2022 and formally launched on March 6, 2023.
- The Water Table is intended to be a collaborative structure that addresses watershed security issues of shared concern through co-development and consensus, and that upholds the United Nations Declaration on the Rights of Indigenous Peoples and makes progress on the *Declaration on the Rights of Indigenous Peoples Act* (DRIPA) Action Plan.
- The Water Table will co-develop the Watershed Security Strategy (the Strategy) by addressing legislation, policy, programs and management related to fresh water, fish, aquatic ecosystems and connected social, economic, environmental, and governance objectives.
- The long-term vision for the Water Table is for an enduring forum for First Nations and the B.C. Provincial Government to work together on priorities with province-wide implications, recognizing shared decision making and self-determination.
- To date, a key outcome of the Water Table is co-developing the Intentions Paper, which was launched in early March for engagement and will inform the development of the final Strategy.

Key Facts:

- The Environment and Land Use Committee approved development of an enduring B.C.-First Nations Water Table in July 2021 as part of the mandate to develop the WSSF.
- The Ministry leads this work with the First Nations Fisheries Council (FNFC) to administer the Water Table.
- Assistant Deputy Minister James Mack from the Ministry of Water, Land and Resource Stewardship (WLRS) is co-chair on behalf of the Province, Chief Lydia Hwitsum (Cowichan Tribes) is co-chair on behalf of First Nations.

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- First Nations leadership organizations (e.g., First Nations Leadership Council, Assembly of First Nations) support in principle the Water Table but are currently not participants. However, three members of the Water Table also currently work directly with the First Nations Leadership Council.
- Federal and local government participation has not been considered at this time and may be considered in future.
- Current Water Table members include First Nations delegates and Province of BC Representatives. The First Nations delegates represent up to 15 First Nations delegates from across BC who form a Water Caucus. The Water Caucus are not rights holders and do not represent their communities but provide a First Nations regional perspective. Province of BC Representatives include Ministry of Health, Indigenous Relations and Reconciliation, Forests, and WLRS.
- The first business of the Water Table is initiating co-development of the Watershed Strategy and exploring recommendations for the Fund (WSSF).
- The scope of the Water Table is sufficient that other key provincial strategic priorities such as the Wild Salmon Strategy or Coastal Marine Strategy could also be brought to the Water Table in an appropriate way.
 - There is interest in bringing a range of other work to the Water Table, for example, land use planning, water quality objectives. The Water Table will need to determine how it would like to consider the broad range of potential work.
- The FNFC has communicated and engaged extensively with First Nations about the Water Table; however, not all First Nations want to work through the FNFC nor want to have their only voice about water come through the Water Table.
 - The Water Table scope is provincial in nature and many Indigenous Peoples have interests that will not be addressed through this forum.
- Building on past engagement with First Nations on water-related issues, multiple pathways to participate in the development of the WSSF have been developed, with the goal of building enduring, collaborative relationships around provincial-level water policy and legislation, consistent with our commitment to DRIPA.
- WLRS will continue to engage bilaterally with Indigenous Peoples wanting a government-to-government discussion.
- First Nations with Modern Treaties and the Metis Nation have also indicated that they do not have an interest in participating at the Water Table as they identify as having a different relationship with the Provincial Government.

Date Prepared/Revised: March 1, 2023

Ministry Executive Sponsor:

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Alternate Contact for Issue:

Name: Jennifer Vigano, Director,
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Phone: 778 349-0426

B.C.-First Nations Water Table Membership as of January 24, 2023

First Nations Water Caucus (FNWC)	Province of BC Representatives
Chief Lydia Hwitsum (Water Caucus Co-Commissioner and Water Table Co-Chair) (lydia.hwitsum@cowichantribes.com) Cowichan Tribes	James Mack (Water Table Co-Chair) Assistant Deputy Minister-Water, Fisheries and Coastal Planning and Policy Division Ministry of Water, Land and Resource Stewardship
Hugh Braker (Water Caucus Co-Commissioner) (hughbraker@tseshaht.com) FNFC President	Ted Zimmerman Executive Director, Water Protection and Sustainability Ministry of Water, Land and Resource Stewardship
Pete Erickson (nrslaiaison@nakazdliwhuten.ca) Nakazdli Whuten	David Travia Executive Director, Fisheries Aquaculture and Wild Salmon Ministry of Water, Land and Resource Stewardship
Cheryl Casimer (ccasimer@fns.bc.ca) Ktunaxa	Matthew LeRoy Executive Director, Coast Area Ministry of Water, Land and Resource Stewardship
Rod Peters (c.rodneypeters@seabirdisland.ca) Seabird Island	Ted White Director and Comptroller of Water Rights Ministry of Forests
Iris Siwallace (irislena09@gmail.com) Nuxalk	Kristine Ciruna Executive Director, North Area Ministry of Forests
Ryneld Starr (ryneld)staff@skeenafisheries.ca) Skeena Fisheries Commission	Robert Leece Executive Director, Integrated Negotiations Ministry of Indigenous Relations and Reconciliation
Robyn Laubman (robyn_laubman@splatsin.ca) Splatsin	Geneen Russo Acting/ Executive Director, Population and Public Health Ministry of Health
Deana Machin (deana.machin@gmail.com) Okanagan	
Julian Yates (julian.yates@stolonation.bc.ca) S'ólh Téméxw Stewardship Alliance	
First Nations Fisheries Council Staff Support:	
Jordan Point (Jordan@fnfisheriescouncil.ca) Executive Direction	
Jacquelyne Fitchell (jacquelyne@fnfisheriescouncil.ca)	

<p>Senior Manager, Habitat and Environmental Protections</p> <p>Susi Porter-Bopp (porterbopps@gmail.com) Consultant, Habitat and Environmental Protections</p> <p>Madison Rattai (madison@fnfisheriescouncil.ca) Coordinator, Habitat and Environmental Protections</p> <p>Astrid Niemann-Zajac (Astrid@fnfisheriescouncil.ca) Director, Partnerships and Intergovernmental Relationships</p>	<p>BC Government Staff Support</p> <p>Jennifer Vigano Director, Watershed Strategies and Governance Ministry of Water, Land, and Resource Stewardship</p> <p>Jenn Todd Groundwater Hydrologist Ministry of Land, Water and Resource Stewardship</p> <p>Natalya Melnychuk Water Policy Advisor Ministry of Water, Land and Resource Stewardship</p> <p>Heike Lettrari Water Policy Advisor Ministry of Water, Land and Resource Stewardship</p>
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Issue: Development of a Coastal Marine Strategy

Recommend Response:

- The ocean holds great promise for building British Columbia's economy and improving the well-being of coastal communities.
- A Coastal Marine Strategy, now under development, will articulate the actions government can take to develop an equitable and balanced "blue economy", adapt to a changing climate, contribute to meaningful reconciliation with First Nations, and foster community resilience.
- With a 20-year outlook, the Coastal Marine Strategy is being designed to expand on existing programs and initiatives and present new ideas and concepts.
- Over the last year, we collaborated with coastal First Nations and Ministries across government to develop an intentions paper. It presents a vision for protecting ecological, cultural, and economic benefits provided by the coastal marine environment.
 - The Intentions Paper was released for public consultation on December 15, 2022; the comment period is open until April 14, 2023.
- The public response to date has been positive.
- We are on track to have a Coastal Marine Strategy launched in early 2024. The Strategy will reflect the priorities of coastal First Nations and British Columbians.

Key Facts:

- The ocean-based economy directly and indirectly contributes approximately 8% of the province's GDP (\$21.5B annually) and directly employs 131,000 people full time.
- Three-quarters of British Columbia (B.C.)'s population lives in the coastal zone. There are more than 200 communities that dot the coast, and 80 distinct First

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Nations have identified territories that include the marine environment. First Nations have a deep-rooted relationship with the ocean, which still serves as the primary source of healthy foods.

- B.C.'s coastal and marine areas are extremely biologically diverse - home to many iconic wildlife such as wild Pacific salmon, killer whales, coastal wolves, and many other birds, mammals, fishes and invertebrates.
- B.C. is one of just a few maritime jurisdictions in North America that does not have a coastal marine strategy articulated and/or legislation specific to coastal waters.
- Given the close connection B.C. residents have with the ocean and the importance it has in terms of B.C.'s cultural identity, the Province has committed to develop a Coastal Marine Strategy (CMS) for B.C.
 - This commitment is included in the mandate letters of Minister of Water, Land and Resource Stewardship, and Parliamentary of Fisheries and Aquaculture.
- The CMS will focus on activities and uses that fall within the provincial government's authority and accountability. Where there is strategic interest, the CMS can include actions to address matters that fall under federal jurisdiction, such as fishing and marine transportation.

Engagement:

- To date, staff have held over twenty engagement sessions with over 30 First Nations and six First Nations organizations across the coast (including eight modern treaty nations).
- Over 50 stakeholder groups and 11 of 17 coastal Regional Districts have participated in several information sessions.
 - In early March, stakeholders and local governments will gather in person for a CMS Policy Forum to share their perspectives on priority actions.
 - A Youth and Young Professionals Summit will run concurrently to bring the voices of Indigenous youth into the policy development process.
- The federal government is engaged through formal bilateral governance structures (the Ocean Coordinating Committee and the Regional Committee on Ocean Management). Various agencies/ departments have also participated in information sessions and had an opportunity to comment on a draft intentions paper.
 - Fisheries and Oceans Canada is leading development of "Canada's Blue Economy Strategy" - a strategic framework to guide future actions and investments that will help grow the ocean economy, while advancing conservation objectives. 2024 is the anticipated release date.
 - Strong synergies between the CMS and Canada's Blue Economy Strategy are expected.
- WLRS staff continue to engage other Ministries to clarify where interests overlap. For example, WLRS has been working with:
 - The Ministry of Forests on potential actions related to provincial decision-making on authorizations in coastal marine areas;

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- The Ministry of Agriculture and Food on opportunities to grow the sustainable seafood sector and address food security challenges;
- The Ministry of Environment and Climate Change Strategy on climate change mitigation and adaptation in the coastal zone, as well as long-term protections for the coastal marine environment;
- The Ministry of Jobs, Economic Development and Innovation on rural economic development and the industrial marine sector, including B.C.'s shipbuilding strategy.
- Ministry of Water, Land and Resource Stewardship (WLRS) staff are developing an 'event kit' to support MLA-hosted events in several coastal communities (e.g., Campbell River, Richmond, Prince Rupert) in spring 2023.

Fiscal Implications:

- Budget for fiscal year (FY) 22/23 included: salaries for ~5 Full Time Employees (FTEs), First Nations engagement and capacity building (\$460,000), stakeholder/ local government/public and youth engagement (\$110,000).
- Implementation budget requirements remain uncertain. Based on other progressive jurisdictions, the cost could be in the tens of millions per year.
 - Estimates of implementation costs will be considered as WLRS staff work with coastal First Nations and other Ministries to develop specific actions for the CMS.
 - Where there are shared priorities/ synergies, B.C. and federal departments/agencies may be able to establish joint funding contributions, building on successful models of collaboration (e.g., the British Columbia Salmon Restoration and Innovation Fund (BCSRIF).
 - WLRS staff will explore opportunities for innovative funding models.

Date Prepared/Revised: March 2, 2023

Ministry Executive Sponsor:

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Alternate Contact for Issue:

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Issue: Coastal Marine Planning Initiatives

Recommend Response:

- The Province of British Columbia (B.C.) has made substantive progress on integrated marine planning across the coast, complementing our terrestrial planning work.
- Current initiatives, including the Coastal Marine Strategy (CMS), implementation of the Marine Protected Area Network (MPAn), and continued implementation of the Marine Plan Partnership (or MaPP), are helping us to proactively plan for the future, support economic development and environmental sustainability, and contribute to lasting and meaningful reconciliation with Indigenous peoples.
- The Province is committed to continuing the important marine planning work underway, in partnership with First Nations and the federal government.

Key Facts:

- There are several marine planning processes currently underway in British Columbia, at different stages of development and implementation.
- **The Marine Plan Partnership (MaPP)**, a co-led initiative between the Province of British Columbia (Ministry of Water, Land and Resource Stewardship) and 17 First Nations; developed four sub-regional marine plans covering the marine waters from approximately Bute Inlet/ Quadra Island to the B.C.-Alaska border including Haida Gwaii (an area known as *the Northern Shelf Bioregion*).
 - The MaPP plans were approved in 2015 and implementation agreements signed in 2016. In August 2021, the first 5 years of plan implementation was completed and implementation agreements extended to August 2023.
 - Implementation of MaPP is being carried out under a public-private partnership model. Since 2019, the Province has provided \$5.2M in funding to MaPP partner Nations, to support their capacity and operational needs. The Province has recently committed an additional \$1.5M for fiscal year 2022/23, and \$1.8M for both 2023/2024 and 2024/2025. Since 2015, MaPP has received \$18M from philanthropic sources to enable early implementation and provide a bridge to securing provincial support.
 - In 2021, MaPP received an inaugural British Columbia Reconciliation Award from the B.C. Achievement Foundation in partnership with The Office of the Lieutenant Governor of British Columbia, and more recently

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was endorsed as a project under the United Nations Decade of Ocean Science for Sustainable Development (2021-2030).

- In the same geographic area, the Province, the MaPP partner Nations, and the department of Fisheries and Oceans (DFO) completed the **MPA Network Action Plan**, in February 2023.
- Scheduled for implementation between 2023 and 2025, the MPA Network will bolster the level and scope of protection in the region and include federally-regulated activities such as fisheries management. This process has been underway for close to a decade, guided by the *Canada-British Columbia Marine Protected Area Network Strategy* jointly agreed to and released in 2014.
 - The federal government is the primary MPA Network funder, while the Province contributes in-kind support from Ministry of Water, Land and Resource Stewardship (WLRS) and Ministry of Environment and Climate Change Strategy (ENV) staff.
 - MaPP has received an additional \$550k in funding from philanthropic sources to supplement available funds for stakeholder and public engagement and technical analyses.
- WLRS is also engaged with the First Nations Fisheries Council and DFO on the **Southern B.C. Marine Spatial Planning Program** covering the Strait of Georgia and Southern Shelf bioregion:
 - A Letter of Understanding (LoU) between the parties was completed in the summer of 2022 and sets out principles and structures for working together, as well as the expected scope and outcomes for the process.
 - DFO is the lead on this initiative, inclusive of securing necessary budgets, while WLRS secured \$125k per year for its participation, as one of the Tier 1 (funded) Modernized Land Use Planning (MLUP) projects. With this funding, one dedicated WLRS staff person is assigned to this file with the remainder supporting initial economic & ecological baseline assessments.
- Covering the entire B.C. coast, staff working on the **Coastal Marine Strategy (CMS)** recently released an intentions paper, with a public comment period open until April 14th 2023. Later, the strategy will continue to be co-developed with participating First Nations during the remainder of 2023 and part of 2024. Additional input from stakeholders and the public will occur in parallel.
- Given the integrated nature of coastal marine planning, this work touches on the mandates and interests of multiple ministries. WLRS remains the provincial lead for advancing this work, but works with:
 - The Ministry of Forests to ensure spatial zoning is considered in decision-making processes for tenure authorizations;
 - The Ministry of Environment and Climate Change Strategy (B.C. Parks) on designation of coastal marine areas for long-term protection;
 - The Ministry of Indigenous Relations and Reconciliation on overarching collaborative governance agreements; and other related reconciliation efforts.

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Date Prepared/Revised: March 3, 2023

Ministry Executive Sponsor:

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Issue: Marine Protected Area Network Action Plan

Recommend Response:

- The Province's endorsement of the Marine Protected Area Network Action Plan at the 5th International Marine Protected Area Congress in Vancouver was a major milestone in our ongoing and successful marine planning and conservation work in the north coast of the Province.
- The Network Action Plan for the Northern Shelf (or 'Great Bear Sea') was co-developed between the Province, Canada, and 15 First Nations and is an excellent example of our collective reconciliation efforts in action.
- Implementation of the plan is now getting underway, with establishment of sites planned in two phases (by 2025 and 2030). Once put into place, these marine protected areas will help to protect key species and habitats and support the coastal communities that depend on them for their well-being and livelihoods.

Key Facts:

- Over the last ~10 years, the Province of British Columbia (B.C.) has been working with the Government of Canada and 15 First Nations partners (the Network Partners) towards the development of a Network Action Plan, the blueprint for Canada's first network of marine protected areas (MPAs).
- Provincially, the MPA network planning process has been led by what is now the Coastal Marine Stewardship Branch of the Ministry of Water, Land and Resource Stewardship (WLRS), with the support and involvement of the ministries of Environment and Climate Change Strategy (ENV), Forests (FOR), and Indigenous Relations and Reconciliation (IRR).
- Consistent with the Canada-British Columbia Marine Protected Area Network Strategy (2014), the primary aim of the proposed Network is to protect and maintain marine biodiversity, ecological representation, and special natural features, with additional goals related to the conservation of fishery resources and their habitats, tourism and recreation, community well-being, traditional uses and cultural values, and scientific research and education.
- The proposed MPA Network covers 30,493 km², or about 30%, of the Northern Shelf Bioregion (sometimes referred to as the 'Great Bear Sea'). More than half of this area (~62%) is comprised of existing MPAs in the region, with some proposed to be modified to better meet objectives. A socio-economic overview was prepared to summarize key human uses and activities in the region.

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- Implementation of the Network would occur in phases – by 2025 and 2030 – using a variety of federal, provincial, and Indigenous tools. New provincial designations proposed in the Action Plan include six Crown land withdrawals (under s. 17 of the *Land Act*) and eight Wildlife Management Areas, covering a relatively small portion (< 5%) of the total area proposed for protection.
- In the fall of 2022, the Network Partners completed public engagement on the draft Action Plan, via a website and survey, six public webinars, and six public open houses in communities within the Northern Shelf. Concurrently, Fisheries and Oceans Canada and WLRS, as the lead agencies for the Crown governments, initiated consultation with First Nations throughout the region.
- On February 4, 2023, at the 5th International Marine Protected Area Congress in Vancouver, the Network Partners publicly announced their endorsement of the Network Action Plan, a significant milestone and one which supports the Province's objectives for coastal marine stewardship and reconciliation.
- Implementation of the Network Action Plan will require an ongoing and long-term commitment from the Province, including the negotiation of collaborative governance agreements and securing of financial resources to support future management and monitoring of MPAs in the region.
 - The federal government's December 2022 Project Funding for Permanence (PFP) announcement of \$800 million for Indigenous-led conservation projects is expected to support MPA Network implementation.
 - At this time, the Province has not made a specific financial commitment, but the Network Partners' and philanthropic funders' expectations for provincial support will be high.
- WLRS, in cooperation with B.C. Parks, is anticipated to continue having a lead role in developing and overseeing management and monitoring plans for sites throughout the region and working with Canada and First Nations on planning for other potential sites in the northern portion of North Coast and the northern portion of Vancouver Island.
- WLRS staff are also coordinating with staff from FOR and ENV, who would have primary responsibility for establishing and managing new proposed sites under the *Land Act* and the *Wildlife Act* and supporting modifications to existing sites within the region.

Date Prepared/Revised: February 24, 2023

Ministry Executive Sponsor:

James Mack

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Alternate Contact for Issue:

Charlie Short

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ADVICE TO MINISTER

**CONFIDENTIAL
ISSUES NOTE**

Ministry of Water, Land and Resource
Stewardship

Date: January 10, 2023

Minister Responsible: Hon. Nathan Cullen

Marine Protected Areas Network

ADVICE AND RECOMMENDED RESPONSE:

- Marine protected areas are an important tool to protect and conserve marine habitats that support biodiversity, community well-being and economic prosperity throughout B.C.
- The Marine Protected Areas Network will link together efforts to manage biodiversity hotspots from Northern Vancouver Island to the Alaska border.
- In partnership with First Nations and Canada, and in consultation with key stakeholders, we developed a plan to protect and manage existing Marine Protected Areas as well as identify new ones.
- We reached out to British Columbians on a draft plan and will continue to incorporate their values and thoughts as we move into the next steps for implementing a network of marine protected areas in this region.
- Well-designed and managed MPAs can benefit the environment as well as commercial sectors such as fisheries and tourism.
- Through the MPA Network, the Province is working to strengthen the cultural, economic, and recreational opportunities that people and communities in the Northern Shelf Bioregion depend on for their well-being and livelihoods.
- Implementing this action plan will build on the conservation efforts we've already made in marine conservation through existing parks and protected areas in the Northern Shelf Bioregion.
- Collaborative development and future implementation of the MPA network aligns with the Province's commitment to the UN Declaration, and our commitment of co-creating legislation, policy and making

decisions together.

- **The MPA Network Action Plan is slated for an extended implementation phase with milestones set for 2025 and 2030.**

ADVICE TO MINISTER

KEY FACTS:

In September 2022, coastal residents in B.C. were asked to provide input on a draft plan to guide implementation of a network of marine protected areas (MPAs) in the Northern Shelf Bioregion, which stretches from North Vancouver Island to the Alaska border. The draft Marine Protected Area Network Action Plan is the result of years of collaboration between 17 coastal First Nations, the Province of B.C. and the Government of Canada. The MPA network would protect hot spots of marine biodiversity, including ecologically and culturally important species and habitats. The engagement period closed at the end of November, and that input is being incorporated into the network plan, expected to be finalized early 2023.

BACKGROUND:

The Northern Shelf Bioregion covers 102,000 square kilometres of ocean. About 30% is being proposed as part of a network to link existing and future MPAs. Formal planning for the network began in 2015. Local governments and stakeholder groups, including commercial and recreational fishing, tourism, shipping, forestry, aquaculture and conservation sectors played a role in the advisory process that shaped the draft plan. This will be the first MPA Network for Canada and the first designed in partnership with First Nations. The collaborative approach to planning and implementing the network builds on government's commitment to the UN Declaration on the Rights of Indigenous Peoples through co-developed policy and joint decision-making.

A Network Action Plan has been developed to guide the implementation of the network. Once the plan is endorsed, new MPAs can be established through a multi-year process that will include more opportunities for engagement and input from First Nations, local government, communities, stakeholders and the public.

The Government of Canada and 14 First Nations committed to work together in 2018 to develop and manage marine initiatives on the Pacific North Coast through the Reconciliation Framework Agreement for Bioregional Oceans Management and Protection. The Agreement supports the collaborative planning, implementation, and integration of existing and proposed marine planning initiatives in the Northern Shelf Bioregion.

Following several years of technical work and engagement with user groups, the signatories to the Reconciliation Framework Agreement (RFA), including provincial ministers, came together in June 2022 and committed to complete the action plan by February 2023, in time to be announced at the 5th International Marine Protected Area Congress (IMPAC5) in Vancouver.

Goals of the network are to increase conservation while maintaining the cultural, economic, and recreational opportunities that people and communities in the Northern Shelf Bioregion depend on for their wellbeing and livelihoods. Research shows that well-designed and managed MPAs can benefit the environment, as well as commercial sectors such as fisheries and tourism. They can increase the amount, size and diversity of fish and other marine life in these areas, restore ecological processes, and provide a variety of benefits to coastal communities.

B.C. has designated close to 200 marine protected areas in the province. Enhanced collaboration between First Nations and Canada will provide additional benefits to existing sites in the Northern Shelf Bioregion. In December 2022, Prime Minister Justin Trudeau announced up to \$800 million over seven years, starting in 2023–24, to support up to four Indigenous-led conservation initiatives across the country. In B.C., the funding supports an initiative to protect

marine areas in the Northern Shelf Bioregion. This investment will drive progress towards Canada’s ambitious goals of conserving 25 per cent of land and waters by 2025, and 30 per cent by 2030 with help from community leadership and the work of philanthropic organizations.

Media Interest: The launch of a public engagement period on the MPA network received a fair amount of media attention, expected to continue with IMPAC5 in Vancouver early February 2023. Public engagement for the Province’s first coastal marine strategy ends in spring 2023 and pledges and outcomes from COP27 in November 2022 and COP15 Convention on Biological Diversity in Montreal in December 2022 also shine media spotlight on this issue.

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Program contact	Charlie Short	778 974-5841
File created	November 21, 2022	
File updated	January 10, 2023	

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Issue: British Columbia's Marine Economy

Recommend Response:

- Marine-based activities are a significant source of revenue and jobs for British Columbians. In fact, British Columbia (B.C.) has the second largest marine economy in Canada.
- In B.C., the marine economy is especially important to Indigenous peoples and communities, who rely heavily on the coastal environment for their livelihoods and well-being.
- Several ministries (including WLRS, JEDI, FOR) are working closely together to foster the marine economy in B.C., in partnership with Indigenous peoples.
- This is reflected in the StrongerBC Economic Plan and commitments to advance a Coastal Marine Strategy, provincial Maritime Industries Strategy, and other initiatives already underway.

Key Facts:

- A 2021 report on the economic contributions of the ocean sector estimated that, based on 2018 data, ten ocean subsectors supported \$45.4 billion in direct, indirect, and induced gross output across B.C.. This included:
 - \$3.2 billion in gross output in the North (Coastal Region);
 - \$33.4 billion in gross output in the South (Coastal Region);
 - \$8.8 billion in gross output in the Rest of B.C.; and
 - \$21.5 billion in GDP (7.8% of provincial GDP), \$14.8 billion in labour income, 196,000 FTE jobs, and \$4.9 billion in taxes across B.C..
- Further, this report found that the ocean sector generated \$30.8 billion in direct gross output in Coastal B.C.. This included:
 - \$3 billion in direct gross output and \$1.3 billion in GDP in the North;
 - \$27.9 billion in direct gross output and \$12.8 billion in GDP in the South;
 - \$14.1 billion in direct GDP (5.1% of provincial GDP) in Coastal B.C.;
 - \$10 billion in labour income and 131,000 (direct FTE) jobs in Coastal B.C.; and
 - \$2.9 billion in taxes in Coastal B.C.
- Ranked by provincial contribution, the ten subsectors of B.C.'s marine economy are:

1. Marine Transportation	6. Marine Technology
2. Marine-reliant Forestry (about 80% of coastal forestry)	7. Ship and Boat Building and Repair

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3. Tourism and Recreation	8. Port and Harbour Construction
4. Fisheries, Aquaculture, and Seafood	9. Research (Universities and Non-governmental Organizations)
5. Government Expenditures (specifically Fisheries and Oceans Canada, Canadian Coast Guard, National Defence, and accountable provincial ministries)	10. Oil and Gas (although there is no marine oil and gas extraction in B.C., this subsector is looking to increase its reliance on marine transportation)

- B.C.'s marine economy drives innovation and growth, with key sectors averaging 4 to 8% annual growth from 2005 and 2018 (e.g. marine transportation - 8%; marine related tourism - 4%).
- The marine economy is important to all coastal communities, but especially First Nations with ocean subsectors estimated to provide approximately 40% of on-reserve employment in B.C..
- Several ministries are responsible for helping to advance the marine economy in B.C., including through:
 - The Ministry of Water, Land and Resource Stewardship's development of a Coastal Marine Strategy for B.C., creating a vision for the Clean Coast, Clean Waters Initiative, and implementation of the Marine Plan Partnership and related marine planning initiatives;
 - The Ministry of Jobs, Economic Development and Innovation's work on the StrongerBC Economic Plan and related Maritime Industries Strategy;
 - The Ministry of Forests' administration and management of tenures and licenses for a variety of marine-based activities and uses (e.g. aquaculture, coastal forestry); and
 - The Ministry of Agriculture and Food's role in promoting B.C. seafood products.
- The Province's Intentions Paper for a new Coastal Marine Strategy in B.C., currently out for public review, includes a number of policy intentions that will support and help shape B.C.'s marine economy (e.g. create jobs and support steady, rewarding employment; invest in a diverse coastal and marine economy; support regenerative marine tourism).
- The Maritime Industries Strategy will aim to help maritime industries compete on a global stage, advance low-carbon innovation in the sector, and address workforce and supply chain challenges.
- In the last three years, the Clean Coast, Clean Waters Initiative has generated 1300 well-paying jobs and removed over 1000 tonnes of debris from our coastal waters.

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Ministry of Water, Land and Resource Stewardship

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Date Prepared/Revised: March 2, 2023

Ministry Executive Sponsor:

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250-415-1762

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2023/24 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Issue: Salmon Aquaculture Policy and Decisions

Recommend Response:

- In June 2018, British Columbia (B.C.) announced a policy that, effective June 30, 2022, no new salmon aquaculture Crown Land tenures will be approved unless the applicant:
 - Meets all federal aquaculture license conditions that assures protection of the health of wild salmon;
 - Demonstrates support from First Nation(s) in whose territory they propose to operate via industry-First Nations written agreements; and,
 - Meets all provincial *Land Act* policies related to the siting of finfish aquaculture sites.
- This approach provided clarity to industry and outlined our expectations moving forward for a sustainable industry that protects wild salmon, embraces reconciliation, and provides good jobs for local communities.
- The Province is dedicated to meaningful engagement with First Nations as demonstrated by this new policy, the work done in the Broughton, and *Declaration on the Right of Indigenous Peoples Act* (DRIPA), new legislation passed in 2019 to implement the principles of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
- Many operators already have agreements with several partnering First Nations. Those types of partnerships will grow and lead to more predictability over the long term as First Nations and industry work together.
- However, some First Nations do not have these agreements in place, and have begun discussions on decommissioning sites within their territories.

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If asked about the February 2023 federal government decision to cease licensing of open-net pen salmon farming in the Discovery Islands by 2022:

- B.C. respects the federal government's position and their authority on the decision to not license the Discovery Islands. However, we remain committed to working in close collaboration with our federal counterparts to mitigate the impact of this decision on the affected companies and communities.
- We will continue to work with the federal government to protect, restore and enhance wild salmon populations, including through B.C.'s Wild Salmon Strategy in Action.
- But as former Premier Horgan indicated in his March 10 letter to Prime Minister Trudeau, we are urging the federal government to commit to a transition plan that supports families, companies, and coastal communities, and we are committed to working with them on this.

If asked about the federal government's 2025 Transition Plan from open-net pen salmon farming in B.C.:

- The federal government is currently deciding how they will manage the sector and the 79 remaining salmon farming licences in the province as part of a 2025 Net-Pen Transition Plan.
- Any federal transition plan needs to align with our commitments under the Declaration Act and considers the economic needs of impacted First Nations and communities on the B.C. coast.
- We are working with Fisheries and Oceans Canada (DFO) to advise them on these important considerations in the development of Transition Plan options. At the same time, we will continue to collaborate with our federal colleagues on the important work of protecting and rebuilding B.C.'s critical wild salmon stocks.

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Key Facts:

- Representatives of the Ministry of Water, Land and Resource Stewardship (WLRS) are members of a bilateral Committee to collaborate on the transition away from open net aquaculture.
- The Ministry of Forests issues crown land tenures and develops policies to ensure Indigenous Reconciliation is incorporated into decision making towards aquaculture licensing.
- The Ministry of Agriculture and Food is lead on farmed salmon as it relates to being a food commodity.
- On June 20, 2018, the Province announced new conditions for the disposition of Crown land for salmon aquaculture that replaced the “pause” announced in the 2015 bulletin. These new conditions came into effect for new and replacement tenures as of June 2022.
- After consultation with First Nations in December 2020, and in response to Justice Cohen’s response, then Minister Bernadette Jordan announced that DFO would phase out salmon farming operations in the Discovery Islands by June 2022, with the stipulations that no new fish be introduced into the facilities during this time, and that all farms be fish free by June 30, 2022.
- This led to four operators filing a judicial review in the Federal Court of Canada which was successful and set aside the Ministers Decision due to lack of procedural fairness. Following this the Minister undertook 6 months of consultation and engagement to determine whether licenses would be granted. In February 2023 she announced and reaffirmed that DFO would not grant licences in the Discovery Islands, citing a need for precautionary approach to wild salmon management in this area.
- This affects approximately 26 percent of B.C. farmed salmon capacity, representing 20 percent of provincial aquaculture revenue (\$132 million in 2019).
- The province is now working with DFO staff on a range of potential solutions that could ‘transition’ the sector away from its current status of all open net-pens. Possible solutions can range from an area based approach whereby net-pens are only licensed and managed in certain geographic areas; implementing stricter oversight and new technologies; to a complete removal of salmon aquaculture from coastal waters.
- DFO staff will present a range of options and recommendations to the federal Minister in spring. The federal minister will then consider the advice and make a determination expected for early summer 2023.

Date Prepared/Revised: February 28, 2023

Ministry Executive Sponsor: James Mack

250 415-1762

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Issue: Wild Salmon Strategy in Action

Recommend Response:

- The province remains focused on implementing the Wild Salmon Strategy in Action and building on successes and partnerships in recent years.
- There are several strategies in development within the Ministry of Water, Land and Resource Stewardship (WLRS) that wild salmon values are being integrated into.
- Since 2019, British Columbia (B.C.) has partnered with Fisheries and Oceans Canada (DFO) to deliver the British Columbia Salmon Restoration and Innovation Fund (BCSRIF) and developed new partnerships to support wild salmon restoration.
- This government has invested an additional \$42.85M, totalling nearly \$86M, in the B.C. Salmon Restoration and Innovation Fund making it the largest provincial financial commitment to protect wild salmon in the past 20 years.
- *The Declaration on the Rights of Indigenous People Act* Action Plan outlines an action for wild salmon and committed B.C. to developing a wild salmon strategy with Indigenous peoples. To fulfill this commitment, B.C. has been working with the First Nations Fisheries Council (FNFC) to explore a tripartite collaboration between DFO, B.C. and First Nations.
- While a tripartite agreement is in early stages, we are optimistic that this partnership will move B.C. and Canada forward on wild salmon restoration and reconciliation.

Key Facts:

- WLRS has a mandate to continue implementing B.C.'s Wild Salmon Strategy in Action and work with the federal government to double the BCSRIF.
- B.C. is addressing wild salmon through the Watershed Security Strategy. The Watershed Security Strategy will address management of water and watersheds and can be driven in part by a wild salmon value.

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- B.C. has convened a collaborative Water Table that supports B.C. and First Nations to discuss and make consensus-based, co-developed recommendations to provincial and First Nations decision-makers about matters of mutual interest.
- The *Declaration on the Rights of Indigenous People Act* Action Plan committed BC to developing a wild salmon strategy with Indigenous peoples. To fulfill this commitment, B.C. has been working with the FNFC to develop a tripartite agreement between DFO, BC and FNFC.
- 2018:
 - Launched the Wild Salmon Advisory Council (WSAC) that developed recommendations to support healthy and abundant wild salmon. The 2019 WSAC report informs the approach to the Wild Salmon Strategy in Action.
 - Announced a \$42.85M investment in the B.C. Salmon Restoration and Innovation Fund jointly with DFO (70% federal, 30% provincial funds).
- 2019:
 - Partnered with First Nations and the salmon farming industry to develop the Broughton Aquaculture Transition Plan.
 - Developed and implemented the Salmon Aquaculture Policy that recognized the role of First Nations decision-making (effective June 2022).
- 2020:
 - Released an update on the progress implementing WSAC strategies.
 - Appointed a Parliamentary Secretary for Fisheries and Aquaculture, tasked with implementing strategies to restore wild salmon in partnership with First Nations and other levels of government.
- 2020 and 2021:
 - Announced the \$57M fund to support healthy watersheds that also protects salmon and their freshwater habitat.
- 2021:
 - Implemented a 'salmon lens' during the 2021 flood recovery and rebuilding in the Lower Mainland, with a G2G2G structure with DFO and First Nations.
 - Successfully nominated a provincial commissioner to the Pacific Salmon Commission to represent B.C. at the Pacific Salmon Treaty tables.
- 2022:
 - Created a 'home for salmon' in the provincial government through the creation of WLRS, and the Water, Fisheries and Coastal Policy Division.
 - B.C. and DFO announced a doubling of BCSRIF investment.
- 2023:
 - Approved a renewed MOU with the First Nations Fisheries Council that reflects the new role of the Minister of Water, Land and Resource Stewardship and provides a broader scope of work that includes salmon, watershed and the coastal marine environment.

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Date Prepared/Revised: March 2, 2023

Ministry Executive Sponsor:

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Issue: Fisheries and Aquaculture 2023 Outlook

Recommend Response:

- The aquaculture and fisheries sectors provide thousands of jobs to British Columbia (B.C.) residents and sustain many Indigenous and non-Indigenous communities.
- Continued demand for seafood globally, population growth, and climate change will likely increase the importance and value of fisheries and seafood to B.C. moving forward.
- However, increasing uncertainty related to access of the resource combined with some species on declining trends will challenge some of the B.C. seafood sector to maintain markets.
- The impacts of the COVID-19 pandemic were widespread throughout B.C.'s seafood producing and processing sectors and their markets in 2020-2022 and will continue in 2023.
- B.C.'s seafood sectors are facing increasing levels of uncertainty due to management decisions being made by Fisheries and Oceans Canada (DFO), the agency responsible for marine fisheries management, and aquaculture.

Key Facts:

- The Ministry of Water, Land and Resource Stewardship (WLRS) is working with DFO to advocate for fisheries and B.C. based issues.
- The Ministry of Forests issues land tenures for aquaculture developments, seafood processing plants, some commercial fishing waterfront infrastructure, and sportfishing lodges.
- The Ministry of Agriculture and Food manages marketing and business development of the seafood industry.
- B.C.'s extensive coastline and unique geography provide for a significant fisheries and seafood industry.

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- In 2021, fisheries and aquaculture in B.C. harvested 256,000 metric tonnes (MT) of over 100 different species of fish, shellfish, and marine plants with a wholesale value of \$1.9 billion, which represents a 15 percent increase in wholesale value from 2020.
- The aquaculture and fisheries sectors provide thousands of jobs to British Columbians and are specifically important to Indigenous and non-Indigenous rural coastal communities.
- There has been a persistent and longstanding range of science and opinion with respect to environmental risks of salmon farming. First Nations concerns have focused on interaction with wild salmon and matters of rights and title of resources in their territory.
- On February 17, 2023, the Minister of DFO announced that they would not reissue 15 marine finfish licences in the Discovery Islands, citing a need to take a precautionary approach to protect wild salmon. This decision will close approximately 25% of the industry in the province and follows a similar reduction in the Broughton Archipelago region.
- Continued and increasing demand for seafood globally, population growth, and climate change will likely increase the importance and value of fisheries and seafood to B.C. moving forward.
- First Nations have been participating in fisheries, including shellfish culture, since time immemorial and have been significant participants in B.C. commercial fisheries, primarily in the fishing fleet and as employees in the processing sector and more recently the aquaculture sector.
- Access to marine resources remains important for food, social and ceremonial fisheries, and economic development opportunities for First Nations communities.
- One third of fish harvesting jobs are in First Nations communities. There is growing Indigenous involvement in contemporary aquaculture, with 78 percent of B.C. salmon production in areas covered by partnerships with First Nations who hold approximately 20 percent of the jobs in B.C. associated with salmon farming.
- First Nations are active participants in shellfish aquaculture with increasing interest in the emerging seaweed farming sector. Some First Nations have also established or acquired processing companies with mixed success.
- The recent Ahousaht decision, that grants a Constitutional right to sell fish for five Nuu-Chah-Nulth First Nations, and other fisheries Indigenous Reconciliation initiatives, will likely change the current market and allocation formulas.

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Attachments: Appendix 1 – Species Details

Date Prepared/Revised: March 2, 2023

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Appendix 1 – Species Details

Snapshot of 2023 Seafood Trends

Species	Harvest	Landed Value	Wholesale Value
Wild Salmon	↓	↓	↓
Farmed Salmon	↓	↓	↓
Herring	↔	↔	↔
Halibut	↓	↓	↓
Groundfish	↔	↔	↔
Wild Shellfish	↔	↔	↑
Farmed Shellfish	↔	↔	↔
Marine Plants	↑	↑	↑
Other Species	↔	↔	↑
Total B.C.	↔/↓	↔/↓	↔/↓

B.C. Seafood statistics (Ministry of Agriculture and Food) produces seafood statistics annually which summarizes B.C. seafood trends using 3 metrics: **Harvest** – the round (whole) weight of fish harvested; **Landed Value** – the price paid to fishers and aquaculturalists; and **Wholesale Value** – Value of fish products after processing which includes imported fish that was processed in B.C. facilities.

Salmon and Finfish Aquaculture:

In 2021, farmed finfish contributed 34 percent of the production (84,000 MT) and 41 percent of the wholesale value (\$777 M) of B.C. seafood. Within aquaculture, farmed Atlantic salmon are the dominant species group representing 96 percent of the harvest (81,000 MT) and 94.0 percent of the wholesale value (\$731 M) and is B.C.'s top agriculture food and seafood export commodity. The landed and wholesale value of farmed salmon in 2021 was \$703 M and \$777 M, respectively. Compared to 2020, these values increased by 11. percent and 3 percent, respectively. Most farmed salmon are Atlantic salmon, with modest amounts of chinook and minor amounts of coho, steelhead and Arctic char. Other finfish species producing minor volumes include sablefish, tilapia, and sturgeon.

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The outlook for the B.C. farmed salmon sector remains tenuous given past and recent policy developments, including the Discovery Island decision (see below), the removal of farms from the Broughton Archipelago (for further information see Estimate Note Title: Broughton Recommendation and Implementation), the Federal Minister of Fisheries and Oceans Canada's mandate commitment to review a "substantiable transition from open-net pen operations", and the Provincial moratorium (Order in Council 174) from 2008 prohibiting the disposition of crown land in tidal waters for finfish aquaculture on the North Coast.

On February 17, 2023, the Minister of Fisheries and Oceans Canada announced that DFO would not reissue 15 marine finfish licences in the Discovery Islands, citing a need to take a precautionary approach to protect wild salmon. This decision will close approximately 25% of the industry in the province and follows a similar reduction in the Broughton Archipelago region.

Additional issues that have resulted in stalled growth and investment of the salmon farming sector include uncertainty over perceived environmental impacts, allocation of Crown land tenures and First Nations' interests. Despite these challenges, the industry had committed to further investment in the sector, which is now uncertain with much investment (in the order of hundreds of millions of dollars) for salmon farming development in Newfoundland, Nova Scotia, and New Brunswick.

Additionally, two land-based farms (one tilapia and one barramundi) farms were severely damaged in the flooding events in the Fraser Valley, November 2021.

Shellfish Aquaculture:

In 2021, within aquaculture, farmed shellfish represented 10.1 percent of the harvest (9,510 MT) and 7.1 percent of the wholesale value. The landed and wholesale value of cultured shellfish in 2021 were \$32.1M and \$59.4M, respectively. These values are up from 2020 where landed and wholesale values were \$24.72M and \$34.56M respectively. The dominant farmed species is oysters, followed by modest production of clams, mussels, and scallops.

Demand for B.C. shellfish typically far exceeds supply; however, the growth of the industry is constrained. B.C. set innovation in the shellfish aquaculture industry as one of its priorities for the second intake of the B.C. Salmon Restoration and Innovation Fund (BCSRIF) which resulted in the B.C. Shellfish Growers Association (B.C.SGA) being awarded a \$3.5M sub-fund to provide to various smaller shellfish aquaculture projects in B.C. This funding has gone towards an Innovative Shellfish Handling program for upgrading industry equipment and a Traceability program for shellfish products and gear.

DFO had previously reported a high volume of illegally harvested shellfish being laundered into regular market distribution channels, representing a serious public health

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risk. DFO has updated the shellfish Conditions of License to assist in the enforcement of proper handling and traceability and continues to work with the industry on traceability.

Commercial Fisheries:

B.C.'s commercial fishing and seafood processing sectors are facing significant uncertainty regarding access. Currently, there are 11 marine planning processes on the B.C. coast at various stages of development and scale. Once implemented, these marine protected areas will significantly restrict access to marine resources and force harvesters to travel further to the grounds or leave the industry. Climate change, ocean acidification and hypoxia are also contributing to uncertainty within the sector as species experience increased natural mortality.

Further, it is becoming increasingly common for Fisheries and Oceans Canada, the management agency for fisheries in B.C. to make unexpected or delayed decisions without suitable mitigation strategies which are further described below. Finally, reconciliation objectives set by the governments of Canada and British Columbia provide a level of uncertainty in access and effort on the coast.

'Other' Wild Shellfish:

B.C.'s 'other' wild shellfish fisheries include wild oysters, clams, gooseneck barnacles and swimming scallops. Oyster and clam fisheries are experiencing challenges with poaching and the presence of European green crab. Further, some First Nations are reporting high levels of recreational harvest from tourists coming to harvest clams in their territory. This is impacting their community's ability to harvest traditional foods.

These smaller fisheries face challenges funding their surveys, science, and monitoring as there are not many harvesters, industry is not organized, and this harvest typically takes place in remote areas without quick access to markets. Overall, most wild shellfish stock will likely remain at relatively stable levels again for 2023. The impacts of changing environmental conditions, and in particular impacts from climate and ocean acidification, will increase uncertainty in forecast and harvest levels. Market conditions are expected to remain strong.

Shrimp:

Since 2017, there has been a large decline in biomass which resulted in limited fishing opportunity and loss of markets. The fishery is further challenged with market access due to competition from the U.S. and Atlantic Canadian mechanically processed, cheaper products which are Marine Stewardship Council (MSC) certified. Shrimp biomass is correlated with ocean temperatures, so there will generally be low abundance two years after a warm water event. The 2021 shrimp fishery experienced low stock biomass in many management areas. In 2021, shrimp landings were down to 170 tonnes which was a major decline from 2020 with 650 tonnes and 2019 with 960 tonnes. The 2023 shrimp trawl fishery will face similar constraints with many areas'

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stock biomass being in the critical and cautious zones. Indigenous communities on the North Coast are lobbying DFO for the introduction of eulachon bycatch limits for the North Coast which will impact fisheries in the area. The shrimp trawl industry is currently working with DFO and researchers at the University of British Columbia to improve stock assessment with the goal of opening more areas to shrimp trawling on the coast.

Prawn:

This fishery landed 1.590MT, generating \$59.39M in wholesale value in 2021 which represents a 29 percent decrease in landings, but an increase of 47 percent in value. Many harvesters in the prawn sector are turning to domestic markets, selling their prawns direct to consumers and taking home a greater portion of revenue for themselves. The outlook for 2023 is expected to be very similar to 2022. The issue raised by DFO in 2021 around the practice of tubbing prawn tails has been resolved and the practice will be allowed to continue. As a result, harvesters will be able to maintain and grow their share of the domestic market. Moving forward, DFO and industry will engage in standardizing packaging and traceability tagging.

Crab:

The Dungeness crab fishery is one of the most socio-economically important fisheries on the coast. This fishery landed 9.71MT, generating \$210 M in wholesale value in 2021 which represents a 5 percent increase in landings, and an increase of 74 percent in value. Fishing occurs coast-wide and has one of the highest participation rates, approximately 92 percent of licensed vessels are active. From 2019-2021, Dungeness landings were among some of the largest on record. North Coast fisheries (Areas A and B) account for most Dungeness crab landings. In 2021, the main markets in China and the U.S. continued to be impacted by COVID-19 however, industry experienced some of the highest prices in recent years. Dungeness crab biomass experienced regular fluctuations in fishable biomass and cannot be accurately forecasted into 2023.

Marine planning initiatives, like the Northern Shelf Bioregion, reconciliation processes, and illegal fishing are creating uncertainty and impeding the success of the Dungeness fishery. Illegal fishing in all crab sectors has now spread coast-wide but is still largely concentrated on the South Coast.

A recent B.C. Court of Appeal decision (April 2021) has required DFO to reallocate effort (i.e., traps) from Area E on the west coast of Vancouver Island to the Five Nations fishery. Industry was notified of this decision in December 2021 that the commercial trap limits within Area E will be reduced by 50 percent and the commercial harvesters will be forced to divide up this reduced trap limit between its 33 licence holders. With high running costs and half of the access to product, most of these small businesses have expressed the inability to continue this season. DFO has expressed that it intends to mitigate and provide license buybacks, leaving the commercial fleet with limited options.

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Within further conversations, DFO has heard that the Five Nations will not be equipped to take advantage of the increase in quota immediately upon the start of the new fishing season. DFO has implemented a phased approach that was released after discussion with the Five Nations and Industry. Industry is also in conversation with the Five Nations to discuss potential collaboration of vessel and gear sales as DFO is only discussing the transfer of licences. DFO has released the updated trap limits with the 2022 phased approach and is expecting to release more information imminently regarding other aspects of this issue including license buyback next steps.

Wild Pacific Salmon:

The overall outlook for most Pacific salmon stocks in 2023 will be poor and like 2022, which was one of the lowest on record. Thompson and Chilcotin River steelhead populations have reached critical lows and are undergoing Committee on the Status of Endangered Wildlife in Canada (COSEWIC) reassessment. Several Fraser River bound salmon stocks and steelhead will undergo assessments for potential Federal *Species At Risk Act* (SARA) listing and are stocks of concern. In reaction to low returns, Fisheries and Oceans Canada (DFO) announced their \$641M Pacific Salmon Strategy Initiative (PSSI) which included significant conservation closures and plans for restructuring the fleet, as well as rebuilding plans. The flooding in late 2021 is a concern for returning 2023 salmon and may impact future years. The Big Bar rockslide has impeded natural fish passage beyond it, further impacting several salmon species migration in the Fraser River. Like 2021, most salmon were able to pass through the Big Bar site unobstructed again in 2022.

Salmon returns in 2023 will be highly variable, with an overall continued trend of reduced productivity, especially for southern salmon populations and chinook in all areas. A key factor is the poor conditions for ocean survival for the sea entry and freshwater rearing years for salmon stocks returning in 2023. Overall warmer sea surface temperatures will be a dominant feature impacting salmon. However, this will be a Fraser pink salmon cycle year and there could be a relatively abundant return of (close to 8 million). This may result in more challenges as DFO balances conservation requirements, its new Pacific Salmon Strategy Initiative (PSSI), and demands for fisheries opportunities for all interests including the US, First Nations, and commercial and sport fishing sectors. There will be limited economic opportunities for all salmon fisheries in the next several years

- **Sockeye:** Sockeye returns are expected to remain below historical averages in both north and south coastal regions. A relatively large return of Skeena sockeye is expected, but very low returns to the Fraser from this group of stocks in 2023. There remains significant uncertainty with these runs. There will likely be very limited economic opportunities for salmon fishermen as a result. Barkley Sound (Somass) sockeye may be average to abundant.
- **Chinook:** Northern and southern populations of chinook salmon are expected to generally produce poor returns. Conservation efforts for stocks of concern,

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reconciliation initiatives for up-river Nations, and further plans for SRKW recovery efforts being considered by DFO may also further limit commercial and recreational harvest opportunities in 2023.

- **Pink:** 2023 is an odd year and therefore a 'pink year' (odd years see larger returns than even years). Fraser River pink returns are expected to be average. Some Central Coast pink runs could see better than average returns in 2023. Some limited harvest may be available.
- **Coho:** Abundance will remain uncertain and depend on marine survival. Southern coho populations will mostly remain at historic lows for 2023. Harvest restrictions will likely continue. Northern coho populations are expected to be more variable but will likely show declines. Some stocks in the Fraser system are showing signs of improved abundance after years of strict conservation efforts.
- **Chum:** Forecasts are highly uncertain. 2023 is not expected to be as productive as previous years. Poor chum returns are expected in northern systems while southern inside populations may yield some fisheries opportunities, despite high stock variability and conservation concerns for other species.

Tuna:

The USA-Canada Albacore Tuna Treaty fishing arrangement has just expired. A 3-year roll-over arrangement was agreed to extending from 2020 to 2023 which provided some stability for B.C.'s tuna fishermen. However, negotiations to renew fishing arrangements are still underway, and not yet complete. The wholesale value of B.C. albacore tuna products was \$51M in 2021. Fish behaviour in 2021 and 2022 had stocks in Canadian waters for longer, contributing to a productive season. Albacore tuna catches in 2021 were 2,420 MT, which is a 1 percent increase from 2020. Catch levels are expected to remain relatively stable for 2023, if an agreement is struck. Tuna markets and prices remain strong.

Herring:

In 2022, the Total Allowable Catch (TAC) was set at approximately 18,000 MT (food, bait, special use and roe). The drop in TAC over the last few years in the Strait of Georgia (SOG) has impacted the commercial fishing industry as well as the seafood processing industry as roe herring is one of the only fisheries that sustains employment through winter months when most other fisheries are closed.

For 2022, DFO presented several Management Procedures (MPs) with various harvest rates and probabilities of achieving conservation targets. All MPs for the SOG with a harvest rate (HR) of 20 percent or more met conservation objectives with significant probability and robustness. Herring stocks in SOG are predicted to be slightly less than 2021 but, still higher than the last 10-15 years. Industry supported a HR of 20 percent however, in December 2021, Minister of Fisheries, Oceans and the Canadian Coast Guard, The Honorable Joyce Murray announced a decrease in harvest rate by half for

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the SOG roe herring fishery for 2022 in consideration of declining wild Pacific salmon stocks. This decision for a 10 percent harvest rate has been applied again for 2023.

The 2022 TAC for roe herring in the SOG was 7,850MT and will remain similar for 2023. Further, there was no commercial spawn on kelp (SOK) harvest opportunities coastwide in 2022 that will be reinstated for 2023 to allow First Nations Fisheries and some commercial opportunities in the central and north coasts. SOK harvesters also require a Provincial Wild Aquatic Plant Harvest Licence to harvest the kelp required for their SOK fishery and it costs \$110.00 per application with a cut off October 1st, 2022 meaning harvesters applied and paid before they knew there wouldn't be fishing opportunities.

Overall, the reduced TAC will present challenges for industry to maintain Japanese and Chinese markets. There is growing public concern, and advocacy groups are calling for a complete moratorium on the herring fishery. There were no significant conflicts on the water for the 2022 season. On the Central Coast, the Heiltsuk First Nation has worked with DFO to reach the decision to not allow roe herring fishery despite the DFO science advice to allow harvest since 2019. Of the five main herring stocks that are managed in B.C., three of five appear to still be recovering from a low starting in 2010.

Hake:

While the 2022 data are not yet finalized, confirmed Canadian hake landings have decreased again from the low in 2021 after record setting harvests in 2017-2019. The decrease is due to lack of recruitment of juvenile hake into the fishery and in 2022 due to a lack of fish moving north into Canadian waters. In 2020 and 2021, the U.S. and Canada were unable to reach an agreement under the Pacific Hake Treaty. The U.S. was advocating for continued high catch levels, and Canada sought a reduction in catch given the long-term status of the stock. Hake stocks are dependent on large recruitment years that bring large harvestable masses of fish that can sustain both countries for years. Large recruitment years occurred in 2014 and 2017 and the stocks have been decreasing as these are aging out or being caught. The stock assessment data is now showing that there is potential for the 2020-year class to have strong recruitment which is promising for the stocks and may have helped to ease treaty negotiations and the ability to reach agreement in 2022. This year's negotiations will occur in March 2023.

Halibut:

Halibut stocks are well managed and see expected increases and decreases which inform total catch levels. For the 2023 season the surveys showed an overall decrease in abundance which resulted in a decrease to the coastwide TAC and Canada's TAC. An agreement was reached with the U.S. at the 2019 International Pacific Halibut Commission (IPHC) negotiation sessions, which gave B.C. a proportional share of 17.7% of the coastwide TAC halibut for four years. The 2023 coastwide TAC for Pacific halibut was decreased by 10.3% from 2022, being set at 36.97M lbs. and provides Canada with 6.78M lbs. (down from 7.56M lbs. in 2022). The commercial fishery remains very strong in recent years in B.C. as prices and consumer demand are high.

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2023 negotiations resulted in Canada maintaining its proportional share of 17.7 percent of the coastwide catch despite the ending of the interim agreement, but both countries took an equal decrease based on the downturn in stock assessment. It is expected that 2024 will see more tense negotiations as they negotiate a new interim agreement with the US pushing for Canada to receive a smaller share.

Other Groundfish:

Groundfish hook and line harvests may show a small decrease or remain stable in 2023 due to navigating area changes due to rockfish conservation concerns, mostly around yelloweye and bocaccio rockfish. Bocaccio rockfish has shown a historic recruitment event that expects to provide enough fish by the 2023 fishing season to satisfy DFO's rebuilding plan and ease pressure on the trawl fisheries. The groundfish trawl outlook is good, however, with similar conservation concerns for some rockfish, including bocaccio rockfish and Arrowtooth flounder. Opportunities for lingcod and other minor species should be like last year. Markets and prices remain strong, and harvest should remain stable through 2023.

ADVICE TO MINISTER

<p>CONFIDENTIAL ISSUES NOTE</p> <p>Ministry of Water, Land and Resource Stewardship Date: March 09, 2023 UPDATED Minister Responsible: Hon. Nathan Cullen</p>	<p>Aquaculture in B.C</p>
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ADVICE AND RECOMMENDED RESPONSE:

- **Wild salmon are critically important to the social, economic and cultural fabric of this province, that's why our government is implementing the Wild Salmon Strategy which includes protection, restoration and enhancement of wild salmon populations.**
- **We also recognize the importance of First Nations decision making about open-net pen salmon farming within their territories, as well as the federal government's ongoing work to address concerns around this industry in B.C.**
- **As the industry transitions, it's critical we respect the decisions of those First Nations that object to fish farming in their territory, as well as the many First Nations that have developed their own assessment of risk, their own partnerships with industry, and their own vision for the future of fish farming in their territory and communities.**
- **While we remain committed to engaging with the Department of Fisheries and Oceans to help develop their 2025 Net-Pen Transition plan with these values in mind, we are concerned about the broader economic pressures facing coastal communities and call on the Government of Canada to take a comprehensive approach to support transition for industries, communities and workers.**
- **At the same time, we continue to co-develop our Coastal Marine Strategy with First Nations, which will provide a unified vision for our coast and identify opportunities to support coastal First Nations and communities.**

If asked about Broughton agreement

- I understand Broughton Area First Nations have decided they will not approve continued operation of the seven remaining fish farms in their territory, as is their right under the Broughton Transition Plan Initiative.
- This decision means tenures will not be renewed for these seven fish farms and the companies will begin the process of decommissioning these operations.
- The Broughton Transition Plan Initiative was a groundbreaking and collaborative process between industry and area nations that recognizes First Nations' jurisdiction over their Territories.
- The Province helped to bring together the Nations and industry to create a forum for these discussions which allowed for First Nation Self Determination, while providing industry adequate time to adjust.

If asked about DFOs Discovery Islands Licensing Decision

- I understand that after consultation with First Nations and industry, the Minister of Fisheries and Oceans Canada decided not to reissue licenses in the Discovery Islands area, and that her decision was made in part due to concerns over potential impacts to migrating wild salmon.
- B.C. recognizes that Canada has the legal authority and scientific capacity to ensure that wild salmon are appropriately protected relative to salmon aquaculture.
- The government of B.C. acknowledges that First Nations have a decision-making role on whether farms should operate in their territory.
- This is why as of June 2022, all finfish farms looking to apply for or renew tenures must now follow the BC Salmon Aquaculture Policy, which requires operators to secure agreements with First Nations in whose territory they operate and meet all DFO requirements protecting wild fish health.

ADVICE TO MINISTER

If asked about RAS salmon farming in B.C.

- In support of a StrongerBC, the Province is committed to increasing economic opportunities for the people and communities that rely on salmon aquaculture for their livelihoods.
- That is why the Province commissioned a study to explore an emerging aquaculture technology in the fall of 2021.
- The report, published in April 2022, analyzes economic feasibility of farming salmon using recirculating aquaculture system (RAS) technology in land-based containment areas in British Columbia.
- The report identifies and highlights significant barriers to RAS investment and development in British Columbia.
- Unlike the report's narrow focus, the current policy direction of Fisheries and Oceans Canada is to consider a broader range of technology options and implementation schemes.

BACKGROUND:

Broughton Archipelago

Broughton Area First Nations have now decided that they will not approve continued operation of the remaining seven fish farms in the Broughton Archipelago.

Under the Sept. 2019 Indigenous Monitoring and Inspection Plan (IMIP) for fish farms in the Broughton Archipelago between the 'Namgis (nhum-geez), Kwikwasut'inuxw Haxwa'mis (quick-wa-sut-uh-nook / ha-kwuh-meesh) and Mamalilikulla (ma-ma-leelah-kwalah) First Nations as well as fish farm operators Cermaq Canada and MOWI Canada West, fish farms in the Broughton Archipelago must have secured agreements with First Nations in whose territory they operate. As the operators no longer have First Nations' approval, the companies work with the Ministry of Forests to begin the process of decommissioning these operations.

Discovery Islands & Sechelt

On Feb. 17, 2023, Fisheries Minister Joyce Murray announced the federal government would not renew licences for 15 open-net Atlantic salmon farms around British Columbia's Discovery Islands. While the Province respects the federal government's authority to make decisions on aquaculture licensing, we encourage our federal counterparts to identify and provide a support plan for First Nations, communities and workers that rely on salmon aquaculture for their livelihoods.

Recently the Province was engaged by shíshálh (Sechelt) Nation on their desire to remove all

nine farm tenures within their territory. This decision is the outcome of a consent based decision-making process through which shishalh reviewed and considered existing facilities which are owned by Grieg Seafoods. The Province has now worked with Shishálh, DFO, and with support from Grieg Seafoods to determine a feasible approach to site decommissioning through 2023.

The Broughton, Discovery Islands, and Sechelt farming site represent nearly half of all finfish aquaculture in the province. The cumulative closure of these sites are expected to have significant impact on several coastal First Nations, communities, and supporting businesses that rely on the sector. It is anticipated that First Nations in other areas will also wish to see non-renewal of tenures under the Salmon Aquaculture Policy. However, there are several Nations who rely on the sector and will likely seek expansion within their territories.

First Nations

For a salmon farm to operate in B.C., it must have both a federal aquaculture licence and a provincial land tenure, which now requires an agreement with the First Nation on whose territory it operates. The Province will work, where applicable, to align tenure renewals with federal licences.

First Nations Wild Salmon Alliance spokesperson Bob Chamberlin has publicly said more than 100 B.C. First Nations support the federal government's plan to transition away from open-net salmon farms.

In contrast, the Coalition of First Nations for Finfish Stewardship pressured the federal government to continue issuing licences for open-net pen salmon operators in territories where there is First Nations consent. The coalition states that at least 17 First Nations have negotiated agreements with one or more salmon aquaculture companies that operate within their territories.

In June 2022, Cermaq Canada renewed its protocol agreement with Ahousaht First Nation to continue open-net aquaculture operations in Clayoquot Sound and Ahousaht territory for the next five years despite the federal government's stated plans to phase out open-net salmon farming. That same month, Shishalh First Nation informed aquaculture operator Grieg that they had decided to not allow continued operations of salmon farms in their territory.

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Program Area Contact:	Mike Turner, Director of Policy (Fisheries, Aquaculture and Wild Salmon Branch: Water, Fisheries and Coastal Policy and Planning Division)	250 778-3129
File Created:	March 23, 2022	
File Updated:	March 09, 2023	

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Issue: British Columbia Salmon Restoration and Innovation Fund

Recommend Response:

- The protection of wild Pacific salmon is critically important to British Columbia (B.C.)'s environment, history, economy, and way of life. Restoring wild salmon stocks and the habitat and ecosystems that they rely on are a continued priority for B.C.
- On August 23, 2022, B.C. and the Federal Government announced a joint commitment to double the B.C. Salmon Restoration and Innovation Fund (BCSRIF) with an additional \$142.85 million dollars to protect wild Pacific salmon.
- By doubling this funding and extending the timeline we are showing our ongoing commitment to restore abundant wild salmon populations, while we develop sustainable wild fisheries and support communities across B.C.
- BCSRIF is providing support for many wild salmon initiatives in B.C. with focus on high impact priority funding areas including:
 - Salmon ecosystems (e.g., monitoring, research, innovation in hatcheries)
 - Salmon habitat (e.g., restoration, climate resilience)
 - Sustainable fisheries (e.g., selective fishing methods)
- With the heightened public and First Nations interest in wild salmon recovery, the demand for Phase 2 of this program has outstripped available funding, with 139 projects requesting over \$348M in funding.

Key Facts:

- In 2019, the B.C. Salmon Restoration and Innovation Fund was launched. This \$142.85M fund is a federal-provincial collaboration that helps to restore the habitat of our wild fish stocks in B.C. and protect our wild Pacific salmon species.
- Phase 1 of BCSRIF funded 97 projects, of these projects, 42 percent are led by Indigenous organizations and another 22 percent have Indigenous partnerships.

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- The projects focus on salmon, with 86 percent of the projects supporting salmon and salmon habitat directly, which has restored over 1,354,400 square meters of fish habitat.
- The program is having significant co-benefits, including over 450 people being employed through BCSRIF projects.
- The province's initial \$42.85 million investment was the largest provincial financial contribution to protect wild salmon in the past 20 years. B.C. announced a second investment of \$42.85M into BCSRIF on August 23, 2022
- To streamline the application process based on the feedback provided through the 2021 roundtable sessions with Parliamentary Secretary Donnelly and Robert Chamberlin, Phase 2 of BCSRIF has been reduced to 1 application form with suggested word limits included.
- BCSRIF Phase 2 extended the program until March 31, 2026 for Fisheries and Oceans Canada (DFO) and March 31, 2028 for B.C. DFO is working to match B.C.'s timeline.
- Continuing Ministry of Water, Land and Resource Stewardship (WLRS) work on BCSRIF is referenced within both Minister Cullen's and Parliamentary Secretary Greene's Mandate Letters. This is a key avenue for WLRS to implement the Wild Salmon Strategy in Action and to fulfill commitments under the *Declaration on the Rights of Indigenous People's Act*.
- WLRS and DFO staff have prepared a package of 73 projects that are recommended for funding. This package is being reviewed by the Steering Committee, made up of WLRS Deputy Minister Lori Halls and the DFO Associate Deputy Minister Kevin Brosseau, who will decide whether to recommend the projects for funding.
- The Steering Committee will meet March 13, 2023 to make their decisions on the funding package.
- Once funding decisions have been made, announcements by The Ministry of Water, Land and Resource Stewardship (WLRS) regarding the projects funded are anticipated throughout the Spring and Summer of 2023.
- WLRS is overall provincial lead on BCSRIF in collaboration with DFO. The Ministries of Agriculture and Food, Forests, and Indigenous Relations and Reconciliation provide input on priority setting for funding and proposal review.
- WLRS's role in BCSRIF is focused on strategic oversight of the initiative; cross-Ministry collaboration; sector and industry engagement; and collaboration with DFO.

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Ministry of Water, Land and Resource Stewardship

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Date Prepared/Revised: February 28, 2023

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Issue: Pacific Salmon Treaty and Alaskan Bycatch

Recommend Response:

- Pacific salmon populations, including steelhead, have suffered significant declines leading to equivalent declines in the ecosystems and economies that rely on them.
- These are tough years for harvesters and First Nations who depend on these populations for their communities' well-being.
- We have a mandate to develop new strategies to protect and revitalize British Columbia's wild Pacific salmon and steelhead populations.
- British Columbia (B.C.) has taken strong steelhead management actions, which were enhanced in 2019 through the B.C.-Fisheries and Oceans Canada (DFO) Action Plan that outlined common priorities for that year. These plans are currently being updated.
- We are working across government to ensure that all of the Province's work aligns with the goal of restoring wild salmon and steelhead, and this objective will be built into other strategies that B.C. is undertaking.
- The province remains focused on implementing the Wild Salmon Strategy in Action and building on successes and partnerships in recent years.
- We recognize the significant commitment from the federal government through their \$647 million Pacific Salmon Strategy Initiative, and are working closely to ensure there is a coordinated strategy to recover wild salmon and steelhead in partnership with First Nations in B.C.
- B.C. remains concerned about the Alaskan harvest of salmon and steelhead originating in B.C. rivers, and we continue to

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raise the issue in several forums, including the Canada-US Pacific Salmon Commission (PSC).

- There is a lack of available information on specific fisheries and bycatch data. B.C. continues to work to collate data domestically, and from international partners on salmon and steelhead bycatch.
- B.C. will continue efforts with various governments and partners to encourage the reduction of bycatch in the Alaskan salmon, halibut, and trawl fisheries.

Key Facts:

- Fisheries and Oceans Canada (DFO) is the jurisdictional lead and is currently developing a long-term strategy to support renewal of the Pacific Salmon Treaty arrangements before they expire in 2028.
- The Ministry of Water, Land and Resource Stewardship (WLRS) is working with DFO on providing strategic and scientific advice to manage steelhead and salmon and liaising with international partners to further the conservation efforts around B.C. salmon. Ministry of Forests is lead on angling authorizations for freshwater fish including steelhead.
- Returns to B.C. natal streams overall in 2020 were the lowest on record; 2021 and 2022 were not much better. For 2023, salmon returns will be low, much like 2022, although it will be a Fraser pink salmon year, which could support potential harvest.
- Over 60 salmon and trout designatable units (DUs) have been recently, or will soon be, assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), for potential listing under the *Species at Risk Act*.
- In 2021, the return of steelhead stocks to the Skeena River also dropped dramatically, leading to significant conservation concerns. In 2022, returns improved.
- Interior Fraser Steelhead (IFS) remain at extreme conservation concern.
- The bycatch of Canadian origin salmon in Alaska's District 104 fishery – sockeye (from Skeena /Nass) and from the Fraser system, remain a focus of attention, as Canadian, and (Southern US stocks) decline, and harvests reduced. Other species such as Northern Coho, Fraser chinook, and steelhead are included.
- B.C.'s Commissioner to the PSC, Martin Paish, continues to engage on these key issues including documentation of B.C. origin steelhead harvests in Alaska.
- The Marine Conservation Caucus (MCC) report - *Alaskan Interceptions of BC Salmon: State of Knowledge*, led to recent media interest and increased sensitivities.
- Unverified data suggested Alaskan bycatch of Canadian sockeye salmon exceeded the allowable catch for B.C.'s First Nations and commercial fishery in some years.

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- Given this uncertainty, B.C. is working through the PSC process to investigate and gather more data on steelhead and salmon bycatch in domestic and Alaskan fisheries.

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Issue: Herring Fisheries Closures

Recommend Response:

- British Columbia (B.C.) understands the importance of Pacific herring to the marine ecosystem as a forage fish and supports conservative fisheries management approaches that leave an abundance of herring available to the other fish and marine mammals that rely on them.
- B.C. supports science-based fisheries stock assessments and management approaches and has advocated that Fisheries and Oceans Canada (DFO) ensures clearer objectives for managing herring based on their importance to ecosystem processes.
- The Province recognizes the socio-economic contributions of herring to First Nations, fisheries sectors, and B.C.'s coastal communities.
- We recognize the ongoing public concern for Pacific herring and will continue to work closely with DFO to ensure sustainable herring stocks for future generations.
- Through programs like the BC Salmon Restoration and Innovation Fund (BCSRIF), the Province has invested in projects that are working towards a better understanding of sustainable management of herring fisheries.

Additional Response points (if needed):

- The Ministry of Water, Land and Resource Stewardship (WLRS) is committed to economically and environmentally sustainable fisheries and recognizes that B.C.'s fisheries, aquaculture and seafood sectors are significant economic, social, and cultural contributors to the Province.
- We will continue to work with DFO to make sure strong, healthy fish stocks are available for future generations of British Columbians as part of our commitment to sustainable coastal marine ecosystems.

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Key Facts:

- Fisheries and Oceans Canada (DFO) is responsible for the conservation and management of marine fish including Pacific Herring. The Province of British Columbia participates in herring management advisory boards and processes to ensure provincial objectives are considered.
- The Ministry of Water, Land, and Resource Stewardship is the lead provincial ministry for fisheries and aquaculture issues as well as communications with DFO.
- The Province supports science-based fisheries management and supports the review of the scientific processes that inform fisheries management decisions.
- Current DFO science outlines that the most influential factor found for determining the annual estimated biomass for herring returning to the Strait of Georgia (SOG) is the natural mortality of Pacific herring which includes factors like ocean conditions and predation by other animals. DFO science provides justification for a 20 percent harvest rate in the SOG showing that fishing harvest has a relatively low impact on future stocks compared to natural mortality.
- Federal Fisheries and Oceans Minister Murray decreased the harvest rate in the SOG to 10% for 2022 and again in 2023.
- In 2022 all Spawn on Kelp (SOK) fisheries were closed across the coast including central coast Aboriginal commercial fisheries. In 2023 SOK fisheries have been reopened in the central and north coasts with enough quota for First Nations Food, Social, and Ceremonial (FSC) fisheries as well as a small amount of commercial opportunities.
- In June 2021, the Province sent a letter to DFO Minister Jordan outlining that the Province would like to see clearer objectives for managing herring based on their importance to ecosystem processes. The letter encouraged DFO to ensure timely implementation of the work DFO is doing on the Ecosystem Approach to Fisheries Management and that herring management be considered in conjunction with efforts on wild salmon recovery.
- Many members of the public are opposed to the SOG herring fishery and are advocating for a complete moratorium with the opinion that SOG herring stocks are declining as a direct result of overfishing and impacting the recovery of wild salmon and Southern Resident Killer Whales. The fishery occurs nearer to shore in populated areas and is more condensed and therefore more visible than other fishing fleets.
- Herring processing occurs in late winter months when almost all other fisheries are closed. The closure of the roe herring fishery would cause a major problem for the broader seafood processing industry by causing a several-month period with not enough work leading to retention issues, and further compounding existing labor shortages.

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Ministry of Water, Land and Resource Stewardship

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2023/24 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Issue: First Nations Fisheries Council

Recommend Response:

- Multiple ministries play a role in the management of fish and aquatic ecosystems. First Nations have long been asking for British Columbia (BC) to coordinate across Ministries.
- This Ministry now provides a clear provincial lead on fish and aquatic habitat.
- BC has built a successful working relationship with the First Nations Fisheries Council (FNFC).
- BC and the FNFC entered into a Memorandum of Understanding (MOU) in 2019 and updated it January 2023.
- The MOU formalizes the commitment to advance shared priorities regarding development of policy, management, and initiatives related to fisheries and aquatic ecosystems.
- Priorities are identified through an annual joint work plan.
- The work with the FNFC is additional to work this Government does directly with the rights holders and with other Indigenous organizations.
- Budget: In 2022/2023 over \$1.2M was provided for joint priorities. This funding came from the Indigenous Funding Program administered by the Ministry of Indigenous Relations and Reconciliation (MIRR). Each project had significant funding or in-kind contributions from the FNFC.

Additional Response points:

- This past year, these successful collaborations have supported the co-design and launch of the BC Water Table and Coastal Marine Strategy.
- Budgets for 2023/2024 are being finalized along with the annual work plan.

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Key Facts:

- The FNFC vision is for fish management that focuses on the health and sustainability of ecosystems and species, and the equitable sharing of fisheries and aquatic resources among Indigenous and non-Indigenous people alike.
- The Updated Jan 2023 MOU was signed on behalf of BC by the Ministry of Water, Land and Resource Stewardship (WLRS), MIRR, and Ministry of Forests (MOF).
- WLRS leads the cross-Ministry engagement with the FNFC, including confirming annual priorities and budget. This work is done in close partnership with other operational Ministries (e.g., MOF, Ministry of Environment and Climate Change Strategy (ENV), MIRR).
- The FNFC was established in 2009. It is one of the three resource councils to the First Nations Leadership Gathering (the BC Assembly of First Nations, the Union of BC Indian Chiefs, and the First Nations Summit). The other two are the Forestry Council and the Energy and Mining Council.
- The FNFC is not a rights holder. It works with, and on behalf of, First Nations.
- The FNFC established an MOU with Canada in 2013.
- Collaborations include work on:
 - Salmon Strategy
 - Coastal and Marine Planning.
 - Watershed Security Strategy.
 - Traditional Knowledge and bio-cultural indicators for salmonid management.
 - Salmonid Cumulative Effects methodology assessments.
- The FNFC Mandate includes:
 - Advance and protect Title and Rights including priority access for food, cultural and economic purposes.
 - Support First Nations to build and maintain capacity for fishing, planning, policy, law, management, and decision-making at a variety of scales.
 - Facilitate discussions for a BC management framework that recognizes and respects First Nation jurisdiction, management, and authority.

Date Prepared/Revised: February 24, 2023

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2023/24 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Issue: Hatcheries in British Columbia

Recommend Response:

- Protecting and rebuilding wild Pacific salmon and steelhead stocks is a provincial priority.
- Hatcheries can play an important role in recovery of these iconic species; however the Province has taken a cautious approach to ensuring that hatchery production is undertaken in a way that manages the risks to wild populations.
- Both British Columbia (B.C.) and Fisheries and Oceans Canada (DFO) operate hatcheries and have permitting, or decision-making responsibilities related to hatcheries.
- The British Columbia Salmon Restoration and Innovation Fund (BCSRIF) has funded projects related to hatchery innovation and infrastructure.
- B.C. has advocated for Fisheries and Oceans Canada (DFO) to continue to work towards mass-marking of hatchery-reared salmon and increase opportunities for Indigenous, commercial and recreational fishers.
- B.C. operates some hatcheries that release steelhead for recreational catch, however, traditional hatchery practices, are not used as a conservation strategy for steelhead due to risks to the remaining wild stock.
- B.C. continues to work with First Nations and Canada to address the underlying causes for the decline of steelhead, and is reviewing literature, practices, and programs to identify potential fish culture actions.

Key Facts:

- The Ministry of Water, Land and Resource Stewardship (WLRS) is the lead decision maker on provincial policy for hatcheries in freshwater, and DFO operates salmon hatcheries.
- There are several hatcheries in B.C.:
 - There are 23 major hatcheries in B.C. (Eight Freshwater Fisheries Society of BC (FFSBC); 15 DFO).
 - There are 20 Community Hatcheries through DFO.

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- There are 95 small public involvement hatcheries with DFO.
- Ministry of Forests (FOR) is the licencing authority for freshwater fish releases (including steelhead, sturgeon, rainbow trout and Kokanee) and through the FFSBC, oversees hatchery production of all freshwater fish on behalf of the provincial government.
- DFO hatcheries require provincial permitting (FOR lead) and occasionally uses the FFSBC to run their hatcheries.
- B.C. is the licencing authority for permitting water use, effluent discharge, and Crown Land tenures required by hatcheries.
- B.C. has an interest in salmon hatchery production and possible harvest for First Nations, commercial and recreational fishers.
- DFO is responsible for salmon hatchery production within B.C. Some salmon hatcheries are run by community groups, with support from fundraising and DFO.
- WLRs staff participate in the Salmon Enhancement and Habitat Advisory Board to ensure that B.C. is more closely connected to advising DFO.
- The 2018 final report from B.C.'s Wild Salmon Advisory Council (WSAC) identified increased salmon hatchery production, mass marking, and harvest opportunities as areas for further investigation. WSAC identified the need to define best practices for hatchery reform, such marking and monitoring and to include small-scale hatchery production in strategic efforts.
- With renewed commitment to the British Columbia Salmon Restoration and Innovation Fund (BCSRIF), B.C. is dedicated to setting salmon hatchery innovation as one of the priorities for future project funding.
- Since its inception, BCSRIF has provided \$8.7 million in funding to projects that address hatcheries \$8.75 million projects (detailed list in appendix 1).
- Steelhead stocking programs in B.C. are used to augment recreational fishing opportunities where the wild population is not at-risk, or there is no wild steelhead population. Although retention of hatchery steelhead is permitted, recent data indicate it is relatively low (~30%).
- Current scientific literature indicates that steelhead hatcheries could pose a risk to wild steelhead and traditional methods should not be used as a conservation measure.
- Hatchery steelhead provide recreational fishing opportunities and are appropriate where the risk of impacting wild fish is low (e.g., Vedder and Chilliwack Rivers).
- The 2019 Interior Fraser Steelhead (IFS) Action Plan identified the need for further research into the use of hatcheries for ISF conservation, and B.C. has prepared a draft report based on internal provincial review (May 2022), First Nations review (summer 2022) and public review (fall 2022).

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Ministry of Water, Land and Resource Stewardship

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Appendix 1: Hatcheries in BC: Hatchery related projects that have been funded by the BC Salmon Restoration and Innovation Fund.

Project Title	Proponent	BCSRIF Funding	Project Location
Creation of Salmon Conservation Facility	Juan de Fuca Salmon Restoration Society	\$920,000	Charters River, Sooke
Upper Fraser Chinook Strategic Enhancement Project	Spruce City Wildlife Association	\$240,362	Middle and Upper Fraser Watershed (Prince George)
Percy Walkus Hatchery Upgrade	Pacific Salmon Foundation	\$336,895	Rivers Inlet
Salish Sea Salmon Action Plan - Effectiveness of Enhanced Salmon Production	Pacific Salmon Foundation	\$1,083,498	Salish Sea
Kingfisher intake restoration	Kingfisher Interpretive Centre Society	\$43,396	Enderby
Chapman Creek Hatchery water supply and capacity upgrades	Sunshine Coast Salmonid Society	\$70,000	Sechelt
Seymour Hatchery Infrastructure Renewal	Seymour Salmonid Society	\$80,410	North Vancouver
Causes and consequences of vateritic otoliths in hatchery-reared Coho salmon	University of Victoria	\$512,458	University of Victoria

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Project Title	Proponent	BCSRIF Funding	Project Location
Nanaimo River Hatchery Stewardship Centre	Nanaimo River Stewardship Society	\$1,030,431	Cassidy, BC
Coastal First Nations Salmon Enhancement and Restoration Initiative	Great Bear Initiative Society	\$2,826,810	Great Bear Rainforest (Haida Gwaii, North and Central Coast)
Kitwanga River Sockeye Salmon Enhancement Project	Gitanyow Huwilp Society - DBA as GFA	\$950,000	Skeena Watershed
The application of nanopore technology for the rapid detection and characterization of pathogenic organisms	BCCAHS	\$306,000	Campbell River
Deadman River Hatchery Upgrades	Skeetchestn Indian Band	\$350,000	Savona

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Issue: Provincial White Sturgeon

Recommend Response:

- British Columbia (BC) is the lead agency and responsible for sustainable management and recovery of white sturgeon.
- As Federal and Indigenous Governments hold authorities that impact white sturgeon, this Ministry leads cross-Government collaborations on management strategies.
- In 2006, four of BC's six populations gained Federal Species at Risk (SAR) designations (the Kootenay, Columbia, Nechako, and Upper Fraser populations).
- The remaining two populations (the Lower Fraser and Mid-Fraser populations) undergo regular, formal SAR reviews.
- This Ministry is actively collaborating with First Nations to co-design more comprehensive sustainable management plans.
- Resourcing is embedded in the operational budgets of both Ministry Water, Lands and Resource Stewardship (WLRS) and Ministry of Forests (FOR). Recovery-specific funds are provided by Fisheries and Oceans Canada (DFO). Additional project specific budgets are determined on a year-to-year basis and include external partnerships (e.g., the Habitat Conservation Trust Foundation).

Additional Response points (if needed):

- The Saik'uz and Stellat'en court case (*Thomas and Saik'uz First Nation v. Rio Tinto Alcan Inc*) highlights the critical importance to advance recovery actions.
- Hatcheries support the Columbia, Kootenay, and Nechako.
- FOR administers a carefully monitored catch-and-release fishery in the mid and lower Fraser River populations.
- BC and First Nations have established a steering committee to co-develop a Fraser Basin strategy for all four populations (Lower, Mid, Upper, Nechako).

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Key Facts:

- WLRS is responsible to:
 - ensure an effective multi-ministry, multi nation and multi-government strategy is in place.
 - lead for the science and policy in support of recovery.
 - lead formal SAR processes and updates with Canada.
- FOR is responsible to:
 - Under official recovery plans, oversee hatchery production of white sturgeon through the Freshwater Fisheries Society of BC operations.
 - Oversee sturgeon recreational fisheries, e.g., angling regulations, closures, licencing. Note: No recreational fishery on SAR listed groups.
 - Provides local fish expertise through technical Fisheries Biologists.
- Ministry of Environment and Climate Change Strategy (ENV) enforces fisheries regulations through the Conservation Officer Service.
- **FIRST NATIONS.** Sturgeon has deep cultural importance, both historically and in current practice, including spiritual linkages to ancestors and medicinal use. First Nations are key partners to BC in the conservation and recovery of sturgeon.
- **THREATS.** White Sturgeon often live more than 100 years. Females can take up to 35 years to mature and spawn every two to seven years. Key threats include incidental bycatch in net fisheries; habitat degradation; dams; and poaching.
- A recreational catch and release fishery within the lower Fraser River System has grown significantly (both effort and catch) and is valued at >\$30M (direct and in-direct) to the local economy. Staff are seeking to partner with DFO to gain a better understanding of the collective fishery pressure, as DFO does not require the same specialized licencing and reporting that BC does.

Population	SARA?	Population	Hatchery?
Columbia River Watershed	✓	1200	✓
Kootenay River Watershed	✓	1700	✓
Fraser Watershed – Lower Fraser R.	X	45,000	X
Fraser Watershed – Mid Fraser R.	X	10,000	X
Fraser Watershed – Nechako R.	✓	500	✓
Fraser Watershed – Upper Fraser R.	✓	800	X

Date Prepared/Revised: March 01, 2023

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2023/24 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Issue: Fish Species at Risk

Recommend Response:

- This Ministry leads a coordinated approach to address issues facing our aquatic ecosystems and the numerous fish and aquatic species that rely on them.
- This work includes leading the cross-ministry involvement in federally led Species At Risk (SAR) processes.
 - There are approximately 84 freshwater aquatic species at risk in British Columbia (BC): 44 populations of wild salmon, two populations of steelhead, four populations of White Sturgeon, three molluscs, and 31 other species of freshwater fishes.
- This Ministry also leads cross-ministry conservation strategies for species that BC deems at risk, to rebuild healthy populations before reaching concern levels warranting a SAR review. (e.g., salmon, steelhead, and White Sturgeon).
- Jurisdictional responsibility for many of the threats span across the Governments. This Ministry leads management collaborations with Federal and Indigenous Governments.
- In addition to species-specific plans, this Ministry is taking action on the underlying factors such as managing for biodiversity, addressing cumulative effects, and building watershed security.

Additional Response points (if needed):

- Salmon are a keystone species, and this Ministry is working collaboratively with Provincial, Federal and Indigenous Governments to conserve this iconic fish.

Key Facts:

- Cross Ministry operational management roles:
 - BC is responsible for the sustainable and integrated management of natural resources and preventing species from becoming at risk.

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- Ministry Water, Land and Resource Stewardship (WLRS) is responsible for developing and implementing cross-Ministry/Government conservation plans and formal SAR recovery plans within the integrated resource management framework.
- WLRS is also responsible for conserving and protecting ecosystem functionality which at-risk species rely on, including the new Watershed Security Initiative, source-to-tap drinking water, marine planning, and aquatic habitat recovery and restoration.
- Ministry of Forests (FOR) is responsible for permitting (e.g., habitat conservation under the Water Sustainability Act) and fisheries management decisions (e.g., white sturgeon fishery in the Lower Fraser).
- Ministry of Environment and Climate Change Strategy (ENV) enforced fisheries regulations through the Conservation Officer Service.
- The Government of Canada's SAR Act (SARA) is the legislation that prevents fish and wildlife species in Canada from disappearing (extirpation or extinction).
 - The Fisheries and Oceans Canada (DFO) is the lead federal agency responsible for SARA listed fish and aquatic species. The BC Government works in close collaboration with DFO on the design and implementation of recovery initiatives.
- A significant number of new fish species are being ranked at high concern, including over 30 salmon populations that are up for an initial SAR assessment in 2023.
 - Loss of salmon has huge ripple effects as over 100 species of wildlife eat salmon, including other SAR (e.g., Southern Resident Orcas) and bears, and watersheds rely on salmon as fertilization for aquatic and forest ecosystems.
- Indigenous Connections.
 - More than any other value, fish have been confirmed through court to be an Aboriginal Right under the Canadian Constitution. Not only is there a right to fish, but there is a right to have fish available to fish. Aquatic species at risk have a direct link to potential infringement.
 - Salmon is honoured by the majority of First Nations in BC as having a central place in their traditions and culture and losses impact the ability for current practices and cultural revival.
 - Lack of salmon and other fish species has become a profile food security issue for Indigenous Peoples.
- Implementing tangible improvements in prioritizing water and aquatic species within the resource management regime is required.

Date Prepared/Revised: February 27, 2023

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Issue: Fish Passage Remediation Program

Recommend Response:

- The Fish Passage Remediation Program (the Program) addresses road construction that blocking salmon and other fish from accessing their upstream habitat.
- It is estimated that 10-25% of salmon habitat may be compromised due to fish passage issues. Remediating road crossings may be one of the single most important actions to recover and conserve healthy fish populations.
- The Program's initial focus was on forestry road crossings built pre-1995, prior to British Columbia (BC) establishing legal requirements.
- To date, the Program has remediated over 180 crossings, restoring access to over 810KM of fish habitat.
- The Program now prioritizes areas with at-risk fish species such as steelhead and salmon, and areas with climate change impacts (e.g. drought prone).
- In addition to the Program, this Ministry is assessing the suite of fish/salmon habitat recovery initiatives to improve overall effectiveness (e.g. the collective 2021 Atmospheric River Event flood recovery activities).
- BUDGET: Resourcing for the program is embedded in base budgets, and is augmented with annual project dollars from a range of sources (e.g. BC Salmon Restoration and Innovation Fund, BCSRIF).

Additional Response points (if needed):

- First Nations. More than any other value, Aboriginal Rights to fish have been affirmed by courts. First Nations have asserted that the decreasing salmon populations are impacting their traditional and cultural needs and creating food insecurity. Recovering healthy habitats is part of our wild-salmon actions and is a priority for this Government.

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Key Facts:

- The Program has focused on crossings installed prior to establishment of the Forest Practices Code and subsequent Forest and Range Practices Act (FRPA) as these pre-1995 structures did not require retention of fish passage.
 - Stream crossings constructed after 1995 are regulated under the FRPA, which specifies that crossings can not have a material adverse effect on fish passage.
- Ministry of Water, Land and Resource Stewardship (WLRS) is the lead on strategic planning and implementation of the fish passage program.
 - The work is overseen by an inter-agency Fish Passage Technical Working Group (FPTWG).
 - Ministry of Forests (FOR) leads the majority of operational project implementation, primarily through BC Timber Sales.
- To date, the Fish Passage Remediation Program has remediated over 180 road stream crossings, restoring access to over 810KM of fish habitat.
 - It is estimated that there are 322,000 stream crossing structures on 557,000 km of roads in BC.
 - Of those 322,000 crossings, 225,000 (70%) are expected to be closed-bottom culverts. Closed bottom culvert have the highest likelihood to fail over time resulting in fish passage issues.
 - Individual projects can range from \$30K- \$1M.
- Land Based Investment Strategy (LBIS) Funding for Fish Passage over the years:

2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
\$4m	\$0.8m	\$2m	\$0.5m	\$1m	\$1m	\$1m	\$1m	\$1m	\$1m	\$1m	\$0.77m	\$0.73m

- LBIS funds are used to leverage partnership funding from Fisheries and Oceans Canada and other sources.
 - \$4M in the first round of BCSRIF funding was given to the Canadian Wildlife Service (CWS) for fish passage projects. This work is aligned with the Program.
- If only one quarter of the estimated 225,000 crossings were targeted for remediation, with an annual budget of \$100M it would take approximately 95 years.
 - The scale of work highlights the need for continued funding and a strategic approach to address high priority works with the greatest benefits to salmon and other species of concern.

Date Prepared/Revised: March 1, 2023

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2023/24 Estimates Debate

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Issue: Flood Recovery for Fish

Recommend Response:

- Over the last decade the province has seen an increase in wildfire frequency, size, and severity, as well as more frequent annual flooding and drought events.
- These events are directly impacting drinking water security, fish recovery (including Aboriginal Rights to Fish), and watershed resiliency (e.g., flood/drought mitigation).
- The effects are also amplified due to climate change and cumulative impacts within the watersheds.
- This Ministry is taking targeted action. We are collaborating across Ministries, to ensure response and recovery actions put a higher priority on watershed health, water quality, and fish/salmon recovery than in the past.
- In response to the 2021 Atmospheric River Event and concern over fish habitat and population impacts, this Ministry set up a British Columbia (BC)-First Nations – Federal (Fisheries and Oceans Canada (DFO), (3G) governance structure. This governance group helps guide, support, and coordinate fish and fish habitat recovery related actions within the multi-Ministry response.
- Ministry of Water, Land and Resource Stewardship (WLRS) will continue to work with other provincial ministries First Nations and DFO to further develop the fish and fish habitat lens for provincial drought, fire, and flood response and recovery.

Additional Response points (if needed):

- WLRS is also leading work to address some of the underlying issues that contribute to the severity of these natural disaster events, including development of a Watershed Security Strategy, a Source-To-Tap Drinking Water Strategy, and Cumulative Effects Management.

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Key Facts:

- WLRS is the lead ministry responsible for ensuring the collective management of aquatic habitat results in healthy ecosystems and sustainable management of the species which rely on them.
- In November 2021, an Atmospheric River event occurred in BC. This event caused significant impact to streams and rivers as well as impacts to fish and fish habitat.
- BC is leading work with First Nations and DFO in areas impacted by flood, drought, and fire. The goal is to help guide, support, and coordinate fish and aquatic species recovery and restore aquatic habitat.
 - 3G teams have been set up in the Fraser Valley and Nicola watershed to help guide, support and coordinate flood recovery.
 - Projects have been prioritized for completion through 2023 to continue the positive work the 3G tables initiated in 2022.
- WLRS is also working across Ministries on various provincial natural hazard response initiatives ensuring a salmon and fish habitat lens is included in operational work and policy development.
- With Ministry of Forest (FOR), Ministry of Transportation and Infrastructure, Ministry of Emergency Management and Climate Readiness and Ministry of Environment and Climate Change Strategy.
 - WLRS staff have developed a Team BC coordination tool and prioritized involvement in over 50 Atmospheric River Event 50 related initiatives led by five ministries. Initiatives range from policy to operational restoration.
 - FOR is updating the BC Flood Management Strategy.
 - Emergency Management has created a public “ClimateReadyBC” website which provides information on climate risks and funding resources.
 - WLRS has launched a fish/aquatic habitat recovery portal that tracks the collective restoration activities and support BC-First Nation joint work.
 - WLRS is working with Ministry of Transport and Infrastructure on the Highway 8 rebuild to include cross-ministry actions that support aquatic habitat and watershed recovery.
- To date, the 3G team has also directly led the completion of 14 remediations, focused on providing salmon and steelhead access into blocked streams).
- The partnership with DFO in 2022 included DFO contributing \$250K to fund capacity for the collaborative 3G work.

Date Prepared/Revised: March 31, 2023

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2023/24 Estimates Debate

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Issue: Riparian Areas Protection Regulation

Recommend Response:

- The *Riparian Areas Protection Act* (Act) provides the Minister with authority to enact regulations to protect riparian (streamside) fish habitat.
- The Act currently has one regulation, the *Riparian Areas Protection Regulation* (RAPR).
- RAPR integrates fish habitat protection requirements into local government permitting for development (residential, commercial, and industrial).
- RAPR relies on Qualified Environmental Professionals (QEPs) to ensure proposed development meets both regulatory requirements and site-specific conditions.
- Inclusion of a provincial authority to approve or reject proposals met the commitment to greater oversight and effectiveness of the professional reliance model.
- The current review timeline is 6-8 months, and drastically improving turn-around times is a priority. Actions include increasing adjudication staff and creating a streamlined process for low risk applications.
- Staff handled approximately 550 assessments in 2022/2023.

Additional Response points (if needed):

- RAPR sets standards to meet British Columbia's (BC)'s legal environmental requirements and *Federal Fisheries Act* requirements.
- Conserving these remaining pockets within the developed urban areas supports provincial objectives for biodiversity, climate change resiliency, and species recovery.
- Economic benefits to municipalities include desirable waterfront creating higher property values/taxes, reduced flood hazard, and lower stormwater management costs.

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Key Facts:

- The Riparian Areas Regulation was amended in November 2019, and is now named the Riparian Areas Protection Regulation.
- The RAPR applies in the following regional districts:

<ul style="list-style-type: none">• Capital Regional District• Columbia Shuswap Regional District• Comox Valley Regional District• Cowichan Valley Regional District• Fraser Valley Regional District• Metro Vancouver Regional District, other than within the boundaries of the City of Vancouver• Qathet Regional District• Regional District of Central Okanagan	<ul style="list-style-type: none">• Regional District of Nanaimo• Regional District of North Okanagan• Regional District of Okanagan-Similkameen• Squamish-Lillooet Regional District• Strathcona Regional District• Sunshine Coast Regional District• Thompson-Nicola Regional District
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- The Ministry is also responsible for the recently announced Housing Action Task Force (HATF), and RAPR is included. The HATF will accelerate housing decisions, and address systemic issues that cause duplication, timeline delays, and backlogs.
- BC's expectation on QEPs to submit compliant applications is 90%. Currently, less than 50% are submitted with full compliance and able to immediately be approved. This is a significant contributor to the increasing timeline for adjudications. There are actions underway to improve compliance, including training for QEPs and building higher accountability on the QEP licencing bodies.
- Budget: In February the RAPR Program received an uplift of approximately \$600K to support the hiring of staff to work on achieving the programs goals and objectives of improved riparian habitat in BC.

Date Prepared/Revised: March 31, 2023

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RAPR DASHBOARD REPORT OUT

February 2023 Update

Assessment Tracking



BLITZ DAY #1 SUMMARY

Date: Feb 15th
6 staff participated
43 files started
33 actioned



Under Review Approved Rejected Voided

BLITZ DAY #2 SUMMARY

Date: Feb 24th
11 staff participated
66 files started
54 actioned



Under Review Approved Rejected Voided

Staffing

Offers accepted on all 6 positions. New staff will be starting in March.

Policy/Standards/Guidelines

Technical manual to provide direction to Qualified Professionals **IN PROGRESS**
Regulation update **TARGETED TO START IN MARCH**

Data Management

Filing system for assessments **COMPLETED**
Compiling baseline data statistics for existing RAPR assessments **COMPLETED**
Developing an automatic tracking and filing systems **IN PROGRESS**
Reporting to Provincial Housing Team **IN PROGRESS**

Other

Electronic permit submission system updates **IN PROGRESS**

Professional compliance action **IN PROGRESS**

Onboarding boot camp for team **IN PROGRESS**

Local Government Compliance **IN PROGRESS**



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Issue: British Columbia Invasive Mussel Defence Program

Recommend Response:

- Launched in 2015, the Invasive Mussel Defence Program (Program) continues to successfully prevent the introduction of zebra and quagga mussels into British Columbia (BC).
- They outcompete natural species and if introduced there would be significant economic and environmental damage, as faced in other parts of Canada.
- The Program uses a 'perimeter defence' strategy, in collaboration with Alberta, Yukon, Saskatchewan, Manitoba, Federal Government, and the United States.
- The Program has three primary components:
 1. Watercraft inspections on boats potentially bringing invasive mussels to BC from infested waterways.
 2. Lake monitoring to assess for the continued absence.
 3. Public outreach and education, and promoting the message of 'Clean, Drain, Dry' to the boating community.
- Funding in 2022-23 was \$2.775M, shared across Ministries and partners. Discussions on funds for 2023 are underway.
- Several inspection stations along the eastern border are operational in early April.

Additional Response points (if needed):

- Training for the Aquatic Invasive Species inspectors for the 2023 season commenced in March.
- Inspections stations will start opening in April, with the peak boating season being May to September.
- The Program partners with Habitat Conservation Trust Foundation (HCTF) on the lake monitoring component.

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Key Facts:

- If introduced into BC, zebra and quagga mussels would have disastrous environmental and ecological impacts. They alter freshwater habitats, out-competing native species (including salmon).
- They were first introduced in Canada in the Great Lakes in the late 1980's, and since that time the estimated cost of preventing, monitoring, controlling and managing their impacts has been estimated at approximately \$7B.
- In 2022 a total of 830 water samples were collected from 78 priority waterbodies. All samples tested negative for invasive mussels.
- BC is updating the 2013 economic impact assessment.
- In 2012, the *Provincial Controlled Alien Species (CAS) Regulation* under the *Wildlife Act* was amended to include priority Aquatic Invasive Species (AIS).
- In 2022 the Program saw an overall decrease in total inspections relative to 2021. Other jurisdictions across the Pacific Northwest saw similar decreases.
- With increased partnership funding, the 2023 program will be closer to 2021 resourcing levels. Target funding is \$3.275M.

	2021 End of Season	2022 End of Season
Watercraft inspected	33, 300	20,100
People interacted with	61, 600	36,400
High-risk inspections	244	122
Decontamination Orders issued	100	66
Quarantine Periods issued	18	29
Mussel-fouled watercraft	17	13
Operational scope	45 inspectors across 7 stations + 2 roving crews	32 inspectors across 6 stations + 2 roving crews

Funding Partner	2020	2021	2022	2023*
BC Hydro	\$1,250,000	\$750,000	\$500,000	\$500,000 (to be confirmed)
Fortis	\$250,000	\$0	\$50,000	\$50,000 (to be confirmed)
Columbia Power	\$250,000	\$250,000	\$250,000	\$250,000
Columbia Basin Trust	\$250,000	\$250,000	\$250,000	\$250,000
DFO	\$0	\$0	\$475,000	\$475,000 (to be confirmed)
Agriculture	\$0	\$0	\$250,000	\$250,000

Date Prepared/Revised: March 31, 2023

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2023/24 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Issue: Aquatic Invasive Fauna

Recommend Response:

- Invasive species are recognized globally as the second greatest threat to biodiversity, after cumulative habitat loss.
- Invasive species pose a significant threat to British Columbia's (BC)'s natural environment, economy, and Indigenous cultural values.
- The Ministry of Water, Land and Resource Stewardship (WLRs) provides science and policy expertise on prevention and management of aquatic and terrestrial invasive fauna.
- Zebra and quagga mussels remain BC's top aquatic invasive priority. Other priority species includes ongoing suppression of Northern pike in the Lower Columbia River and preventing the introduction of prohibited fish species such as the snakehead into BC.
- We are working with provincial, national, and international partners to prevent the spread of invasives into BC.
- To date, high priority Aquatic Invasive Species (AIS) are addressed on a project-by-project basis as funding can be secured, with the exception of the Invasive Mussel Defence Program (IMDP) which receives additional funding from BC Hydro, Columbia Power, Columbia Basin Trust and Fisheries and Oceans Canada (DFO).

Additional Response points (if needed):

- The cost of invasive species control in Canada is significant (e.g., \$2.2B/year for invasive plants alone in the agricultural sector*, \$91M/year for zebra mussel in Ontario**).
- The rate of spread of invasive species may increase with the effects of climate change and our programs are assessing ways to address this threat.

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Key Facts:

- Invasive species do not respect borders, hence cross border/jurisdictional collaboration, and partnerships with all levels of government, academia, and non-government organisations is a key to success.
- The Province leads the coordination for freshwater AIS prevention, management and control, while DFO leads marine AIS (e.g., European green crab).
- WLRS is the lead for both aquatic and terrestrial invasive fauna (animals) while the Ministry of Forests (FOR) is the lead for invasive plants.
- BC's Inter-Ministry Invasive Species Working Group (IMISWG) is the coordinating body for invasive species management.
 - The IMISWG brings together provincial ministries, agencies, and Crown corporations (nine different bodies) with invasive species prevention and management responsibilities to collaboratively address both aquatic and terrestrial invasive species through a cross-government approach.
- The WFCPP division is the lead for aquatic invasive fauna, including:
 - Delivery of the Invasive Mussel Defence Program in partnership with the Conservation Office Service (see the separate note on the Invasive Mussel Defence Program).
 - Science and policy expertise and management leadership on priority aquatic invasive fauna in close partnership with WLRS/FOR regions.
 - Education and behaviour change through programs such as "Clean, Drain, and Dry" targeting recreational boaters.
- The IMISWG works closely with the Invasive Species Council of BC (ISCBC), Indigenous communities and other partners throughout the province to help prevent the introduction and spread of harmful, non-native plants and animals.
- Partnerships with academia fill knowledge gaps about aquatic invasive species distribution and impacts and advancing monitoring tools.

*CFIA <https://inspection.canada.ca/plant-health/invasive-species/invasive-plants/eng/1306601411551/1306601522570>

**Marbek. *Assessing the Economic Value of Protecting the Great Lakes: Invasive Species Prevention and Mitigation*. <https://invasivemusselcollaborative.net/wp-content/uploads/2020/03/Marbek-Final-Report-Invasives-Nov-30-10.pdf> (2010).

Date Prepared/Revised: February 28, 2023

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2022/23 Estimates Debate

Ministry of Land, Water and Resource Stewardship

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Issue: Wild Steelhead - Overview

Recommend Response:

- There are 427 steelhead runs in British Columbia (BC).
- Steelhead populations are experiencing declines, similar to most salmon populations.
- Mortality factors include low ocean survival, natural predation, by-catch in fisheries, and climate change.
- Many areas are closed to steelhead fishing. Where steelhead recreational fisheries still remain, they are an economically important fishery.
- Many of the primary threats fall outside of BC jurisdiction, which is why BC leads cross-Government and Indigenous collaborations.
- BC will continue to lead work with Indigenous and Federal partners to advance comprehensive, multi-year rebuilding strategies.
- Resourcing for steelhead management is integrated into base budgets. Additional project-specific funds include the BC Salmon Restoration and Innovation Fund.

Additional Response Points:

If asked about Steelhead hatcheries:

- There are currently nine steelhead hatcheries operating on eight rivers. All hatchery programs are continuously reviewed to ensure they do not put wild stock at risk.

If asked about the stocks of highest concern.

- Two of the runs of highest concern are the Interior Fraser Steelhead (IFS) and the Skeena Runs. Returns in 2022 were higher than anticipated however the population remains categorized in Conservation Concern. As one year of numbers cannot indicate a trend, the annual monitoring for 2023 remains a critical activity.

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Key Facts:

- **ROLES:**
 - Ministry of Water, Land and Resource Stewardship leads wild steelhead conservation and recovery planning, and leads cross-government collaborations with First Nations and Federal Government.
 - Ministry of Forests leads local population management and fisheries.
 - Ministry of Environment and Climate Change Strategy enforces fisheries regulations and prosecutes through the Conservation Officer Service.
 - Federal Government, through Fisheries and Oceans Canada (DFO) is responsible to protect steelhead in federally authorized salmon fisheries.
- Wild Steelhead have more resilience than most salmon, which increased their recovery potential. Steelhead carry a significant number of eggs, some spawn two or three times, and they can adjust the number of years spent in freshwater before migrating to the ocean.
- Rebuilding at-risk populations is challenging because many primary mortality factors are not within provincial control (ocean survival, predation, bycatch).
- **IFS:**
 - In addition to the publicly available reports (e.g., the BC 2019-22 Action Plan and Report), BC is updating and expanding on a comprehensive Action Strategy. This will outline priority actions for each primary threat and for each life stage.
 - The updated Action Plan is being finalized with input from First Nations and Federal Government. Completion is targeting summer 2022.
- DFO has taken action to reduce by-catch mortality in salmon fisheries. However, BC is on record requesting more conservation and protection measures due to the continued extremely low population levels.
- The use of hatcheries in conservation to rebuild wild populations has largely proven unsuccessful. In the last three years three hatchery programs were cancelled due to poor performance and increased risks to wild populations. BC continues to support hatcheries where the risk to wild populations is low.
- Outside of traditional hatchery practices, BC is investigating the potential for alternative fish-culture actions (e.g. direct transfer to spawning grounds, adult reconditioning for a second spawning).

Date Prepared: March 1, 2023

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2023/24 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Issue: Conservation Financing

Recommend Response:

- A new, made-in-BC, approach to conservation financing will be set up within six months and will support several key Government priorities including reconciliation, the Old Growth Strategic Review and protecting 30 percent of the provincial land and marine areas by 2030 (30 by 30).
- BC is an attractive jurisdiction for the philanthropic community – part of this is because of the unparalleled diversity of ecosystems and species, but part of it is because of our government's strong commitment to reconciliation through the adoption of the *Declaration on the Rights of Indigenous Peoples Act*
- Indigenous-led conservation, and government-to-government processes such as modernized land use planning and forest landscape planning will result in the identification and protection of key areas of biodiversity
- It is the vision that the mechanism be able to support models of conservation financing that we know work, such as the Project Finance for Permanence (PFP) approach in the Great Bear Rainforest to support the development, implementation and long term sustainability of conservation efforts.
- There is work underway to explore the expansion of this PFP to apply to the adjacent marine area, known as the Great Bear Sea.

Additional Response points (if needed):

Key Facts:

- The establishment of a conservation financing mechanism was mentioned as part of the Province's efforts to protect old growth forests across B.C. and meet the Province's commitment to 30 by 30. The timeline for the creation of the conservation financing mechanism is six months.

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- Conservation initiatives that seek to maintain, restore and enhance biodiversity in the province can lead to new economic opportunities, but can also have economic impacts.
- Conservation financing is a tool that addresses some of the economic realities of conservation including supporting economic transition and funding remediation or restoration initiatives.
- The 30 by 30 target was one of four targets included in the Kunming-Montreal Global Biodiversity Framework, which was signed at the 2022 United Nations Biodiversity Conference.
- Meeting the 30 by 30 commitment will require considerable investment and presents an opportunity to leverage philanthropic interest, and funds, into provincial conservation initiatives.
- In December 2022, the Federal Government announced \$800 million in funding for four Indigenous-led conservation initiatives across Canada. The Great Bear Sea was one of the four projects selected.

Date Prepared/Revised: March 1, 2023

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Ministry of Water, Land and Resource Stewardship

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Issue: Guardians

Recommend Response:

- The work of Guardians provide are not new activities but a reflection the long tradition of First Nations' connection to and stewardship of their territories.
- Guardians are key to advancing a co-management of lands, water and resources with First Nations in an integrated way.
- We currently support Guardians through a number of different initiatives across the Natural Resource Sector.
- Support for Guardians is interrelated to a number of other collaborative stewardship initiatives that the Province and First Nations are working on together.
- We would like to work with First Nations in the coming months to inform a strategic approach to supporting Guardians activities across the province.
- This includes the work of exploring a co-developed Guardians and Stewardship Training Initiative, that was identified in *Budget 2023*.

Additional Response points (if needed):

- We know that Canada is also investing in Guardians activities: in Budget 2021, Canada announced up to \$100 million over five years (2021-2026) to support new and existing Guardians initiatives across the country. There is a potential opportunity for funding from the Nature Agreement to support stewardship and Guardians activities.
- We appreciate that Guardians activities vary depending on each First Nations' priorities. Activities may involve stewardship, compliance monitoring, and cultural heritage and Indigenous knowledge keeping and transmission.
- Any work to advance the concept of a model to support Guardians functions in BC, must be co-developed with First Nations.

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- The work that MIRR is leading in relation to the establishment of a new fiscal framework may also support First Nations in exercising their rights to manage and steward lands and resources within their territories.

Key Facts:

- The term 'Guardians' is used to capture the various stewardship activities undertaken through these programs and may reflect similarly-focused Liaison, Watchmen, Warden, or Ranger initiatives.
 - Some communities also use the term Guardians to cover compliance and/or compliance and enforcement activities.
- WLRS is the provincial lead ministry for collaborative stewardship and Guardians.
- In 2021, Ministry of Forests led engagement with First Nations on Guardians activities across the province. The engagement found;
 - Support for Guardians activities is of interest to many First Nations as a reflection of self-determination.
 - First Nations identified access to training as a barrier to growing Guardians capacity and programs.
 - The Province currently supports Guardians activities through a number of different initiatives, but funding is ad-hoc and often time-limited.
- Based on these engagement findings, BC is working to co-develop a Guardian and Stewardship Training Initiative under the *Future Ready: Skills for the Jobs of Tomorrow Plan*.
- Many First Nations and First Nation organizations are developing and leading Guardians programs, including training. Staff will seek to support and align with First Nations-led interests and approaches to Guardians training.
- In the spring and summer of 2023, WLRS will work with First Nations to plan the process to co-develop the Guardian and Stewardship Training Initiative. It is expected that the co-development process will occur in the fall of 2023.
- While the co-development process will focus on building the Training Initiative as the primary objective, WLRS views this as the first step to developing a more strategic approach to supporting Guardians activities across the Province.
- Where the co-development process touches on broader issues such as funding, opportunities and gaps, these discussions will feed into building that strategic approach with First Nations.

Date Prepared/Revised: Feb 27, 2023

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Ministry of Water, Land and Resource Stewardship

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Appendix - Examples of current initiatives that support guardians-related activities

<p>ESI: 32 Nations across North Area. \$6.5M budget annually, est. 2015.</p> <p>CSF: 33 Nations province-wide. \$5.5M budget annually, est. 2018.</p> <p>Great Bear Rainforest: 26 Coastal Nations. \$1.5M budget annually, est. 2010. Coastal Guardian Watchmen Program.</p> <p>MaPP: 16 Nations represented through 4 agreements. \$2M budget annually, est. 2010.</p> <p>Aboriginal Liaison Program: 10 agreements & 15 Indigenous communities. \$1.5M budget annually, est. 2014, admin by OGC /OGRIS.</p>	<p>FOR C&E: via agreements between Regional teams and Nations, includes EAO</p> <p>ENV COS: via agreements between Regional teams and Nations.</p> <p>BC Parks: via agreements between Regional teams and Nations; 2022 Pilots (Kitasoo Xai'xais and Nuxalk have signed an MOU to enter a pilot involving shared C&E responsibilities within provincial protected areas)</p> <p>Forest and Range Evaluation Program Sampling: via FOR/LWRS agreement</p> <p>Mines monitoring: via EMLI agreement</p> <p>EMBC: Emergency planning and response</p> <p>BC Wildfire: Response and prevention</p>
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Ministry of Water, Land and Resource Stewardship

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Issue: Co-management

Recommend Response:

- Our ministry is committed to action on reconciliation, to co-develop new strategies, legislation, and policy and to advance decision-making and land and natural resource co-management arrangements in partnership with First Nations.

Additional Response points (if needed):

- Co-developing a co-managed land and resource regime is key to recognizing the rights of First Nations and building durable frameworks that lead to more certainty.
- We have made significant progress through our engagements with First Nations as we work together on
 - the development of a shared vision for land use through modernized land use planning processes,
 - the implementation of initiatives such as the Together for Wildlife strategy, and
 - collaborative work with Nations on the establishment of a policy statement on biodiversity and ecosystem health.
- We are also working to support partnerships with First Nations on the delivery of functions that are the backbone on our land and resource regime, such as support for Guardians programs, Collaborative Indigenous Stewardship forums and address many regional or local activities related to species at risk management, biodiversity, fish and aquatics.
- We are also supporting the work led by other ministries to implement shared decision-making arrangements and WLRS staff have worked with Indigenous partners on developing a Coastal Marine Strategy, a Wild Salmon Strategy, and a Watershed Security Strategy and Fund.

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Key Facts:

- Each ministry has a responsibility to support reconciliation and there is a broad range of significant work underway led by various Natural Resource Ministries (NRM) requiring engagement and collaboration with Indigenous Peoples.
 - This includes things like legislative change by the Ministry of Forests to create the space for joint and consent-based decisions on Forest Landscape Plans and the Eskay Creek consent-based EA decision-making agreement.
- The adoption of the UN Declaration on the Rights of Indigenous Peoples as affirmed through the Declaration Act requires government to build management and decision-making frameworks that recognize First Nation rights.
- The Ministry of Water, Land and Resource Stewardship (WLRS) has a mandate letter commitment to work with First Nations to build a vision for a co-managed land and resource management regime. A similar commitment is included in the Declaration on the Rights of Indigenous Peoples Act Action Plan (Action 2.4 and 2.6).
- Co-management of water, lands, and resources is a broad topic and all NRMs engage with First Nations in support of the management of lands and resources. Government staff across ministries are looking for opportunities to better align and coordinate engagements meant to lead to effective co-management of British Columbia's (BC) land and natural resources.
- Many of the challenges ministries face are shared (e.g., governance, shared territories, capacity). Policy development work is intrinsically linked to other critical initiatives in the sector (e.g., New Fiscal Framework; Section 7 joint or consent-based agreements; comprehensive reconciliation negotiations such as Treaty or CRAs). Progress with developing and implementing solutions and strategies will benefit from strong cross-sector support.
- WLRS has an opportunity to convene and coordinate efforts across the Natural Resource Sector (NRS) and to provide guidance where collaborative efforts go beyond a single ministry mandate.
- Critically important to this work is ensuring a collaborative approach with Indigenous partners to advance new policies and approaches to co-management.

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Withheld pursuant to/removed as
Intergovernmental Communications

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Ministry of Water, Land and Resource Stewardship

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Issue: *Declaration Act* Action Plan Items

Recommend Response:

- The Government of BC is committed to reconciliation with Indigenous Peoples in alignment with the Truth and Reconciliation Commission of Canada (“TRC”) Calls to Action and the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”).
- The ongoing implementation of the 2022-2027 *Declaration Act* Action Plan (Action Plan) is the current focus in delivering transformative change in government’s relationship with Indigenous Peoples in BC.
- There are five actions for Water, Land and Resource Stewardship (WLRS) under the theme of “Title and Rights of Indigenous Peoples:” 2.4, 2.6, 2.7, 2.8, and 2.9.
- The actions will be on-going and achieved over the five-year period of the Action Plan. The Ministry of Indigenous Relations and Reconciliation (MIRR) leads the reporting process.
- Work is underway in collaboration and consultation with First Nations to develop Action Plan progress indicators.
- The first public annual report since the completion of the Action Plan will be published this June and will include early progress indicators for Action 2.6.

Additional Response points (if needed):

- Action 2.4 is led by MIRR. Action 2.6 is a joint action with other Natural Resource Sector ministries and led by WLRS.
- Under 2.4, we are advancing agreements that share statutory decision-making with First Nations.
- Agreements under Section 7 provide a clear framework for the negotiation of joint and consent agreements that includes

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predictable requirements for transparency and accountability.

- The Province and Tahltan Central Government are presently negotiating a consent-based decision-making agreement related to environmental assessment approvals for the restart of the Eskay Creek Mine and an expansion of the Red Chris Mine.
- For 2.6, various existing initiatives support this action including Modernized Land Use Planning, Indigenous Stewardship Forums, advancing funding and skills training for Indigenous Guardians. In addition, we are working directly with First Nations on a government-to-government basis, including implementing treaties, Memorandum of Understandings (MOU), agreements, and other constructive arrangements through new and on-going engagements with the First Nations Leadership Council, the Alliance of BC Modern Treaty Nations and where appropriate, the Métis Nation of BC.
- Beyond the Action Plan, Ministries continue in parallel with a full range of obligations and commitments to advance reconciliation with Indigenous Peoples, including alignment of laws under Section 3.

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Issue: Section 7 Agreements

Recommend Response:

- We are working with our colleagues, such as MIRR and FOR, to advance agreements that share statutory decision-making with First Nations.
- The Declaration Act provides a mechanism for the negotiation of joint and consent-based decision-making agreements with Indigenous governing bodies.
- This includes the signing of the first consent-based agreement with the Tahltan Nation in June 2022, and the start of negotiations on the first joint decision-making agreement with the shíshálh Nation in August 2022.
- We are committed to continuing the important work needed to bring about more of these important agreements, in consultation and cooperation with Indigenous Peoples.
- As we undertake this work, it is important to have a strong foundation to build from.
- Predictability, accountability, and transparency are paramount.
- Whether joint or consent based, agreements under the Declaration Act help address the legacy of colonialism by allowing the Province to work shoulder-to-shoulder with Indigenous Peoples on decisions that affect them.

Additional Response points (if needed):

- The Declaration Act sets out a transparent process for how decision-making agreements are negotiated and set out a transparent process, that includes broader engagement.
- Having a strong foundation and trusted relationship is an important building block as we look to advance reconciliation.

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- We are committed to reconciliation and want to stress the importance of making space in our legal framework for the rights of Indigenous Peoples.

Date Prepared/Revised: March 17, 2023

Ministry Executive Sponsor:

Name: Colin Ward

Phone: 778-974-2150

Alternate Contact for Issue:

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Phone: 778-698-5756

Declaration Act Action Plan

Ministry of Water, Land and Resources Stewardship (WLRs) Actions

Section: THEME 2. Title and Rights of Indigenous Peoples	
Action	Status
<p>2.4 (MIRR lead for reporting) Negotiate new joint decision-making and consent agreements under section 7 of the Declaration Act that include clear accountabilities, transparency and administrative fairness between the Province and Indigenous governing bodies. Seek all necessary legislative amendments to enable the implementation of any section 7 agreements. <i>(Ministry of Indigenous Relations and Reconciliation (MIRR), Ministry of Water, Land and Resource Stewardship (WLRs)).</i></p>	<p>Intergovernmental Communications</p>
<p>2.6 Co-develop strategic-level policies, programs, and initiatives to advance collaborative stewardship of the environment, land, and resources, that address cumulative effects and respects Indigenous Knowledge. This will be achieved through collaborative stewardship forums, guardian programs, land use planning initiatives, and other innovative and evolving partnerships that support integrated land and resource management. <i>(WLRs, MIRR, Ministry of Environment and Climate Change Strategy, Ministry of Forests, Ministry of Energy, Mines and Low Carbon Innovation, BC Oil and Gas Commission)</i></p>	<p>In progress. Various existing initiatives support this action, including Modernized Land use Planning, Indigenous Stewardship Forums, advancing funding and skills training for Indigenous Guardians, MOUs and working directly with First Nations on a government-to- government basis, including implementing treaties, agreements and other constructive arrangements as well as through new and on-going engagements with the First Nations Leadership Council, the Alliance of BC Modern Treaty Nations and where appropriate, the Métis Nation of BC.</p> <p>Fall 2022, BC endorsed a long-term commitment to CISF including an expanded Cumulative Effects Framework (CEF) and Guardians.</p> <p>Under the <i>Future Ready: Skills for the Jobs of Tomorrow Plan</i>, and in response to 2021/2022 engagement with First Nations, BC has committed to co-developing a Guardians and Stewardship training initiative with BC First Nations. Support for a Guardians and Stewardship Training Initiative was included in the 2023/2024 budget (\$8.9M/3 years).</p>

	<p>WLRS is in the process of developing additional tools and processes to support strategic level policies to further meet the requirements of this action, including developing key performance measures.</p>
<p>2.7 Collaborate with First Nations to develop and implement strategies, plans and initiatives for sustainable water management, and to identify policy or legislative reforms supporting Indigenous water stewardship, including shared decision-making. Co-develop the Watershed Security Strategy with First Nations and initiate implementation of the Strategy at a local watershed scale. (WLRS)</p>	<p>In progress.</p> <p>\$285,000 was spent in FY2021/22 to initiate the BC Water Table and engage directly with Indigenous Peoples.</p> <p>Funding in FY2022/23 is expected to support the First Nations Fisheries Council in its work with the province on the BC Water Table.</p> <p>On March 6, 2022, announcement of \$100-million investment in healthy watersheds and launch of engagement on a co-developed watershed security strategy intentions paper.</p>
<p>2.8 Collaborate with Indigenous partners on issues related to conservation and biodiversity in B.C., including the protection of species at risk. (WLRS)</p>	<p>In progress. The B.C. Government has committed to implement all 14 recommendations of the independent panel's old growth strategic review report <i>A New Future for Old Forests</i>, including Recommendation 2: "Declare the conservation and management of ecosystem health and biodiversity of British Columbia's forests as an overarching priority and enact legislation to legally establish this priority for all sectors".</p> <p>The Declaration has evolved through consultation and engagement to Biodiversity and Ecosystem Health Framework and is being co-developed with Indigenous Peoples, stakeholders, and communities.</p> <p>BC will be collaboratively developing the path forward to implement all recommendations and to develop a declaration on ecosystem health and biodiversity with Indigenous Peoples, as well as engaging with stakeholders and communities. Engagement on the path forward was launched fall 2022.</p>
<p>2.9 Develop new strategies to protect and revitalize wild salmon populations in B.C. with First Nations and the federal government, including the development and implementation of a cohesive B.C. Wild Pacific Salmon Strategy. (WLRS)</p>	<p>In progress. B.C. and Canada agreed to a doubling of funding contributions for the British Columbia Salmon Restoration and Innovation Fund (BCSRIF) and extending the program to 2026.</p> <p>Following many months of discussions, on November 8, 2022, a first meeting was held between Fisheries and Oceans Canada (DFO), BC and the First Nations Fisheries Council on a wild salmon recovery strategy with significant presence from First Nations salmon representatives.</p>

Note: The actions will be on-going and achieved over the 5-year period of the Action Plan. The Ministry of Indigenous Relations and Reconciliation leads the reporting process. The first year of Annual Reporting on progress on the Action Plan pursuant to the *Declaration Act* is 2022/23.

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Issue: Reconciliation and Natural Resource Sector Policy

Recommend Response:

- The Reconciliation and Natural Resource Sector Policy Division (RNRSP) in the Ministry of Water, Land and Resource Stewardship works with First Nations, First Nation Leadership Organizations, and with other ministries to support government's commitment to reconciliation.
- This includes work with to advance the co-development of a co-managed land and resource regime, which includes
 - partnerships with Nations through strategic planning initiatives, such as Land Use Planning,
 - partnerships that support collaborative stewardship and guardianship of land, and
 - partnerships that support shared decision-making, including joint or consent-based decision-making agreements under the *Declaration Act*.
- In past integrated land and resource management efforts the focus was often on improving business/systems processes.
- As the context in which we work today has changed, government needs to evolve, and we recognize there is a need for greater integration in natural resource sector governance, strategies, legislation, and policy.

Additional Response points (if needed):

- This Division provides consultation guidance to decision-makers, predominantly across the Natural Resource sector to support section 35 consultation requirements and support the modernization of B.C.'s permitting service delivery model.

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Key Facts:

- The Division includes fifty-two (52) FTEs which includes the twenty-four (24) FTEs transferred from the Natural Resource Sector Secretariat Division as of March 28, 2023. Twenty-two of the FTEs represent net new capacity that were added in *Budget 2022* as part of the organizational restructuring. The Division's blue book budget in the Estimates is \$2.776M in FY 23/24.

Co-management

- WLRS will ensure that marine, land and resource management policies are grounded in reconciliation, both in terms of their approach and outcomes. To do this successfully WLRS will be responsible for designing with First Nations:
 - To co-develop a co-management regime for the marine and land base.
- It is anticipated a co-management regime will require new policy, process and tools needed:
 - to ensure effective consultation/engagement
 - to support operational governance structures in alignment with MIRR's Indigenous Governing Body policy, and may require
 - effective forums to effectively address resource management and cumulative effects.
 - legislative changes required to support the co-management regime are in accordance with policy/direction set out by the Declaration Act Secretariat.
- The Ministry of Indigenous Relations and Reconciliation is responsible for the corporate reconciliation framework across government, DRIPA and the Action Plan, Treaty, fiscal framework, negotiations, and strategic issues management.
- WLRS will take the corporate reconciliation framework and translate it/apply it into necessary policy and practice in the NR sector, effectively operationalizing DRIPA.

Consultation Information Systems

- The Province makes over 14,000 permitting decisions annually of which most will trigger section 35 consultation obligations. On average, each decision will have required consultations with 5 First Nations in distinct process to protect against negative impacts to Aboriginal Interests.
- RNRSP is responsible for 12 enterprise applications and datasets, including the First Nation Consultation System (FNCS), that support section 35 consultations.
- An early basic version of FNCS was released in October 2022 to allow for use while staging for connections to other systems, improvements and feedback. The new approach will improve ability to target improvements in FNCS (and the portfolio) and, get in the hands of users faster while being more responsive to changes in direction and technology.
- Since October, 2022, FNCS has been rolled out to over 570 Ministry of Forest users consulting on over 390 permits.
- FNCS was built to simplify and coordinate consultation practices. It is estimated that FNCS alone will save about 13 steps and 6.5 hours of effort for "normal"

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Ministry of Water, Land and Resource Stewardship

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processes while adding elements that support coordination and more durable and transparent decisions.

Date Prepared/Revised: February 21, 2023

Ministry Executive Sponsor:

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Alternate Contact for Issue:

Name: Monica Perry

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Issue: Provincial LiDAR Program

Recommend Response:

- LiDAR (Light Detection and Ranging) is a 3D mapping technology used to collect large amounts of highly detailed spatial data that is critical for land use planning, resource stewardship, and for improved preparation and response to natural disasters. LiDAR-derived data provides great value for many sectors and stakeholders including Government, First Nations, communities, and industry.
- Government is investing in a program to collect high-quality and accurate LiDAR elevation data over the next six years, to improve British Columbia's resilience to natural events due to climate change, and to keep British Columbians safe, productive and economically competitive.
- The LiDAR Program will deliver high quality geospatial information that supports the effective management of the Province's land and resources through co-management with Indigenous peoples and stakeholders.
- LiDAR products will be available as "open data" to improve the access by all British Columbians to new precise and high-quality data.
- Government's investment in LiDAR demonstrates its commitment to improve British Columbia's baseline foundational data, and to make life easier and fairer for its citizens through improved data equity.

Additional Response points (if needed):

- LiDAR has been collected for approximately 13.9% of the province (130,149 km²) of which about 11% (approximately 105,000 km²) is freely available under the Open Government License.
- The balance of the current LiDAR holdings (about 27,951 km²) is available through the Restricted LiDAR Data Portal for Government internal use.

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Key Facts:

- The centralized LiDAR (Light Detection and Ranging) Program establishes a framework to ensure LiDAR collected by the Natural Resource Ministries (NRM) is coordinated, consistent, of high quality, broadly applicable and cost effective.
- Through a centralized acquisition and distribution model, the program will enable smaller business areas to access high quality LiDAR data which otherwise would be cost-prohibitive.
- This program allows the NRM to attain full provincial LiDAR coverage for about \$40M, as opposed to an estimated \$175M-\$200M using current acquisition contracting practices.
- The following examples portray LiDAR's use to support Government business:
 - FOR FORESTRY: LIDAR is used in the modeling of predictive forest inventories and enhanced Predictive Ecosystem Mapping and provides operational tools for precision forestry:
 - identification of specified mature stands;
 - updated and accurate terrain modeling; and
 - tools for forest structure analysis, (trees canopy and understory).
 - FOR BIODIVERSITY/WILDLIFE MANAGEMENT: LiDAR is used to create maps to quantify disturbances and assess levels of vegetation re-growth after disturbance. Land managers use these measurements for biodiversity conservation and management applications,
 - e.g., for reclamation planning and prioritization of restoration efforts to protect and recover caribou populations and other listed species at risk and their critical habitat (including species range mapping and distribution models);
 - means for surveying and ecological assessments; and
 - means for identifying culturally and ecologically sensitive sites.
 - FOR NATURAL EMERGENCY RESPONSE AND MANAGEMENT: LiDAR data offers powerful tools to create maps for soil erosion and slide potential. LiDAR-derived datasets are used for risk analysis applications in flood modeling, floodplain delineation and vulnerability assessments; or to aid in identification of areas most affected by the natural disaster, e.g., landslides due to flooding.

Date Prepared/Revised: Updated March 20, 2023

Ministry Executive Sponsor:

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Alternate Contact for Issue:

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Issue: Permitting Challenges

Recommend Response:

- Permitting and authorizing activities and statutory decision making on the land base are primary functions of effective land and resource management in the natural resource and transportation sector.
- Predictable, effective and transparent permitting are key to achieving government's goals of reconciliation with Indigenous peoples, economic activity, and environmental sustainability.
- The current permitting landscape is characterized by a transactional relationship with First Nations, high application volumes, a high backlog of applications, and a lack of adequate capacity, policy, regulatory and systems frameworks needed to support sustainable economic development, climate readiness and disaster recovery.
- Significant strategic shifts in how we manage and authorize activities on the land base must occur to transform the permitting regime, and the transactional relationship with First Nations.
- Priority projects offer the opportunity to focus solutions, prototype ideas, iterate, and scale. One such priority project is Housing authorizations across the relevant natural resource ministries.
- The Permitting, Authorization and Statutory Decision-Making Solutions team (PASS) within my ministry is leading work across the natural resource sector, including working with the 6 natural resource ministries and the Environmental Assessment Office, to address priority projects and permitting caseload; examine legislative and policy barriers; enhance systems and data, policy and tools to support decision-making; examine government's fee structure to ensure cost-recovery principles are met; and pilot new

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decision-making models, all while considering the need for Indigenous co-management and shared decision making.

- This work, which began in 2022, will continue to be staged out over the next 15 months and beyond for the broader strategic policy and legislative shifts.

Additional Response points (if needed):

- A transformative approach to permitting, and the breadth of systemic changes, is critical for success as we have learned over the decades that allocating more resources to existing processes to address caseload is not sufficient. In the absence of effective land use policy and co-developed approaches to land and resource management, social trade-off decisions are being made on a permit-by-permit basis rather than at the landscape level by appropriate decision makers.
- To advance novel permitting solutions, priority projects will provide focused attention to the process, policy and systems challenges:
 - Housing: streamline decision processes and create a single, co-ordinated approach to housing-related permits and authorizations through the Housing Action Taskforce.
 - Connectivity: improve integrated decision making, identify and resolve permitting issues early, ensure high caliber applications and coordinated consultation across permits, to bring high-speed internet into remote and underserved communities.

Key Facts:

- Ministry of Forests delivers 70% (approximately 23,000 permits annually) of permits/authorizations in the sector; the remaining 30% includes major mines (Ministry of Energy, Mines and Low Carbon Innovation), waste discharge and contaminated sites (Ministry of Environment and Climate Change Strategy), highway access (Ministry of Transportation and Infrastructure) oil and gas and geothermal activity (B.C. Energy Regulator).

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- This situation is resulting in, by last year's estimates, greater than \$1 billion in annual lost revenue and economic activity.
- The Lands and Natural Resource Operations Secretariat restructuring project uncovered several challenges, including a lack of trust from First Nations in the Province's regulatory regime, bottlenecks and delays in decision making, and gaps in statutory decision maker (SDM) capacity and capability. These challenges are frustrating both First Nations and clients and are resulting in economic impacts across the province.
- Other barriers include:
 - Intergovernmental Communications
 - Lack of a strategic framework for land use and a landscape-based understanding of permitted/authorized activities on the land base
 - Legislative and policy barriers
 - s.16; Intergovernmental Communications
 -
- Treasury Board approved up to Government in FY2022/23 on behalf of requesting ministries, to proceed with priority hiring of staff to address permit backlogs and begin strategic work to improve permitting processes and systems.
- Access to these funds have allowed us to hire 42 full-time equivalent (FTE) positions within Phase 1 of hiring (FY22/23) as of March 6th – these 42 positions are all dedicated to supporting housing-related permitting across natural resource ministries and Ministry of Transportation and Infrastructure
- As of March 28th, hiring continues into Phase 2 (FY2023/24), there have been an additional 11 FTEs hired, for a total of 53 FTEs.
- FY 23/24 will provide for up to \$13 million (\$13,028,000)
 - Base \$7,039,000
 - Contingencies \$5,988,000
- This has enabled ministries to hire 133 additional FTEs bringing for a total of 175 to advance our permitting transformation efforts by end of the next fiscal year end.
- FY 24/25 will provide for up to \$25 million (\$25,272,000), which enables hiring an additional 28 FTEs for a full complement of 203 new FTES.
 - Base \$12,094,000
 - Contingencies \$13,178,000

Date Prepared/Revised: March 29, 2023

Ministry Executive Sponsor:

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Alternate Contact for Issue:

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ADVICE TO MINISTER

CONFIDENTIAL ISSUES NOTE

Ministry of Water, Land and Resource
Stewardship
Date: March 2, 2023
Minister Responsible: Hon. Nathan Cullen

Permitting

ADVICE AND RECOMMENDED RESPONSE:

- **We are taking steps to tackle the housing crisis by creating a new Permitting Strategy for Housing.**
- **We've allocated 42 full-time employees to a Housing Action Task Force that will work across ministries to speed up approvals and construction by March 31 to build more homes for people faster.**
- **Budget 2023 builds on this strategy, providing \$77 million to speed up natural resource permitting.**
- **This will support an additional 161 staff across several ministries to reduce permit backlogs, allow projects to move forward and unlock economic potential.**
- **A single, coordinated approach to be established over the coming months will speed up the process and eliminate the need for multiple applications across ministries.**
- **This coordinated approach will feature greater transparency and "concierge service" to the housing sector, bringing improved efficiency to a system that has traditionally been difficult to navigate and left some British Columbians frustrated.**
- **This strategy is about changing the way we do business and how we say "yes" or "no" to projects.**
- **We have to do this together. As we adapt, we are increasing resources, but also changing how we do business – including working together with First Nations.**
- **Our recent government-to-government agreements with the Tahltan First Nation and Blueberry River First Nations shows us the way to reach agreements on land use – and speed up permitting.**

- We're making progress, but we know there is more work to do and we are doing that work.

If asked about permitting in the natural resources sector:

- Right now, our priorities are:
 - Develop a single-window approach for housing authorizations, including a website that provides easier access to application information, and a more transparent process.
 - Develop a Single Application Window to improve and streamline the permitting process to help get housing built for British Columbians faster.
 - Lead the co-ordination of natural resource authorizations to help proponents of connectivity projects be successful.
- We are not only adding more resources to speed up the processing of existing permit applications in the natural resource sector, but also adding resources to transform the permitting process to make it more efficient.
- The lessons learned and best practices observed through our work on the Permitting Strategy for Housing will inform and be broadly applicable to permitting efforts across the entire natural resource sector.
- It's important to keep in mind that housing is a requirement for industries to attract the skilled workforce they need. Accelerating our provincial efforts on housing also helps industry succeed.

ADVICE TO MINISTER

BACKGROUND:

On Jan. 16, 2023, Premier Eby and Minister Cullen announced a new permitting strategy to streamline the processing of various permits across several ministries to accelerate housing developments.

The “one-stop-shop” process led by WLRS will create a single, coordinated approach to housing-related permits and to applications related to riparian area approvals, water licences, right of way access, road access, contaminated sites, and requirements for heritage inspections. Housing-related permits sit across several ministries (Environment; Water, Land and Resource Stewardship; Forests; Transportation and Infrastructure). There are thousands of housing-related permits currently in the queue, with a wait time of up to two years. The Permitting Strategy for Housing and focus of efforts realized through that strategy will reduce this queue.

It will take several months to establish the single window application process. In the meantime, permit decisions will be expedited through a cross-ministry “Housing Action Task Force”, which will include decision-makers, information technology systems and policy support teams.

The Permitting Strategy for Housing will be supported by an initial hiring of 42 new full-time employees across four ministries.

The Permitting Strategy for Housing will prioritize urgently needed housing, including Indigenous-led projects, BC Housing, non-profit housing, and multiple-unit project applications. Communities that have the lowest vacancy rates and greatest demand for housing will be considered as part of the prioritization efforts as well.

Media Interest: There was significant media coverage of the January 2023 announcement, much or most of it positive in tone.

Communications contact	Sean Leslie	250 893-4403
Program contact	Jennifer Anthony	250 889-1315
File created	Feb. 2, 2023	
File updated	Feb. 9, 2023	
File updated	Mar. 2, 2023	

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Ministry of Water, Land and Resource Stewardship

Issue: Housing Authorizations and Housing Action Taskforce

Recommended Response:

- On January 16, 2023, the Premier, Minister Kahlon and I announced the new Permitting Strategy for Housing and the focus on a new Single Window/Single Application approach.
- Our priority is getting through a backlog of applications related to housing developments, prioritizing them, and making decisions so we can get more housing built faster for British Columbians.
- As part of this, the Ministry of Water, Land and Resource Stewardship is leading a Housing Action Taskforce (HAT) and cross-ministry work to improve timing and transparency of authorization processes for Housing projects.
- The HAT will streamline decision processes and create a coordinated single window approach to housing-related permits and authorizations and develop a single housing application process across the ministries of:
 - Water, Land and Resource Stewardship;
 - Environment and Climate Change Strategy;
 - Forests; and
 - Transportation and Infrastructure.
- Engagement with the Housing Sector has revealed a lack of transparency and availability of information regarding permitting processes. This feedback is guiding the Single Window and housing navigation solutions that we are implementing. This engagement will continue as progress is made.
- Close to 1,500 applications are being elevated and accelerated now. For the first time ever, applications across all four ministries are being tracked on a “project” level,

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Ministry of Water, Land and Resource Stewardship

providing a line of sight to analytics and data that has been difficult to achieve.

- The Single Window will be available by April 2023, while the single application is being established over the coming months.
- The taskforce is prioritizing:
 - Indigenous, Non-profit of BC Housing projects;
 - Multiple Unit projects; and
 - Projects that provide affordable housing.
 - Projects in areas where the lack of housing is most acute.
- The solutions we are implementing for Housing are scalable. It is envisioned that the success demonstrated through the Permitting Strategy for Housing will be applied across the Natural Resource Sector.

Key Facts:

- 42 new full time NRM positions dedicated to fast tracking housing authorizations have been recruited and add additional capacity across the HAT and permitting resources.
- There are approximately 1500 natural resource sector permits in the queue related to housing with a current wait time of up to two years.
- Turn-around times depend on the nature and complexity of the request, as well as the quality and completeness of application. Work undertaken by the HAT will increase the availability of guidance so that proponents can submit higher quality applications.
- Housing-related permits sit across several ministries (Environment; Water, Land and Resource Stewardship; Forests; Transportation and Infrastructure) and laws (Water Sustainability Act, Land Act, Transportation Act, Heritage Conservation Act, Environmental Management Act, Riparian Areas Protection Act).
 - Examples include:
 - water licences,
 - land tenures,
 - contaminated sites authorizations,
 - right-of-way access,
 - rural subdivisions,
 - heritage site inspections, and
 - riparian areas.

Date Prepared/Revised: «add date»
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Ministry of Water, Land and Resource Stewardship

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Ministry Executive Sponsor:

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Alternate Contact for Issue:

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Issue: Implementing agreements with BRFN and Treaty 8 First Nations

Recommend Response:

- In January our government signed multiple, historic reconciliation agreements with Blueberry River (BRFN) and other Treaty 8 First Nations.
- The agreements are designed to address the cumulative impacts of industrial activity, which have negatively impacted their treaty rights. And specifically in Blueberry River's case, infringed their treaty rights.
- It is our obligation to better protect Treaty 8 rights, and honour the treaty we signed, on behalf of British Columbians, over 100 years ago.
- Five provincial ministries have responsibility for implementing these agreements (WLRS, EMLI, FOR, MIRR, ENV), including the funding assigned.
- Fiscally speaking, WLRS is responsible for stewardship and cumulative effects assessment/management, land use planning, water, and restoration aspects of the agreements.

Additional Response points (if needed):

- Agreements signed on January 18 were posted in early March.
- Once agreements are complete with the three Treaty 8 First Nations, we expect there to be an announcement and agreements to be posted once their signatories are ready, just like in any government-to-government agreement.
- As part of implementation, stakeholders will be engaged in the various initiatives (e.g., wildlife topics at a Wildlife Working Group).

Restoration:

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- We are committed to creating two independent entities with Treaty 8 Nations over the next few months, consistent with our agreements.
- We have committed over ^{Government Financial} to restoration for these Funds, over the next ten years.
- We will seek contributions from other organizations, such as Canada, industry and the philanthropic sector, to both contribute to this ^{Government Financial} and contribute more over time.

Key Facts:

Four Treaty 8 Nations who signed Letters of Agreement and Revenue Sharing Agreements on January 18: Saulteau, Halfway River, Doig River and Fort Nelson. These agreements are based on a co-developed “Consensus Document” which is a framework document addressing initiatives needed to better protect treaty rights and support responsible resource development.

Intergovernmental Communications

Fiscal components of agreements (with accountable ministry noted in parentheses):

- BRFN restoration fund (“Blueberry River Restoration Society”): ^{Government} commitment by June 30, 2025 (WLRS).
- Treaty 8 restoration fund: ^{Government} commitment by 2031 (WLRS).
- BRFN capacity funding: ^{Government Financial} for various components (MIRR).
- Treaty 8 Nation capacity funding (each) including FY22/23: ^{Government} years generally, and shared ^{Government} years for stewardship, cumulative effects and land use planning activities (MIRR and WLRS).
- Wildlife management: All Treaty 8 Nations (including BRFN) shared: ^{Government Financial} years, ^{Gover} specific this FY (WLRS and FOR).
- Water quantity management: BRFN/BC only: Up to ^{Government Financial} specific to this FY (WLRS).
- Incentive payments for rapid development and restoration planning: BRFN - up to ^{Govern} by 2025; Treaty 8 shared - up to ^{Govern} by 2025 (MIRR and EMLI).
- Honouring the Treaty action plans: BRFN - ^{Government} Treaty 8 shared - ^{Government} (MIRR).
- Revenue sharing based on model for 10% of petroleum and natural gas revenues: BRFN - ^{Government Financial} minimum, can increase based on PNG activity generating royalties, ^{Govern} min. specific to this FY; Treaty 8 – over ^{Government Financial} expected, will vary based on PNG activity generating royalties, ^{Information}.

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with minimum contributions set by Nation (MIRR). No revenue sharing for timber harvesting.

Date Prepared/Revised: March 30, 2023

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APPENDIX: Summary of Agreements with Blueberry River and Treaty 8 Nations

CONTEXT

On June 29, 2021, the BC Supreme Court ruled that the Province had infringed Blueberry River First Nations' (BRFN) treaty rights to hunt, trap and fish and pursue a way of life, as promised in Treaty 8.

The decision led to negotiations between the Province and BRFN over approximately 18 months to address the court's declarations, including Declaration 4: *"The parties must act with diligence to consult and negotiate for the purpose of establishing timely enforceable mechanisms to assess and manage the cumulative impact of industrial development on Blueberry's treaty rights, and to ensure these constitutional rights are respected."*

As the Province and BRFN negotiated a new path forward to better recognize and respect their treaty rights, the Province engaged in concurrent negotiations with the seven other BC-based Treaty 8 Nations. The Province recognizes that the cumulative impacts of industrial development have impacted the meaningful ability for all Treaty 8 Nations to practice their treaty rights and sought a co-developed process to address interests and concerns related to land and resource management.

AGREEMENTS – EXPECTED AND ANTICIPATED OUTCOMES

On January 18, 2023, the Province and BRFN, and the Province and Fort Nelson, Doig River, Halfway River and Saulteau First Nations all signed government-to-government agreements to pursue a shared approach to managing land and resource management in Treaty 8 territory.

Taken together, the Province anticipates the effective implementation of these agreements to result in:

- Better recognition and respect for Treaty 8 rights.
- Timely and enforceable policies and procedures that address cumulative effects.

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- A large restoration investment and program, to heal the land and people, which is Indigenous led.
- New land use plans which provide greater clarity for future conservation and development interests, and predictability for projects.
- New protected areas from new industrial activities, as possible Indigenous Protected and Conserved Areas.
- Greater resource revenue sharing, such as with oil and gas royalties, to ensure First Nation communities receive greater benefit from the Province for resource development (and in alignment with ongoing new fiscal framework provincial commitment).
- New regime / system for all natural resource sector activities, including new rules, requirements for pre-planning for permit applications and proposed projects.
 - With BRFN: Introduce ecosystem-based management principles and approach for sustainable resource development.
- If implemented as intended, the BRFN agreement will satisfy the BC Supreme Court's fourth declaration, and the Province and First Nations continue forward on measures to continue this work and shift closer towards co-management of the lands and resources.

AGREEMENTS – IMPLEMENTATION

Blueberry River First Nations

In the BRFN Implementation Agreement, a series of interim and longer-term measures have been agreed to. This means there are initial instructions and goal posts for the Province and BRFN to work towards, and measure progress to. The actions to both support and constrain development are focused first on two predominate sectors in the northeast, and not surprisingly prevalent in court proceedings: the oil and gas sector and the forest sector. The BRFN IA employs a series of early and direct measures to change the pace and placement of future development activity within the Claim Area, while more complex, multi-sector land use planning work initiates. To support these two sectors, an initial suite of activities is agreed to proceed forward by the Province and BRFN including about two years' worth of timber harvesting and road building activities and over 120 proposed activities by oil and gas tenure holders.

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The BRFN Implementation Agreement has no term, it is designed to last through time as Treaty 8 was intended. It will require amendments to update particular components and add further details on details confirmed as implementation progresses. A formal three-year progress review is planned that will likely lead to a major agreement amendment.

Treaty 8 First Nations

Six of the seven other Treaty 8 Nations co-developed a “Consensus Document” with the Province, which is in essence a framework for change in land and natural resource management. Like all Treaty 8 Nations sharing Treaty 8 territory and experiencing the cumulative impacts of industrial development on their treaty rights, the interests for what BC and these Nations have agreed to work on is similar. Four of the seven First Nations have signed Letters of Agreement and Revenue Sharing Agreements to date, and the remaining three

Intergovernmental Communications

These agreements will last until March 2024, and then can be extended or re-negotiated. Over the next year, the Province and these Nations expect to work both bilaterally and collectively on several items, including i) launching a shared Treaty 8 restoration fund as a major effort to heal the land and people, ii) advancing several new protected areas; iii) developing new cumulative effects assessments, and management responses to better protect treaty rights in important cultural areas (e.g., permit conditions, regulatory and policy measures), iv) initiating new land use plans, v) better monitor and manage ungulate populations, and vi) creating an action plan to improve awareness and understanding that we are all treaty people.

Together, these agreements reset the balance of natural resource development in Treaty 8 territory in shared ways with eight Treaty 8 Nations, to better protect treaty rights and allow responsible resource development.