BRITISH COLUMBIA

Ministry of Water, Land and Resource Stewardship

TRANSITION BINDER

Ministry of Water, Land and Resource Stewardship
Transition Binder
October 2024

TOPIC	TAB
Natural Resource Overview	
Natural Resource Ministries Roles & Responsibilities	A
Organizational Structure to Support Natural Resource Sector Integration	B
Natural Resource Ministries Overview	C
Environment and Land Use Cabinet Committee (ELUC) Overview	D
Environment and Land Use Act	E
Ministry Role in Emergency Management	F
Corporate Transition Materials — **Ministry Overview**	
Ministry Profile and Regional Map	G
Core Business/ Program Areas / Business Processes	H
Executive Biographies	I
30/60/90	J
Corporate Issues Notes prepared for Premier's Office • Land Use Planning • Permitting Transformation • Southeast Initiatives	K
Government 101	L
WLRS Functional Organization Chart	M
Ministry 30/60/90 Day Issues & Decisions	N
Advice/Recommendations; Cabinet Confidences; Government Financial Information	O
Ministry Mandate Letter (to be confirmed)	P
Financial Management Plan	Q
Legislation	
Summary of Legislation Administered by Water, Land and Resource Stewardship	R
Legislation Amendment Priorities	S
Constitution Act Orders in Council	T
OIC Establishing Ministry of Land, Water and Resource Stewardship (placeholder)	U
Decision Matrix – Delegations and Designations	V
Intergovernmental Relations	
Intergovernmental Relations Overview and Cooperative Natural Resource Sector Files	W
Federal/Provincial/Territorial Committees	X
Seattle City Lights	Y

Ministry Information Notes	
Land Use Planning and Cumulative Effects *Land Use Planning and Cumulative Effects* 1) Modernized Land Use Planning (Provincial Overview Policies and Program, Mandated Initiatives, Scoping Initiatives, Forest Landscape Planning Initiatives, Emerging Pressures) 2) Indigenous Protected and Conserved Areas 3) Cumulative Effects Framework 4) Lower Fraser Cumulative Effects 5) Collaborative Indigenous Stewardship Forums 6) Ecosystem Stewardship (Government Action Regulation, Permitting Referrals, Land Use Objectives, Connection to Collaborative Indigenous Stewardship Forums, Cumulative Effects Framework and Land Use Planning) 7) Cowichan Weir 8) Advice/Recommendations; Government Financial Information; *Blueberry First Nation T8* 9) Blueberry River First Nation/Treaty 8 10) Blueberry River Restoration Society 11) Blueberry River First Nation/Treaty 8 Wildlife Working Group *Dock Management* 12) shíshálh Nation Dock Management Plan 13) Southern Gulf Islands Dock Management Plan **Water, Fisheries and Coast** *Water* 14) Strategic Overview Water Agenda 15) Water Sustainability Act 16) Groundwater (Licensing & Science) 17) Drinking Water 18) Dam Safety 19) Riparian Areas Protection Regulation 20) Aquatic Invasives (Invasive Mussel Defense Program, Whirling Disease) 21) Watershed Security Strategy (BC First Nations Water Table and Watershed Fund) 22) Watershed Planning and Governance (Hullcar, Koksilah, Nicola) 23) Nechako Watershed Water Sustainability Plan *Fisheries* 24) Federal Provincial Intergovernmental Relations (Fisheries and Oceans) 25) BC Wild Salmon Strategy and Action Plan 26) Salmon Aquaculture Transition 27) First Nations Fisheries Council and Trilateral Accord 28) BC Salmon Restoration and Innovation Fund 29) Steelhead 30) White Sturgeon Recovery 31) Fish Habitat Restoration 32) Fisheries Regulations	

Coast

33) Coastal Marine Strategy Implementation
34) Coastal Marine Planning Initiatives
35) Great Bear Sea Implementation
36) Anchorages

Water Hazards – Preparedness, Mitigation, Response and Recovery

37) Drought
38) BC Flood Strategy
39) Wildfire Recovery (Riparian Areas)
40) Fisheries and Emergency Response
41) Chilcotin Landslide
42) Dredging
43) Sumas River Watershed Flood Mitigation & Transboundary Flood Initiative (EMCR)

Permitting Transformation

Natural Resource Cross-Sector Permitting

44) Natural Resource Ministries Permitting Overview
45) Natural Resource Permitting Solutions
46) Permitting for Housing
47) Permitting for Electrification
48) FrontCounter BC

Land and Water Permitting

49) Land and Water Authorizations Caseload
50) Crown Land Cleanup – Unfunded Risks and Liabilities on Crown Land
51) Lakeview Trailer Park, Fraser Lake BC
52) Lower Mainland Industrial Land Development & Wetland Strategy

Southeast Initiatives Secretariat

53) Southeast Initiatives Secretariat Overview
54) Dominion Coal Block Tripartite Negotiations
55) Elk Valley Area Based Management Plan (ENV)
56) International Joint Commission Reference in the Elk Valley Watershed (ENV)
57) Developing Valued Component Objectives and Targets for Elk Valley Cumulative Effects Management Framework
58) Fording River Extension EA Readiness Decision (EAO)
59) Reconciliation Priorities with Ktunaxa First Nations (IRR)
60) Southeast Coal (EMLI)

Reconciliation, Lands and Natural Resource Policy

Lands

61) Crown Land Policies and Programs (e.g. Adventure Tourism, Clean Energy, etc.)
62) First Nation Land Transfers
63) Crown Land Opportunities
64) Land Act Review
65) Impacts of Reconciliation Agreements and Regulatory Actions to Tenure Holders
66) Pacific Place Development

67) Land Title and Survey Authority 10-year Operating Review
68) Discriminating and Restrictive Covenants
69) Landslides

Partnerships and Natural Resource Policy

70) First Nations Leadership Council Protocol Agreement
71) Adventure Tourism Coalition and Task Force
72) Conservation Financing Mechanism
73) Regional Management Committee Revitalization
74) Natural Resource Sector Wildlife, Fish and Habitat Reporting

Reconciliation Policies and Initiatives

75) Negotiating Consent and Shared Decision-Making Agreements (e.g. Coastal First Nations, shíshálh)
76) Strategic Resourcing Framework
77) Co-developing Land and Resource Management Approaches with First Nations
78) First Nation Consultation System
79) Advice/Recommendations;
80) First Nation Guardians
81) Haida Title Agreement Implementation
82) Rights Assertions by Non-Canadian-Based Indigenous Groups

Resource Stewardship

Biodiversity and Ecosystems

83) Biodiversity and Ecosystems Health Framework
84) Ecological Corridors (Parks Canada Agreement)
85) Terrestrial Invasive Species

Conservation

86) Tripartite Framework Agreement on Nature Conservation Governance: Activities of Tripartite Nature Committee and Subcommittees
87) Tripartite Framework Agreement on Nature Conservation Implementation: Progress of Federal Funding (e.g. Old Growth Nature Fund, 2-Billion Trees Species at Risk Restoration
88) Together for Wildlife Strategy Governance: Minister's Wildlife Advisory Committee and Other Associated Advisory Bodies (e.g. Regional Wildlife Advisory Committees, BC-First Nations Wildlife Forum)
89) Together for Wildlife Strategy Implementation: Provincial Funding with Wildlife and Habitat (e.g. Together for Wildlife and former Land Based Investment Strategy Funds)

Wildlife

90) Wildlife Co-Management
91) Economic Benefits of Hunting
92) Species at Risk Recovery
93) Guide Outfitters
94) Chronic Wasting Disease
95) Caribou Recovery in North Area and Partnership Agreement
96) Caribou Recovery Program Overview (Designated Unit 9, Central Group, Boreal)
97) Wolf Translocation

98) Grizzly Bear Stewardship Framework 99) Spotted Owl 100) Wildlife Act Review (Includes Fees, Fines and Dedicated Funding) 101) Wildlife Regulations Proposals for 2024/25 102) Wildfire and Wildlife Interaction 103) Fish and Wildlife Compensation Program 104) Deer Management *First Nations* 105) Advice/Recommendations; Intergovernmental 106) Tahltan-BC Wildlife Accord **Natural Resource Information and Digital Services** *Digital Services* 107) Use of and Objectives for Artificial Intelligence in the Natural Resource Sector 108) Expanding Natural Resource Sector ministries use of Software As A Service (SAAS) Platforms *Foundational Information and Technology* 109) Provincial Lidar Project *Technology Infrastructure* 110) Natural Resources Sector Radio Repeater Network – Condition and Mitigations	
Declaration on the Rights of Indigenous Peoples Act	
Overview of the Declaration on the Rights of Indigenous Peoples Act	1
Interim Approach to Implementing the Requirements of Section 3 of the Declaration on the Rights of Indigenous Peoples Act	2
Overview of Ministries Identified in Declaration on the Rights of Indigenous Peoples Act Action Plan	3
Shared Decision-Making Table	4
Agencies Boards and Commissions	
Overview of Agencies, Boards and Commissions	
Partners	
Key Stakeholders Key First Nations Organizations Key Federal Government and Other Agencies	
Service Plan	
Ministry of Water, Land and Resource Stewardship 24/25 Service Plan	
Other Items	
Calendar of Events	

October 2024

NATURAL RESOURCE MINISTRIES
Roles & Responsibilities

Natural Resource Ministries

CHECK AFTER OCTOBER 19 There are six (6) BC Public Service's natural resource ministries – Agriculture and Food; Energy, Mines and Low Carbon Innovation; Environment and Climate Change Strategy (including the Environmental Assessment Office); Forests; Indigenous Relations and Reconciliation and Water, Land and Resource Stewardship. All the natural resource ministers are typically represented on the Environment and Land Use Committee.

Each ministry has its own mission and goals, set out in annual Service Plans, and collectively the natural resource ministries regulates and influences activities on 94% of the province's land and water base, and to some extent the coastal marine environments. Natural resource ministries are responsible for administering over 130 provincial statutes that provide for the sustainable management and protection of the Province's natural resources and reconciliation with First Nations.

The ministries making up the Natural Resource Sector have been structured to streamline government processes for critical natural resource industries to better attract global investment, enabling BC to make integrated resource management decisions on the whole of the land and water base, including coastal marine environments. The Natural Resource Sector Estimated Revenue for FY25 is $3.2 billion and Natural Resource Sector Estimated Expenses for FY25 is $1.7 billion[1], and its work both directly and indirectly benefits the economic, environmental and social health of the Province. From 2010 to 2022 the overall value of goods exports more than doubled, increasing by 126.7% (+$36.3 billion) to $64.9 billion. BC relies on exports to bring new dollars into the province. Natural resources (energy, forestry, and minerals) account for nearly 70% of BC's total goods exports.

Environment and Land Use Committee (ELUC)

ELUC, a legislated committee under the *Environment and Land Use Act*, is mandated to ensure that all aspects of preservation and maintenance of the natural environment are fully considered in the administration of land use and resource development. The Committee is responsible for providing direction to the natural resource ministries that balances economic development and stewardship by setting priorities for the land base, managing land use conflicts and providing strategic advice to Cabinet on policies, programs, operations and legislation that impact the natural resource sector. This advice includes consideration of First Nations, engagements, budgetary implications as well as implementation and communication

[1] Source: 2024_Estimates.pdf (SECURED) (gov.bc.ca)

strategies. The committee is responsible for reviewing Cabinet submissions, requests for legislation from the natural resource ministries.
Membership: A minimum of 3 members (no maximum) and the majority must be members of the Executive Council.

- (to be updated with new list of members after incoming government forms Executive Council)

Deputy Minister Committee for Natural Resources (DMCNR)

The Deputy Minister Committee for Natural Resources is responsible for supporting the Environment and Land Use Committee and for providing it with information and recommendations on policy and operational issues in support of its mandate. This support includes ministries working together to apply resources to highest sector priorities as guided by ELUC, such as sharing and/or collaborating on resources to meet critical government objectives, undertake strategic approaches to sustainably enhance the Natural Resource Ministries' permitting regime, reviewing high-level business plans to ensure that natural resource operations priorities are being met, and improving and gaining support for ELUC submissions.

Membership (will update after October 19 as needed): Lori Halls (Chair, WLRS); Elenore Arend (EAO); Shannon Baskerville (EMLI); Kevin Jardine (ENV); Fazil Mihlar (JEDI); Jessica Wood (DAS); Barbara Carmichael (AG); Michelle Carr (BCER); Kaye Krishna (MOTI); Rick Manwaring (FOR); Ian Meier (FOR); Neilane Mayhew (TACS); Tom McCarthy (IRR); Peter Pokorny (AF); Tara Richards (EMCR)

Organizational Structure to Support Natural Resource Sector Integration

October 17, 2024

Environment and Land Use Cabinet Committee

Deputy Ministers
Committee on Natural Resources

Ministry Agriculture & Food	**Ministry** Energy, Mines and Low Carbon Innovation	**Ministry** Environment and Climate Change Strategy	**Ministry** Forests	**Ministry** Indigenous Relations & Reconciliation	**Ministry** Water, Land and Resource Stewardship
• Agricultural Land Commission (ALC) • BC Farm Industry Review Board (FIRB)	• BC Energy Regulator (BCER)	• Environmental Assessment Office (EAO)	• Forest Enhancement Society of BC (FESBC)	• Declaration Act Secretariat (DAS)	

NATURAL RESOURCE MINISTRIES
Ministry Overviews
October 17, 2024

Ministry of Agriculture and Food

The Ministry of Agriculture and Food (the Ministry) is responsible for the production, marketing, processing and merchandising of agriculture and seafood products, the implementation and carrying out of advisory, research, promotional, sustainability and adaptation, food safety and plant and animal health programs; and the collection of information and preparation and dissemination of statistics relating to agriculture and seafood, supporting the province's food security and developing a resilient food system and economy. The Ministry is a key contributor to economic development and diversification across the province and is a main contributor to rural economic development and provincewide job creation, particularly for small businesses. The agriculture, seafood and food and beverage sector creates economic and social benefits for Indigenous groups and other underrepresented groups, has the potential to attract provincial investment, and contributes to workforce development and skills training.

Ministry of Environment and Climate Change Strategy

The Ministry of Environment and Climate Change Strategy is mandated to protect and steward the Province's environment by addressing the causes and impacts of climate change; preserving natural spaces and recreation values; and protecting ecosystems; all while advancing meaningful reconciliation with Indigenous Peoples. The ministry is responsible for the protection, management and conservation of British Columbia's water, land, air and living resources. The ministry delivers its mandate through several key pieces of legislation including the Environmental Management Act, Integrated Pest Management Act, Park Act, Protected Areas of British Columbia Act, Greenhouse Gas Industrial Reporting and Control Act, Climate Change Accountability Act, and the Environmental Assessment Act.

The ministry administers the province's parks and protected areas, and recreation sites and trails; monitors and enforces compliance with environmental laws and regulations; manages discharge to the environment from human activities; and protects B.C.'s biodiversity, ecosystems, native species, and natural habitats in parks and protected areas. It acquires, manages, and analyzes environmental and climate data to provide a robust platform for decision-making across the province. It mitigates and manages the risks and consequences from climate change, including developing plans to meet greenhouse gas emissions reduction targets; responds to the impacts of climate change; and oversees provincial environmental assessment through the Environmental Assessment Office.

Environmental Assessment Office which falls also under the responsibility of the Minister of Environment and Climate Change Strategy, is a statutory agency that neutrally administers the review of major projects to assess their potential environmental, economic, health, heritage, and social impacts required by the Environmental Assessment Act. The assessment process is also needed to ensure that the issues and concerns of the public, First Nations, interested stakeholders and government agencies are considered and that compliance and enforcement activities are conducted over the life of the project.

Ministry of Energy, Mines and Low Carbon Innovation

The Ministry of Energy, Mines and Low Carbon Innovation (Ministry) is responsible for British Columbia's electricity, alternative energy, hydrogen, oil, and natural gas sectors and related infrastructure, and the province's mining and mineral exploration sectors. These sectors are made up of diverse interests that use and develop energy, low carbon fuels and electricity generation, transmission, and distribution infrastructure and that explore for and produce oil, natural gas, coal, and valuable minerals. To support Government's coordinated climate, energy and economic objectives, the Ministry focuses on advancing energy efficiency and clean or renewable energy sources and technologies, making sure that the energy we use, develop and export is the cleanest possible. The Ministry facilitates electricity, mining, oil and gas, and clean energy sectors which are globally competitive, demonstrate leading environmental practices, and advance reconciliation with Indigenous peoples, while providing opportunities and quality jobs for British Columbians and a fair return on resources to support the province's priorities. The Ministry carries out this work in support of the CleanBC plan and Roadmap to 2030, as well as commitments to Indigenous reconciliation including the Declaration Act Action Plan. In fulfilling its mandate, the Ministry consults and collaborates with other ministries and levels of government, private sector stakeholders, Indigenous people, communities, regulators, environmental and industry organizations, and the public. The Ministry supports the Minister in discharging responsibilities for the following Crown Corporations: British Columbia Hydro and Power Authority (BC Hydro), the BC Energy Regulator.

Ministry of Forests

The Ministry of Forests (the Ministry) supports resiliency of the province's land-base and economy by providing collaborative management of forest, range and archaeological resources, and leading the Province's wildfire response and mitigation. With a commitment to sustainable natural resource management, the Ministry is enhancing the role of forests and forest products as carbon sinks, managing forests to support healthy ecosystems, and working to ensure greater value for B.C. wood and high-value manufacturing. The Ministry is continually pursuing ways to strengthen partnerships, collaboration, and engagement with Indigenous Peoples, and to collaborate with other government ministries in conducting this work. The Ministry also supports the Minister in his governance responsibilities for the Forest Enhancement Society of British Columbia.

Ministry of Indigenous Relations and Reconciliation

The Ministry of Indigenous Relations and Reconciliation (the Ministry or MIRR) guides and helps coordinate the Province of British Columbia's efforts to achieve true and lasting reconciliation with Indigenous Peoples by working in respectful partnerships that recognize inherent rights. The Ministry furthers reconciliation with Indigenous Peoples by collaboratively developing policy and practices, and negotiating and implementing proactive, enduring agreements, partnerships, and treaties based on recognition of rights and a distinctions-based approach. The Ministry's focus is to build lasting relationships with Indigenous Peoples through flexible agreements that can evolve over time and collaborative approaches to policy making.

While reconciliation is a whole-of-government responsibility, the Ministry provides guidance and leadership to other areas of government on establishing and enhancing relationships with Indigenous Peoples. The Ministry also maintains a strong focus on transparency with stakeholders, local governments, and the public, to ensure support for reconciliation in BC.

Declaration Act Secretariat

The mandate of the Declaration Act Secretariat (DAS) is to ensure provincial legislation is consistent with the UN Declaration on the Rights of Indigenous Peoples and is developed in consultation and cooperation with Indigenous Peoples, as per section 3 of the Declaration on the Rights of Indigenous Peoples Act (Declaration Act):

Measures to align laws with Declaration

"In consultation and cooperation with the Indigenous peoples in British Columbia, the government must take all measures necessary to ensure the laws of British Columbia are consistent with the Declaration."

DAS serves as a dedicated central agency supporting the province in its legislative efforts to establish true, lasting reconciliation with First Nations and Indigenous Peoples in British Columbia. The Secretariat falls under the responsibility of the Minister of Indigenous Relations and Reconciliation but, to create clear lines of accountability to political decision-makers, and to position DAS as an entity with the capacity and influence to be effective in supporting the implementation of the Declaration Act, it is separate and distinct from the Ministry of Indigenous Relations and Reconciliation (IRR).

Ministry of Water, Land and Resource Stewardship

The Ministry of Water, Land and Resource Stewardship (the Ministry) works with other natural resource sector ministries to achieve British Columbia's goals of reconciliation, economic development, and environmental sustainability. The Ministry is directly responsible for the effective development of water, land and marine use policy and planning as well as biodiversity and ecosystem health, species at risk policy and program management and developing a new vision for water, land and resource management with First Nations. The Ministry is responsible for the administration of water, lands, fish and wildlife while also directing work across natural resource ministries to develop solutions to sector-wide challenges in permitting, policy, data and technology and improving the management of cumulative effects. The Ministry is the lead on flood, drought, landslide, and dams and dikes.

Environment and Land Use Committee

Overview

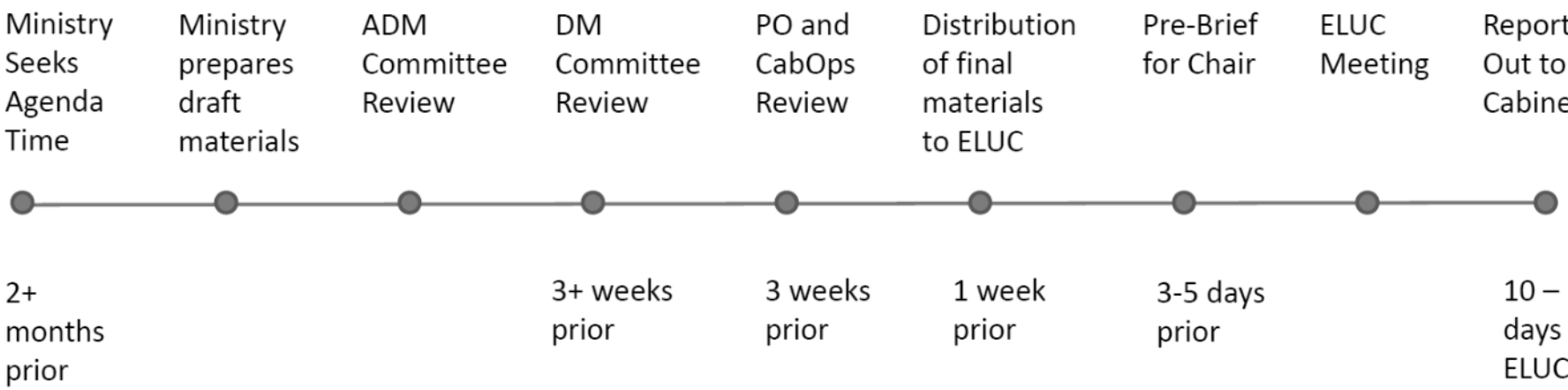
Environment and Land Use Committee

- Established under the *Environment and Land Use Act*
- Ensures all aspects of the preservation and maintenance of the natural environment are fully considered in the administration of land use and resource development.
- Makes recommendations to the Lieutenant Governor in Council on matters relating to the environment and the development and use of land and other natural resources.

Procedures and Powers

- Quorum is three members
- Committee may determine its meeting procedures
- Decisions are usually by consensus
- All deliberations and materials are confidential
- Recommendations are reported to Cabinet by the Chair
- Power to make regulations, subject to Cabinet approval
- Power to conduct inquires and hold public hearings (used in 1970s)

General Path of Agenda Items



Committee Secretary Duties

In cooperation with the Chair of Deputy Ministers' Committee on Natural Resources and the Deputy Minister of Water, Land and Resource Stewardship:

- Draft meeting agendas and obtain approvals from Premier's Office
- Coordinate logistical support for ELUC meetings
- Review meeting materials and manage distribution
- Brief ELUC Chair in concert with Deputy Minister(s)
- Prepare meeting minutes and speaking notes for Chair

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This Act is current to October 29, 2024

See the Tables of Legislative Changes for this Act's legislative history, including any changes not in force.

ENVIRONMENT AND LAND USE ACT

[RSBC 1996] CHAPTER 117

Contents

1 Definitions
2 Committee continued
3 Duties of the committee
4 Powers of committee
5 Powers of chair and members for public inquiry
6 Expenses of committee members
7 Orders of Lieutenant Governor in Council
8 Power to make regulations

Definitions

1 In this Act:

"committee" means the Environment and Land Use Committee continued under this Act;

"environment" means all the external conditions or influences under which humans, animals and plants live or are developed.

Committee continued

2 (1) The Environment and Land Use Committee is continued and consists of the following:

(a) a member of the Executive Council appointed by the Lieutenant Governor in Council and designated in the appointment as chair;

(b) subject to subsection (1.1), other members of the Legislative Assembly appointed by the Lieutenant Governor in Council.

(1.1) The majority of members of the Environment and Land Use Committee must be members of the Executive Council.

(2) The committee may determine its own procedure and may elect an acting chair to act in the absence of the chair.

(3) If the committee has more than 3 members its quorum is 3.

Duties of the committee

3 The committee has the following duties and powers:

(a) to establish and recommend programs designed to foster increased public concern and awareness of the environment;

(b) to ensure that all the aspects of preservation and maintenance of the natural environment are fully considered in the administration of land use and resource development commensurate with a maximum beneficial land use, and minimize and prevent waste of those resources, and despoliation of the environment occasioned by that use;

(c) if considered advisable, to make recommendations to the Lieutenant Governor in Council respecting any matter relating to the environment and the development and use of land and other natural resources;

(d) to inquire into and study any matter related to the environment or land use;

(e) to prepare reports, and, if advisable, to make recommendations to the Lieutenant Governor in Council.

Powers of committee

4 The committee may do one or more of the following:

(a) hold a public inquiry if it appears to the committee that the proper determination of any matter within its jurisdiction requires an inquiry;

(b) appoint technical committees;

(c) subject to the approval of the Lieutenant Governor in Council, provide for the remuneration of experts, specialists and researchers and, under the *Public Service Act*, of clerks and other employees as required.

Powers of chair and members for public inquiry

5 For a public inquiry under section 4 (a), the chair of the committee or a member of the committee authorized by the committee to hold a hearing has the powers and jurisdiction of a justice under the *Offence Act*.

Expenses of committee members

6 (1) No member of the committee is entitled to remuneration as a member of the committee.

(2) A member may be paid and receive travelling and out of pocket expenses in accordance with the general directives of the Treasury Board.

Orders of Lieutenant Governor in Council

7 (1) On the recommendation of the committee, and despite any other Act or regulation, the Lieutenant Governor in Council may make orders the Lieutenant

Governor in Council considers necessary or advisable respecting the environment or land use.

(2) A minister, ministry or agent of the Crown specified in an order under subsection (1) must not exercise a power under any other Act or regulation except in accordance with the order.

Power to make regulations

8 The Lieutenant Governor in Council may make regulations referred to in section 41 of the *Interpretation Act*.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Ministry Role in Emergency Management

BACKGROUND:

- The Ministry of Water, Land, and Resource Stewardship (WLRS) plays a critical role in emergency management under the newly enacted *Emergency and Disaster Management Act* (EDMA), which came into force on November 8, 2023. The Act sets out a comprehensive approach to disaster risk mitigation, preparation, response, and recovery.
- WLRS is designated as the lead ministry for managing specific hazards, including drought and water scarcity, riverine and coastal flooding, dam incidents and failures, and landslides, except those related to provincial highways.
- It is responsible for developing hazard-specific risk assessments, emergency management plans, and business continuity plans within four years of the regulation being established, summer 2028.
- WLRS's role predominately oversees that water-related hazards and landslides are managed by the relevant local authorities with an informed approach in alignment with international frameworks such as the United Nations Sendai Framework for Disaster Risk Reduction.
- The River Forecast Centre delivers vital information on flood hazards and drought conditions to provincial operations, local authorities and the public year-round through bulletins, maps and warnings on streamflow conditions, flood risk and snowpack in BC.
- Other units within the Water, Fisheries and Coast division coordinate with the Ministry of Emergency Management and Climate Readiness as well as subject matter experts across government on water hazard response and recovery, with leadership on flood assessment and impacts to fish and aquatic habitat.
- The Deputy Ministers' Committee on Disaster Risk and Emergency Management (DMCDREM) supports, and reports to, the Cabinet Working Group on Community Recovery or the Cabinet Working Group on Disaster Risk and Emergency Management.
- Decision items normally move through ADM Committees to DMCDREM (and then to the Cabinet Working Group as relevant). Membership includes WLRS Deputy Minister.

Attachments: Appendix 1 – EDMA planning requirements for lead ministers
Appendix 2 – Hazard assignments under the EDMR

PREPARED BY:

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Water, Fisheries and Coast Division
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REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024
CFO/EFO (if required)	N/A	
ADM	JM	Sept 5, 2024
Program Dir/Mgr.	CC	Aug 30, 2024

Appendix 1 – *EDMA* planning requirements for lead ministers

Under the *Emergency and Disaster Management Act* (EDMA) lead ministers will be responsible for preparing and maintaining risk assessments and emergency management plans in relation to the hazards that have been assigned to them. The bullets below provide details on these forthcoming statutory requirements, as well as what is new compared to requirements under the *Emergency Program Management Regulation* (EPMR) made under the *Emergency Program Act*. EMCR is developing guidance on meeting the requirements below to assist ministries in completing risk assessments and emergency management plans, and will play coordinating and advisory roles as ministries do this work.

Lead minister risk assessment (new requirement under EDMA)

- Risk assessments must gauge the degree of risk posed by a hazard, including the likelihood the hazard may lead to an emergency and the potential scope and scale of that emergency.
- Risk assessments must also include a focus on people who may be disproportionately impacted by emergencies and there must be special attention paid to animals and places that may be more vulnerable.
- To ensure that emergency management is done with a future focus, risk assessments must incorporate expected climate change or extreme weather events.
- Risk assessments must be based on science, available Indigenous and local knowledges, and the results of actions taken to consult, as required under EDMA, with local authorities and Indigenous governing bodies (IGBs).

Lead minister emergency management plans (some new requirements under EDMA)

- Emergency management plans must address all four phases of emergency management: mitigation, preparation, response, and recovery.
    - Previous EPMR planning requirements for key ministers only focused on emergency response, with an option to include recovery support for local authorities.
- For each phase, plans must describe appropriate measures that may be taken. Plans will also include descriptions of the roles, powers, and duties of key persons, requirements for emergency resources, procedures for engaging emergency systems, and plans for training and exercise programs.
    - The EPMR requires setting out how government will respond to the minister's assigned hazard in an emergency.

- As with risk assessments, plans will need to reflect measures to mitigate the effects of emergencies on people, animals, places, and things that are vulnerable and on people who may be disproportionately impacted by emergencies.
    - New to EDMA.
- Measures to promote cultural safety must also be described.
    - New to EDMA.
- Plans must be based on completed risk assessments and on the results of actions taken to consult, as required under EDMA, with local authorities and IGBs.
    - New to EDMA.

Appendix 2 - Hazard assignments under the Emergency and Disaster Management Regulation (EDMR)

October 10, 2024

Finalized hazard assignment list:

Hazard Type	Hazard	Current Name of the Ministry of the Lead Minister	Associated Act
Accidents	motor vehicle incidents relating to provincial public highways	Ministry of Transportation and Infrastructure (MOTI)	*Transportation Act*
Atmospheric	extreme temperature as it relates to public health	Ministry of Health (HLTH)	*Public Health Act*
	extreme temperature as it relates to housing	Ministry of Housing (HOUS)	*Assistance to Shelter Act*
	extreme temperature (other than extreme temperature as it relates to housing or public health)	Ministry of Emergency Management and Climate Readiness (EMCR)	*Emergency and Disaster Management Act*
Civil Unrest	riots	Ministry of Public Safety and Solicitor General (PSSG)	*Police Act*
	public disorder	PSSG	*Police Act*
Diseases and Epidemics	human diseases	HLTH	*Public Health Act*
	animal diseases	Ministry of Agriculture and Food (AF)	*Animal Health Act*
	plant diseases	AF	*Plant Protection Act*
	pest infestations	AF	*Plant Protection Act*
Explosions and Emissions	gas explosions or leaks relating to pipelines	Ministry of Energy, Mines and Low Carbon Innovation (EMLI)	*Energy Resource Activities Act*
	gas explosions or leaks relating to gas wells, refineries, or power generation facilities	EMLI	*Energy Resource Activities Act*
	mine explosions	EMLI	*Mines Act*
	explosions (other than gas explosions or leaks or mine explosions)	PSSG	*Fire Safety Act*
Fire	wildfires and interface fires	Ministry of Forests	*Wildfire Act*
	fires (other than wildfires or interface fires)	PSSG	*Fire Safety Act*
Geologic	earthquakes	EMCR	*Emergency and Disaster Management Act*

	tsunamis	EMCR	*Emergency and Disaster Management Act*
	landslides, avalanches, debris avalanches and debris flows that affect provincial public highways	MOTI	*Transportation Act*
	landslides that do not affect provincial public highways	Ministry of Water, Land and Resource Stewardship (WLRS)	*Land Act*
	volcanic eruptions (including ash falls, mud flows, pyroclastic flows, and lava flows)	EMCR	*Emergency and Disaster Management Act*
Hazardous Materials	hazardous spills (on site or on a transport route)	Ministry of Environment and Climate Change Strategy	*Environmental Management Act*
	radiation	HLTH	*Public Health Act*
	infectious materials or biohazards	HLTH	*Public Health Act*
Hydrologic	dam incidents and failure (includes foundations and abutments)	WLRS	*Water Sustainability Act*
	drought and water scarcity	WLRS	*Water Sustainability Act*
	flooding, including riverine flooding, flooding caused by ice jams and debris flows and coastal flooding (including sea level rise) (other than flooding caused by ice jams and debris flows that affects provincial public highways)	WLRS	*Dike Maintenance Act*
	ice jams that affect provincial public highways	MOTI	*Transportation Act*
Power Outage	electrical power outages or overloads	EMLI	*Hydro and Power Authority Act*
Terrorism	terrorism (hostile acts against state, war)	PSSG	*Police Act*

MINISTRY PROFILE

Ministry: Water, Land and Resource Stewardship

Ministry Mandate:
The Ministry of Water, Land and Resource Stewardship (the Ministry) works with other natural resource sector ministries to achieve British Columbia's goals of reconciliation, economic development, and environmental sustainability.

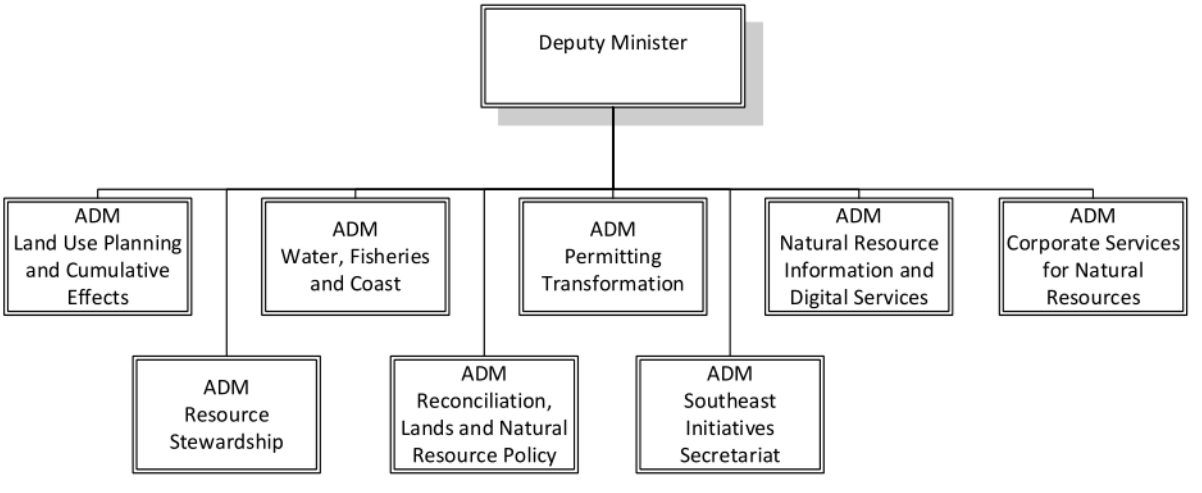
The Ministry is directly responsible for the effective development of water, land and marine use policy and planning as well as biodiversity and ecosystem health, species at risk policy and program management and developing a new vision for water, land and resource management with First Nations. The Ministry is responsible for the administration of water, lands, fish and wildlife while also directing work across natural resource ministries to develop solutions to sector-wide challenges in permitting, policy, data and technology and improving the management of cumulative effects. The Ministry is the lead on flood, drought, landslide and dams and dikes.

Full Time Equivalents (FTEs):

Division	FTE Total
Land Use Planning and Cumulative Effects	249
Water, Fisheries and Coast	188
Natural Resource Information and Digital Services	549
Reconciliation, Lands and Natural Resource Policy	117
Resource Stewardship	289
Permitting Transformation	502
Minister's Office	6
Deputy Minister's Office	30
Southeast Initiatives Secretariat	3
Corporate Services for the Natural Resource Ministries	371
Total	**2,302**

Report Period 2024-08-25 to 2024-09-21

Executive Organizational Chart:



Budget:

Financial Summary

($000s)	2023/24 Restated Estimates[1]	2024/25 Estimates	2025/26 Plan	2026/27 Plan
Operating Expenses				
Land Use Planning and Cumulative Effects	57,386	58,428	58,432	58,432
Resource Stewardship	41,147	41,365	41,365	41,365
Water, Fisheries and Coast	13,822	14,244	14,241	14,241
Natural Resource Information and Digital Services	26,225	28,803	28,796	28,796
Reconciliation, Lands and Natural Resource Policy	11,402	11,610	11,612	11,612
Permitting Transformation	29,083	29,516	29,520	29,520
Executive and Support Services	26,537	29,801	29,801	29,801
Crown Land Special Account	500	500	500	500
Total	**206,102**	**214,267**	**214,267**	**214,267**
Capital Expenditures				
Executive and Support Services	3	3	3	3
Total	**3**	**3**	**3**	**3**
Other Financing Transactions				
Crown Land Administration Disbursements	6,382	6,382	6,382	6,382
Habitat Conservation Trust Disbursements	6,500	6,500	6,500	6,500
Habitat Conservation Trust Receipts	(6,500)	(6,500)	(6,500)	(6,500)
Total Disbursements	**12,882**	**12,882**	**12,882**	**12,882**
Total Receipts	**(6,500)**	**(6,500)**	**(6,500)**	**(6,500)**
Total Net Cash Requirements (Source)	**6,382**	**6,382**	**6,382**	**6,382**

[1] For comparative purposes, amounts shown for 2023/24 have been restated to be consistent with the presentation of the *2024/25 Estimates*.

* Further information on program funding and vote recoveries is available in the Estimates and Supplement to the Estimates.

Ministry of Water, Land & Resource Stewardship Locations

Information as of September 2024

LAND USE PLANNING AND CUMULATIVE EFFECTS DIVISION

ADM Responsible: David Muter

Overview of Core Business / Program Area:
The Land Use Planning and Cumulative Effects Division is responsible for policy, strategy, and implementation of public land use planning activities and initiatives across the natural resource sector Ministries, including strategic land stewardship initiatives; ecosystem planning, objective setting and operations; cumulative effects management; assessing and managing for socio-economic objectives and regional planning and development programs. This division also has delegated authority for establishing land use objectives under the Land Act and enacting stewardship measures through the Government Action Regulations under the Forest and Range Practices Act.

Provincial Stewardship Strategies and Planning Branch: The Provincial Stewardship Strategies and Planning (PSSP) Branch provides provincial leadership and policy direction on land use planning and resource stewardship. This includes overarching guidance on the alignment of planning initiatives across the natural resource sector Ministries (eg, alignment between Forst Landscape Planning, Land Use Planning and Watershed Planning), policy related to implementation of land use plans through interim measures, legal objectives and permanent land use designations. The branch also leads the development of policy and approach to Indigenous Protected and Conserved Areas as well as overarching guidance on how to achieve provincial economic, conservation (30x30) and reconciliation goals through land use planning.

Collaborative Stewardship and Cumulative Effects Management Branch: The Collaborative Stewardship and Cumulative Effects Management (CSCEM) Branch is the provincial policy lead across the natural resource sector for cumulative effects management done in partnership with First Nations. This includes development and continuous improvement of provincial cumulative effects assessment protocols for provincial values including moose, grizzly bear, forest biodiversity, old forests and aquatic ecosystems and regional values (eg, grasslands, wetlands, species at risk etc.). The branch also leads the development of current condition reports showing the status of provincial and regional values, including associated datasets, management guidance, and decision support tools. The work of the branch is used in objective setting, management guidance, permitting and authorization decision making, and land use planning to ensure important values are maintained into the future.

The branch also leads the coordination of all First Nations stewardship forums through the Collaborative Indigenous Stewardship Framework (CISF). CISF includes 18 forums across B.C. in partnership with over 150 First Nations (covering 80% of the province) undertaking collaborative work on ecosystem and natural resource stewardship projects that support resource management and embrace local and Indigenous knowledge, developing trusted information that is intended to inform decision-making.

Strategic Land Use North Area, South Area and Coast Area: The three Strategic Land Use Areas provide area and regional leadership across the natural resource sector related to land use planning, resource management and ecosystem stewardship. This includes the regional development and implementation of land use plans, development and implementation of legal orders under the Land Act and Forest and Range Practices Act to support resource management, ecosystems, habitat and wildlife objectives. The three Strategic Land Use Areas also maintain close relationships with First Nations, local governments and regional stakeholders.

North Area

- Includes the Northeast, Omineca, and Skeena Regions
- Cross sector coordination of Agreements with Treaty 8 Nations in the Northeast
- Priority land use plans including with Kaska First Nations, Tahltan First Nations, Taku River Tlingit First Nations, Gitanyow First Nations and Nisg'a First Nations that relate to Mining and conservation

South Area

- Includes the Caribou, Thompson Okanagan and Kootenay Boundary Regions
- Priority land and water plans including the Nicola Water Sustainability Plan, and the Ktunaxa Land Stewardship Plan

Coast Area

- Includes the West Coast and South Coast Regions
- Priority land use plans including with Shishalh Nation, Namgis First Nation, and Squamish First Nation, the Koksilah Watershed Plan and the Great Bear Rainforest.
- Lead for the development of dock management plans

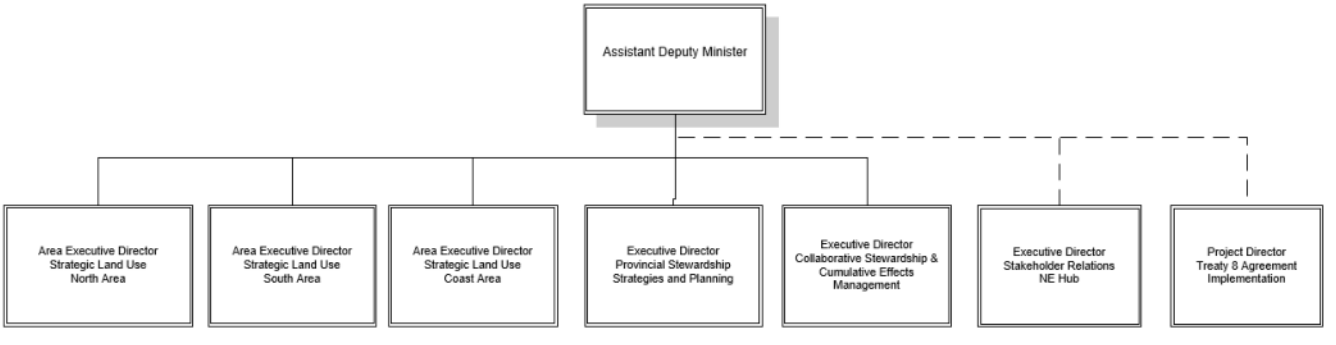
Budget: $58.428M

Full Time Equivalents (FTEs): 249

Related Legislation:

- *Environment and Land Use Act*
- *Land Act*
- *Forest and Range Practices Act*
- *Muskwa-Kechika Management Area Act*

Organizational Chart:



WATER, FISHERIES AND COAST DIVISION

ADM Responsible: James Mack

Overview of Core Business / Program Area:
The Water, Fisheries and Coast Division brings together program areas responsible for Water Management and operations, Watershed Security Strategy and associated Fund, Wild Salmon Strategy, and Coastal Marine Strategy. It works to support functioning and resilient marine, aquatic, and coastal ecosystems that support a diversity of economic activities and provide the foundation for vibrant and thriving coastal communities and cultures.

The division provides provincial leadership on water and coordinates government's strategy on 'source to tap' drinking water protection. It is responsible for the implementation of the Water Sustainability Act, Dike Maintenance Act and other water-related legislation. The division is the lead for the Province on flood, drought and landslides. It is also responsible for watershed-related strategic planning, policy and science for B.C. and for setting objectives for water quality and sustainability. The division supports restoration and rebuilding of wild fish populations and provides leadership for aquatic habitat policy and restoration. It also sets fisheries and aquaculture policy, develops new strategies to protect and revitalize B.C.'s wild salmon populations, and is the provincial lead for interfacing with Fisheries and Oceans Canada. The division is the provincial hub for marine and coastal policy and planning, providing expertise to drive development and implementation of strategic and operational policies and plans that lead the way on collaborative decision-making with First Nations and Canada.

Water Management Branch: Water Management Branch oversees flood and drought operations and response, stream flow forecasting, implementation of water legislation, including the Water Sustainability Act, Water Users' Community Act, Water Utility Act and Dike Maintenance Act, along with the development of strategic flood guidance. The Water Management Branch consists of multiple teams including Dam Safety, Water Allocation, Water Business, Water Utilities Regulation, Flood Policy, Flood Safety, Flood Operations, River Forecast Centre, and Drought Operations.

Watershed Stewardship and Security Branch: The Watershed Stewardship and Security Branch provides provincial leadership in water and watershed-related strategic planning, policy, legislation, and science for the sustainable management and stewardship of BC's water resources. Branch work guides evidence-based decision-making and regulatory actions of the provincial water program under the Water Sustainability Act.
The work is founded on Indigenous reconciliation principles and commitments, and is done with Indigenous groups, provincial agencies, other levels of government, stakeholders, and other watershed-based organizations.

Aquatic Ecosystems Branch: The Aquatic Ecosystem Branch leads and coordinates provincial efforts to retain and recover aquatic ecosystems and the species that rely on them. The Branch works across ministries and governments to ensure aquatic ecosystem health is embedded within integrated resource management, particularly given current water scarcity realities, and address cumulative impacts that require multi-jurisdictional solutions. It is responsible for delivering operational programs for freshwater fishing, aquatic invasive management, species at risk recovery, the Riparian Area Protection Regulation and the Executive Director is the provincial statutory decision maker under B.C.'s Wildlife Act.

Fisheries, Aquaculture and Wild Salmon Branch: The Fisheries, Aquaculture and Wild Salmon Branch leads provincial efforts to support stable, diverse, and sustainable commercial and recreational fisheries and aquaculture operations and to restore and protect biologically diverse wild salmon populations and their

habitats. It works with First Nations and a broad range of stakeholders, and participate on provincial, national, and other relevant committees and working groups to develop and advance provincial policy and programs in support of government, stakeholders, and industry initiatives on fisheries, seafood, and wild salmon recovery. The Branch also represents the Province in international fisheries treaties, such as the Pacific Salmon Treaty.

Coastal Marine Stewardship Branch: The Coastal Marine Stewardship Branch drives the creation and implementation of strategic and operational marine policy, collaborative research, and planning initiatives for B.C.'s coastline and nearshore marine areas. Working in collaboration with many coastal First Nations and the Government of Canada, branch staff work to create lasting change in our coastal and marine environments. The branch has successfully delivered Canada's first ever Marine Protected Area Network for the Great Bear Sea along with long-term and secure financing, developed B.C.'s first ever Coastal Marine Strategy, and has built word-leading marine plans with First Nations under the Marine Plan Partnership.

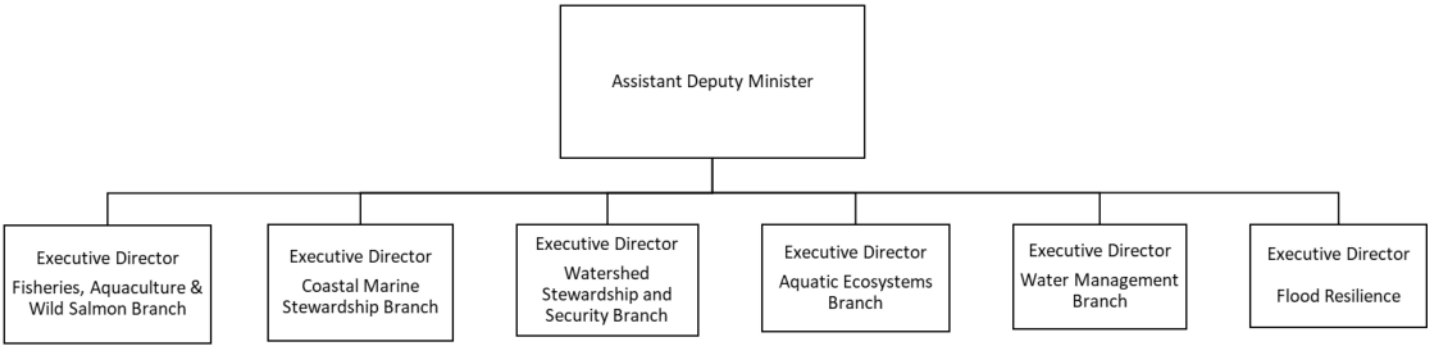
Budget: 14.244M

Full Time Equivalents (FTEs): 188

Related Legislation:

- *Dike Maintenance*
- *Drainage, Ditch and Dike*
- *Drinking Water Protection*
- *Flood Relief*
- *Riparian Areas Protection*
- *Water Protection*
- *Water Sustainability*
- *Water Users' Communities*
- *Water Utility*
- *Wildlife Act (aquatic areas)*
- *Forest and Range Practices Act (aquatic areas)*

Organizational Chart:



PERMITTING TRANSFORMATION DIVISION

ADM Responsible: Jennifer Anthony

Overview of Core Business / Program Area:
The Permitting Transformation Division (PTD) was established to accelerate permitting decisions that are integral to resource development and effective stewardship of natural resources. PTD is focused on permitting solutions across the Ministry as well as broadly across the natural resource ministries (NRMs) that will result in faster, more predictable and durable decisions while maintaining high environmental standards. The division works at the strategic level to enable statutory, process, policy and systems shifts required to advance better outcomes across the regulatory regime. The division also has operational responsibility for natural resource application processing through the FrontCounter BC program and for land and water authorizations, authorizations for major projects and First Nations reconciliation and resource stewardship and management.

FrontCounter BC: FrontCounter BC provides a single point of contact to help support individuals and businesses in applying for licenses, permits, registrations and other authorizations required to utilize natural resources in B.C. Dedicated staff facilitate the application process, ensure applications are complete, conduct a pre-technical review and prepare application packages for the proceeding referral, consultation and adjudication phases. Through continuous improvement activities, the branch is streamlining permitting application and review processes.

Authorizations: Authorizations co-manages land and water resources with First Nations for the benefit of all those living in B.C. Staff conduct technical reviews of applications and develop recommendations for decision makers who balance risk against the need for timely, durable decisions. Consultation with First Nations is a central part of this work, including building and maintaining relationships with First Nations and understanding and mitigating impacts to First Nations rights and title. Teams are dedicated to water monitoring and modeling provincial watersheds, provide technical leadership for drought management, undertake decisions under the *Water Sustainability Act* and respond to drought. The branch also provides input and leadership in cross-ministry work to improve permitting.

Permitting Solutions: Permitting Solutions leads cross-government initiatives to accelerate solutions to systemic permitting issues. This work entails focusing on priority projects (currently Housing, Connectivity and Electrification) to advance decisions while creating solutions that can be scaled into future projects and permitting processes. The branch leads dedicated taskforces and resources through rigorous project management and works to improve permitting data integration across natural resource ministries to support a wholistic, accurate and timely understanding of current analytics as well as IT systems improvements. Strategically the branch works across ministries to improve delegation of authorities, remove touchpoints and the volume of decisions from the burdened regime and bring forward statutory changes to address systemic permitting challenges.

Strategic Initiatives: Strategic Initiatives focuses on cross-government initiatives which have been historically challenging for stakeholders or the Province to substantially address, often due to their complex nature, and the lack of provincial policy or frameworks. Strategic initiatives include areas with many competing interests that are broader than a singular sector interest. Examples include increase demand for float homes given the housing crisis and dredging in the in the lower Fraser River (essentially a “highway” that if not maintained means critical supply chains to support key projects such as Fraser River Tunnel Project, Iona Wastewater Project and YVR expansion are impacted and increased public safety risk as lifeboats sent out on emergency calls have become stuck in side channels. Strategic initiatives generally tend to focus in high volume issue management concerns and require innovative approaches to effectively respond to regional challenges.

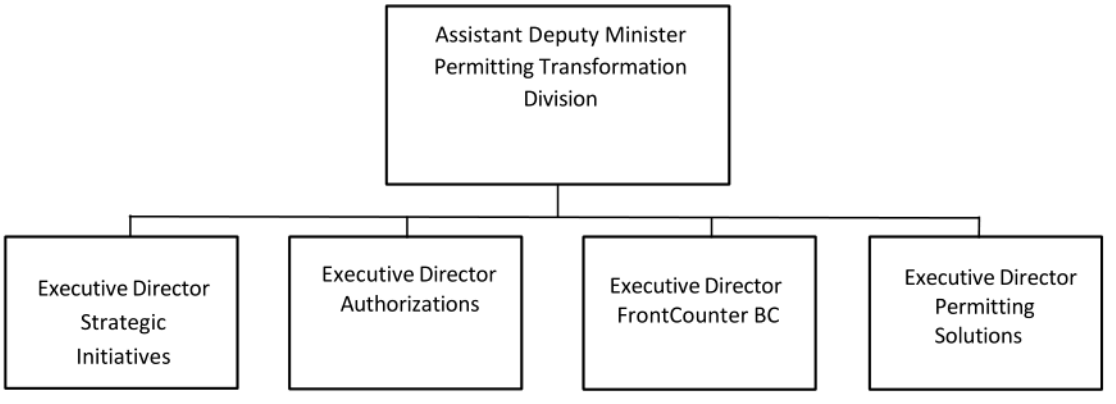
Budget: Government Financial

Full Time Equivalents (FTEs): 502

Related Legislation:

- *Wildlife Act*
- *Land Act*
- *Water Sustainability Act*
- *all natural resource legislation with permitting elements along with Significant Projects Streamlining Act*

Organizational Chart:



SOUTHEAST INITIATIVES SECRETARIAT

ADM Responsible: Laurel Nash

Overview of Core Business / Program Area:
The Southeast Initiatives Secretariat (SEIS) was created in July 2024, as a two-year pilot to lead an integrated and aligned cross-ministry strategy to establish conditions necessary to support responsible metallurgical coal mining in the Elk Valley that improves environmental quality and manages cumulative effects, heals the land, and advances models of shared decision-making with First Nations to build prosperous and healthy communities for all.

SEIS will lead Government to Government processes with the Ktunaxa First Nation Governments (KFNGs), including a new fiscal relationship that recognizes the removal of fiscal tiering from mining revenue sharing and bilateral agreements to enhance decision making. Additional priority work also includes updating the Area Based Management Plan (ABMP) with KNFNG leadership, which is a unique approach to improve water quality associated with Mining Development in the Elk Valley and is part of an overall approach to improve impacts from legacy and future mining activities. SEIS will also advance land stewardship opportunities, including the completion of cumulative effects objectives which will inform the evaluation and decision on new development, including Environmental Assessment decisions. The cross-ministry structure of SEIS is key to creating permitting efficiencies with reviews and decision makers from Ministry of Environment and Ministry of Energy and Mines and Low Carbon Innovation working concurrently and collaboratively.

Transboundary impacts from Selenium pollution have resulted in the International Joint Commission reference on impacts of pollution from the Elk Valley on water quality. A governance committee mandated for two years has been established with representation from Canada, the United States, States, BC, KFNGs and Tribes. The SEIS is instrumental in ensuring the work BC has underway is recognized and understood. A key component is ensuring that we continue to progress on the ABMP, mine reclamation and stewardship initiatives.

The SEIS is leading time sensitive engagement with KNFNGs led by Natural Resources Canada, on options to transfer the Dominion Coal Blocks from Canada for conservation and indigenous stewardship opportunities.

The Province and Yaq̓it ʔa·knuqƚi’it First Nation have recently developed a shared vision for our relationship that will create a foundation for shared decision-making and project/initiative prioritization. The SEIS is working to undertake similar work with the other three Ktunaxa First Nation Governments.

A strong team BC approach will be required to successfully implement the Shared Vision with Yaq̓it ʔa·knuqƚi’it, advance reconciliation with other Ktunaxa First Nation governments, collaborate on strategic and operational initiatives to address concerns regarding land use and impacts to transboundary watersheds, and deliver on a significant number of statutory obligations and permitting over the next two years (to allow for the continuation of responsible economic opportunities including mining in the region).

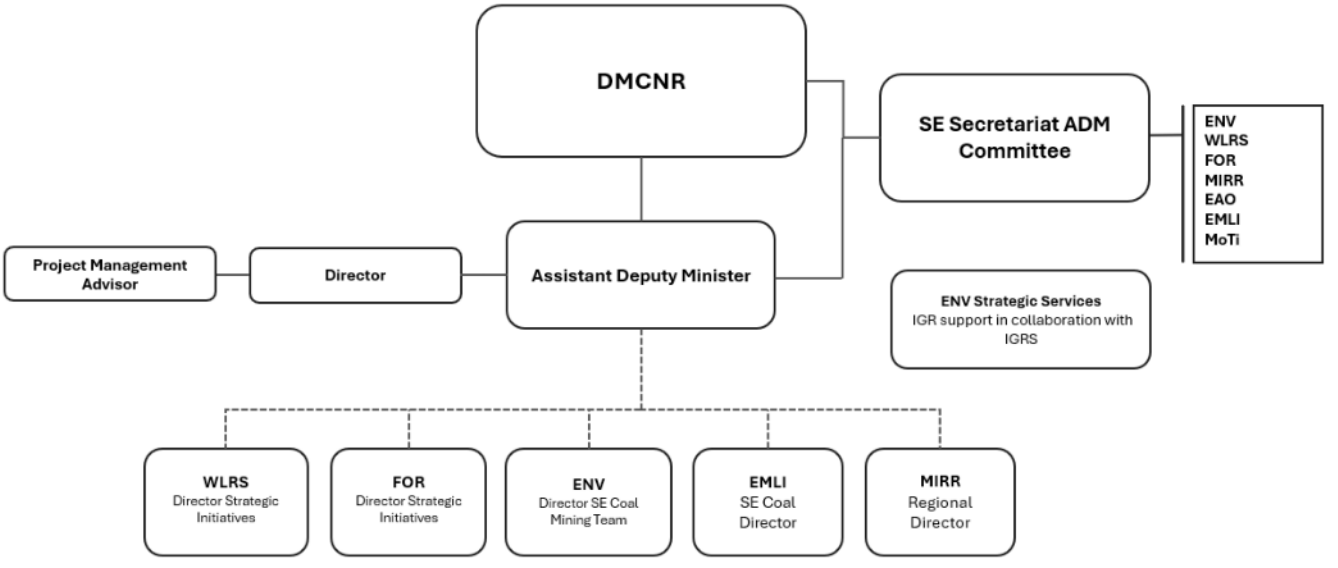
Budget: As this Secretariat was created in July 2024, there is no Estimates budget at this time. It will be considered via the Budget 2025 process. The SEIS ADMO is jointly funded by EMLI, ENV, MIRR, FOR and WLRS and reports directly to Deputy Minister Committee of Natural Resources.

Full Time Equivalents (FTEs): 3

Related Legislation:
(note: decisions associated with these acts rest with the Ministry responsible)

- *Mines Act (EMLI)*
- *Environmental Management Act (ENV)*
- *Water Sustainability Act (WLRS)*
- *Wildlife Management Act (WLRS)*
- *Land Act (WLRS)*
- *Forests Act (FOR)*
- *Declaration of the Rights of Indigenous Peoples Act (IRR)*

Organizational Chart:



RECONCILIATION, LANDS AND NATURAL RESOURCE POLICY

ADM Responsible: Colin Ward

Overview of Core Business / Program Area:
The Reconciliation, Lands and Natural Resource Policy Division is a mix of corporate, ministry and Natural Resource Sector-wide services and more programmatic functions related to the administration of Crown Land, including responsibility for Crown Land policies and the disposition of Crown Land to First Nations pursuant to negotiated agreements.

The division is the lead policy-maker with respect to decision-making on Crown land and support the administration of Crown land by establishing and maintaining Crown land policies, which provide guidance to delegated decision-makers with the policy framework to make decisions regarding applications for interests in Crown Land. The division also leads the implementation of Crown land transfers to First Nations that are committed to through a variety of government-to-government agreements, including treaties, comprehensive reconciliation agreements and accommodation agreements. The division also provides leadership on a range of issues related to reconciliation and the natural resource sector, including being the hub for government's policy for how government discharges its duty to consult with First Nations in relation to activities that may affect Aboriginal rights, leadership across all Natural Resource Ministries respecting government's support for First Nations guardians programs, and the leadership regarding the provision of support and guidance related to the negotiation and implementation of agreements with First Nations. It also provides legislative, regulatory and policy services to the rest of the Ministry in pursuit of its objectives.

Lands Programs: The Lands Programs Branch oversees the operation of the Crown Land registry, the development of Crown Land Policy and the provision of training and guidance to delegate decision-making staff who are responsible for the implementation of the policies when making decisions respecting land, support for marketing and sale of Crown Land in support of key government initiatives, including housing, and responsibility of the Crown Contaminated Sites Program, which manages the restoration of many significant contaminated sites.

First Nations Land Transfer (FNLT): The FNLT team works closely with the Ministry of Indigenous Relations and Reconciliation to support the negotiation of land transfer agreements with First Nations. FNLT leads the implementation work of land transfers, which are committed through negotiated agreements, including Treaties and other constructive agreements, such as accommodation agreements and comprehensive reconciliation agreements. This work includes working across government to identify any existing public or private interests in land that need to be considered in the course of a transfer of land.

NRS Strategic Partnerships, Policy and Legislation: This team provides general strategic policy services to support policy work not held elsewhere in the ministry (e.g. compensation policy, landslides) and provides the legislative services for the ministry, including the legislative and regulatory needs of program areas in the ministry. The Branch also leads the ministry's efforts regarding the work to align the laws the ministry is responsible for with the Declaration on the Rights of Indigenous Peoples Act. The team also manages the ministry's relationship with key First Nation organizations such as the First Nations Leadership Council and the Alliance of BC Modern Treaty Nations.

NRS Reconciliation Policy and Strategies: This Branch provides leadership in developing a "roadmap" for the natural resource sector to support the effective operationalization and implementation of the Declaration on the Rights of Indigenous Peoples Act, including leading or supporting programs such as the guardians program, the development of guidance to support negotiations with First Nations and co-ordinates the implementation of WLRS commitments in significant reconciliation agreements, such as the Haida Changing Tides Agreement. The Branch includes the Strategic Consultation Initiatives unit, which is responsible for supporting statutory decision-makers with policy guidance in respect of government's duty to consult and is responsible for government's central consultation databases. Regional Management Committee Coordination.

NRS Reporting, Economic Insights and Analysis: This Branch leads the development of a socio-economic analytical framework which supports decision-makers in evaluating the implications of decisions. The work is applied to ministry initiatives and the team leads work across the Natural Resource Sector to bring greater consistency regarding how government assesses the socio-economic impacts of policy decisions. The Branch is also responsible for sector-wide reporting on investments into fish and wildlife habitat and coordinating sector-wide research initiatives.

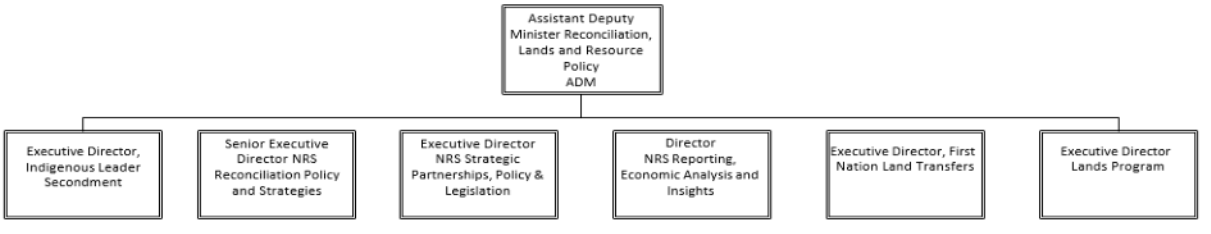
Budget: $11.610M

Full Time Equivalents (FTEs): 117

Related Legislation:

- *Boundary Act*
- *Greenbelt Act*
- *Land Act*
- *Land (Spouse Protection) Act*
- *Land Survey Act*
- *Land Surveyors Act*
- *Land Title Act*
- *Land Title Inquiry Act*
- *Land Transfer Form Act*
- *Ministry of Lands, Parks and Housing Act*
- *Off Road Vehicle Act*

Organizational Chart:



RESOURCE STEWARDSHIP DIVISION

ADM Responsible: Jennifer Psyllakis

Overview of Core Business / Program Area:
The Resource Stewardship Division leads province-wide work on ecosystem health and biodiversity, conservation of wildlife and habitat, terrestrial species recovery, and wildlife management. The Division is accountable for the *Wildlife Act* and its policy and regulation, including permitting and allocation to support angling and hunting opportunities. The Division is also responsible for the Provincial Wildlife Health Program and is leading the surveillance and response to disease detection, including Chronic Wasting Disease. This work is done through many partnerships and collaborations and continue to advance the shift toward wildlife co-management with First Nations to ensure effective stewardship and sustainable use.

Terrestrial Species Recovery Branch: Terrestrial Species Recovery Branch provides leadership in stewarding species and ecosystems at risk in B.C. The branch develops policy and guidance, coordinates recovery planning, implements conservation actions, promotes awareness and stewardship, provides innovative decision-making support, and uses land designations to protect and conserve habitat for at-risk species and other important wildlife (e.g., moose, mountain goat, etc). The branch also supports key deliverables within the Tripartite Framework Agreement on Nature Conservation.

The Caribou Recovery Program advances population recovery through actions including population monitoring, population management, habitat protection, and habitat restoration. BC has entered into formal agreements with Canada under the Federal Species at Risk Act to support these efforts including the Partnership Agreement that supports collaboration among West Moberly First Nations, Saulteau First Nations, Canada, and BC.

The Wildlife Branch: The Wildlife Branch leads the development of legislation, policy and regulations related to the oversight, allocation and sustainable management of wildlife throughout the province. Tasked with leading direct consultation and negotiations with First Nations and the commercial and recreation sectors, the Branch functions as the provincial wildlife experts and provides ongoing policy interpretation, advice and information to government, including to support the Provincial Wildlife Health Program (Chronic Wasting Disease, *Mycoplasma ovipneumoniae* (M. ovi), Bluetongue, etc). The Branch is the lead agency for the Wildlife Act and its attendant regulations, including Controlled Alien Species (possession of non-native, dangerous wildlife), the Commercial Activities, and Limited Entry Hunting Regulations among others. Various business activities include preparing angling, hunting, trapping and the Limited Entry Hunting synopses; managing both the guide outfitter industry and resident hunter harvest to ensure compliance and sustainable use of resources; and, supporting data and licensing services.

Strategies and Partnerships Branch: The Strategies and Partnerships Branch leads the provincial coordination, planning and reporting for the Tripartite Framework Agreement on Nature Conservation, including governance, funding alignment, performance management and communications. The Branch also oversees and collaborates on implementation and integration of the Together for Wildlife Strategy, including supporting the provincial advisory body (Minister's Wildlife Advisory Council) and technical collaboration with the BC-First Nations Wildlife and Habitat Conservation Forum. The Branch plays a key role in governance and engagement best practices and provides internal and external communications support to ensure antiracism, reconciliation and human dimensions are considered.

Biodiversity and Ecosystems Branch: The Biodiversity and Ecosystems Branch leads and coordinates collaborative stewardship of biodiversity and ecosystems through the development of science and policy in partnership with First Nations and others. The Branch leads the development of legislation, regulations and guidance to support the stewardship of biodiversity, mitigation of impacts to various environmental values (Environmental Mitigation Policy), supports the assessment and reporting on the status of species, and aligns actions across government ministries to halt or reverse biodiversity loss. The Branch leads the provincial Conservation Lands Program, in partnership with First Nations, local governments, and numerous non-government organizations, to achieve provincial goals and commitments under international treaties (e.g., wetland and waterfowl conservation and habitat management) and agreements (e.g., Global Biodiversity Framework).

The Resource Management Branch: The Resource Management Branch leads the regional implementation of fish and wildlife permitting and regulations. Populations status is assessed through provincial fish and wildlife inventory programs, and use is regularly reviewed to make decisions under *Wildlife Act* and other statutes. Specific accountabilities include guide outfitter licenses, guide territory certificates, trapline licenses and transfers, general wildlife permits, scientific fish collection permits, in addition to several other types of Wildlife Act permits. Providing timely and informed decisions is critical to ensure the long-term sustainability of fish and wildlife populations in British Columbia for ecological, cultural, economic, and recreational benefits.

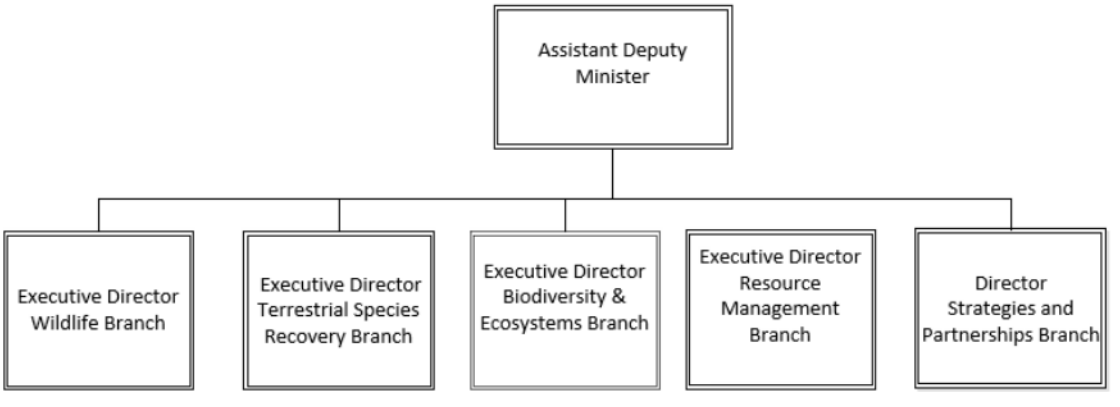
Budget: $41.365M

Full Time Equivalents (FTEs): 288

Related Legislation:

- *Wildlife Act*
- *Creston Valley Wildlife Act*
- *Environmental Management Act - section 5f*
- *Flathead Watershed Area Conservation Act*
- *Forest and Range Practices, Government Actions Regulation*
- *Land Act, Land Use Objectives Regulation*
- *Ministry of Environment Act - section 4(2), (b), (f), (g)*
- *Riparian Areas Protection*
- *Energy Resource Activities Act, Environmental Protection and Management Regulation*

Organizational Chart:



NATURAL RESOURCE INFORMATION AND DIGITAL SERVICES

ADM Responsible: Andy Calarco

Overview of Core Business / Program Area:
The Natural Resource Information and Digital Services (NRIDS) division is the Digital and Data services provider and partner to all of the Natural Resource Ministries (NRM) – a group which includes: Ministry of Agriculture and Food; Ministry of Energy, Mines, and Low Carbon Innovation; Ministry of Environment and Climate Change Strategy; Ministry of Forests, Ministry of Indigenous Relations and Reconciliation; and, Ministry of Water, Land, and Resource Stewardship. The division is divided into two core areas, first the NR Sector Digital Services Program, and second the GeoBC and NR Sector Data Services Program.

As a dedicated service provider, NRIDS enhances the operational capabilities of the NRM through the strategic integration of high-quality data, advanced technologies and a unique cross-ministry perspective to drive integration and broader strategic alignment. An overarching goal is to collaborate and create a fully digital experience for clients and staff, modernize and transform NRM services, and explore innovative Information Technology (IT) solutions to expedite evidence-based decision-making. NRIDS is also key partner and advisor to NRM programs in implementing leading-edge technology such as Artificial Intelligence, cloud-based digital and data solutions, and an enterprise architecture that balances sustainability and value with innovation.

The division is dedicated to enabling data-driven decision-making by managing key geospatial and other critical datasets that support the strategic goals of the NRMs. By providing data analysis, insights, and visualizations, NRIDS helps stakeholders make informed decisions for effective resource stewardship and service delivery in British Columbia. This includes creating, maintaining, and publishing comprehensive datasets on species, ecosystems, infrastructure, and the natural landscape, ensuring easy access to up-to-date information.

Digital Partnerships and Solutions: The Digital Partnerships and Solutions Branch works with NRM to enable the effective deployment of information technology (IT) in support of their mandates. This at a strategic level through the collaborative development of digital strategies, and then through linking investment decisions from that plan to priority business objectives for each of the NRMs. The Branch also leads and resources all NRM Agile software development initiatives, building a strong internal community of application developers that are explicitly focused on client needs.

Infrastructure, Operations and Project Services: The Branch assures the essential stability, security, and efficiency of technical infrastructure and operations for NRMs, ensuring that ministries are getting the most value out of their information technology (IT) investments. These supports including the maintenance and enhancement of the 470+ NRS software applications, information privacy and cybersecurity, and the technical infrastructure that supports all of them – this is a significant accountability, and the NR Sector represents the single largest collection of custom applications across the BC government. In addition, the branch provides project management to ensure effective delivery of multi-million dollar capital projects across the NRM.

Beyond this core IT role, the branch plays a critical role in supporting emergency response by providing field technical support for the BC Wildfire Service and other provincial response agencies, and in managing the provincial radio communications network and infrastructure – an essential and unique backbone of communications for emergency response and workers in remote wilderness areas across all of BC.

Foundational Information and Technology: The Branch plays a pivotal role in building, managing and delivering essential foundational data and information products which are critical for effective decision-making and for sustainable and resilient ecosystems, industries and communities. This includes maintaining accurate location-based datasets and information about those locations, supporting infrastructure for data accessibility, and ensuring data integrity across provincial initiatives. The team develops and provides foundational road, address, and routing data in support of 9-1-1 emergency dispatch, operates the provincial Lidar program – a $40MM program to acquire high resolution 3D data of the land for all of BC, and operates and leads the BC Provincial Drone Program – a service that oversees provincial drone pilot certifications operations licensing, as well as provides rapid drone response teams and equipment for emergencies and urgent provincial needs.

Integrated Data and Analysis Services: The team uses data-driven insights and fosters collaboration between natural science and analytics to improve decision-making and policy development in the natural resource sector. By understanding ecological, social and natural resource policy dynamics, the branch supports sustainable resource management, environmental preservation, and reconciliation with Indigenous communities.

Key responsibilities include setting standards for inventory, mapping, and cartography, as well as managing species and ecosystem data. The branch also provides geospatial services, analytics, and develops custom mapping products for provincial natural resource programs.

Analytics and Visualizations Services: The Analytics and Visualization Services Branch provides tailored insights and innovative visualizations, supporting cross-NR sector initiatives, targeted programs, and local priorities. Specializing in geospatial technology, the branch enhances resource stewardship efforts and community resilience through customized solutions and in making expert information understandable to broad audiences.

Key responsibilities include setting standards for web mapping and visualizations, providing geospatial support for permitting, environmental stewardship, and reconciliation efforts, and offering customized mapping and analysis for emergency response, climate adaptation, and disaster risk reduction.

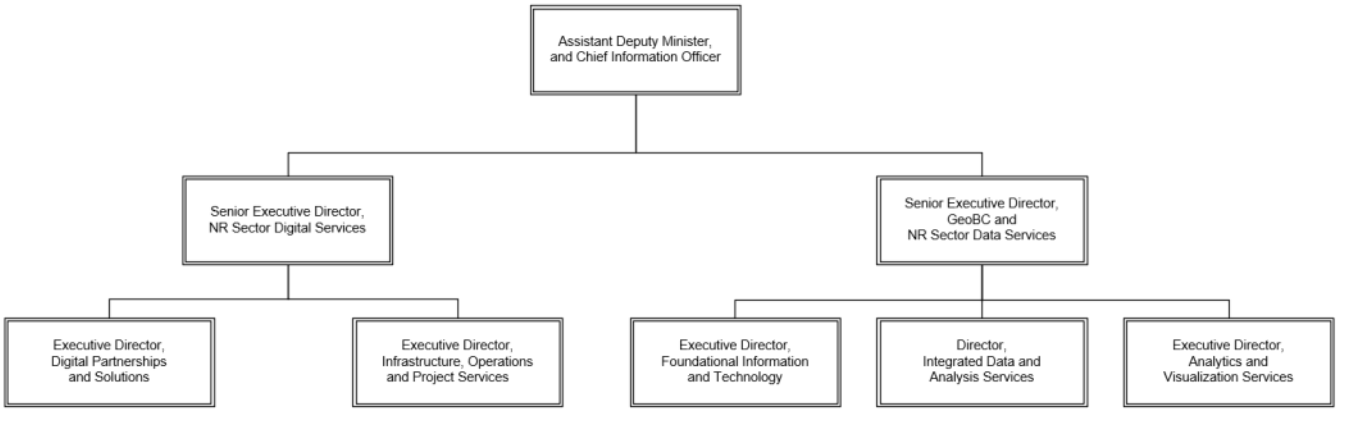
Budget: $28.803M

Full Time Equivalents (FTEs): 549

Related Legislation:

- *Land Act Part 1 / Land Act Part 1.1*

Organizational Chart:



CORPORATE SERVICES FOR THE NATURAL RESOURCES MINISTRIES

ADM Responsible: Sonja Martins (FOR and WLRS) and Ranbir Parmar (AF, EMLI, ENV and MIRR)

Overview of Core Business / Program Area:
Corporate Services for the Natural Resource Ministries (CSNR) is a corporate services organization providing services for approximately 8,000 employees in the natural resource ministries* in over 100 locations throughout the province.

CSNR Services:

Facilities, Fleet & Corporate Security

- Facilities – workspace accommodation, project and issue management
- Fleet and Assets – planning, analysis, reporting, maintenance and procurement (for AF, ENV, FOR and WLRS)
- Risk and Corporate Security – planning, response and recovery assistance for business disruptions and physical security issues

Financial Services

- Budgeting, forecasting and financial analysis/reporting and support; expenditure, revenue management and recovery processing and reporting
- Financial planning and reporting
- Financial operations
- Accounting
- Financial systems and data entry
- Financial policy, compliance and procurement

Human Resources

- Recruitment resources and hiring support services, onboarding and classification and exclusion support services
- Equity, Diversity and Inclusion programs and resources
- Learning and development / Leadership development
- Corporate initiatives including Work Environment Survey reports and resources
- Health and workplace wellness
- Workforce planning including analytics

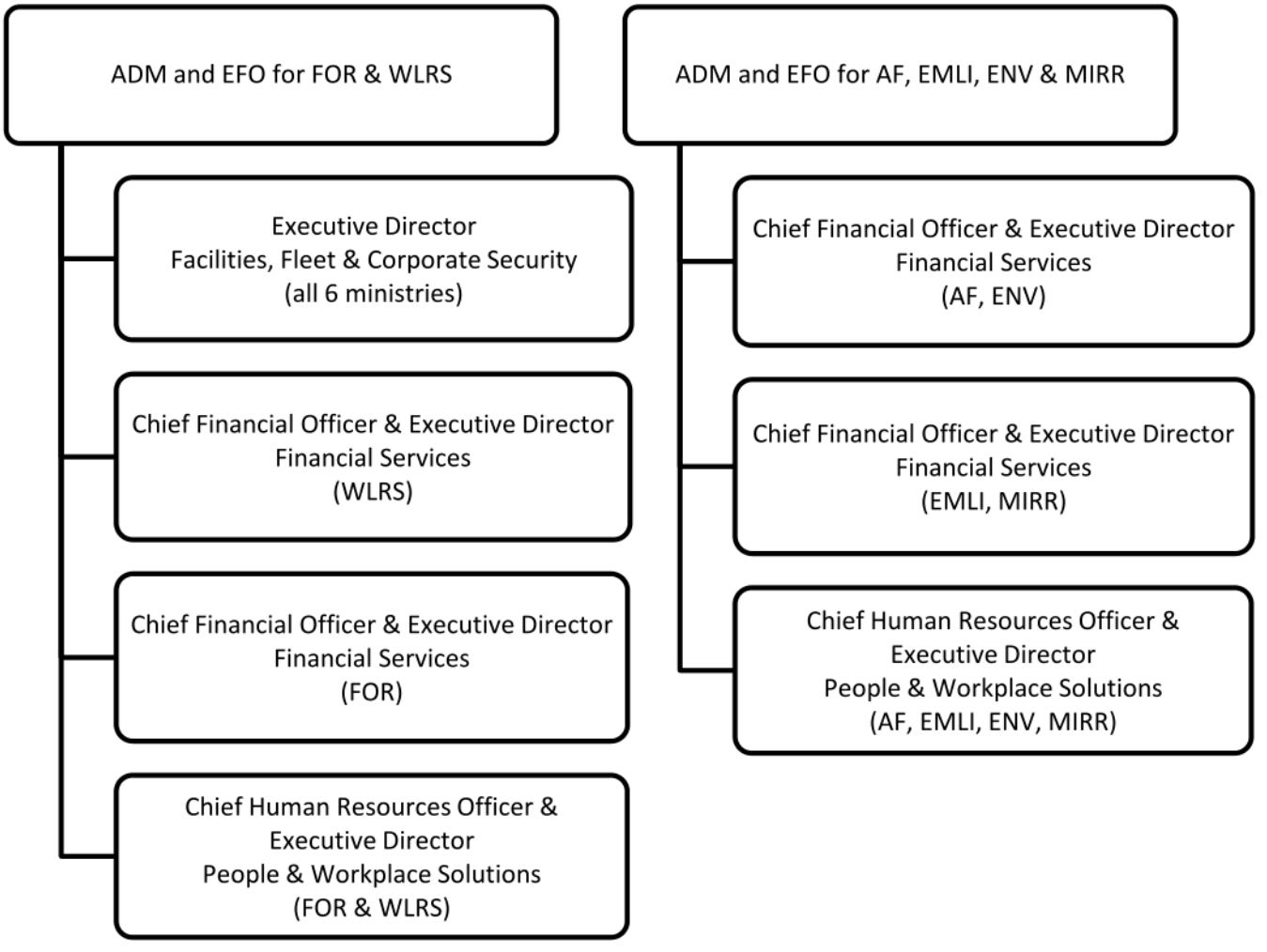
Budget: Government Financial

Full Time Equivalents (FTEs): 371

Related Legislation: N/A

**Agriculture and Food (AF), Energy, Mines and Low Carbon Innovation (EMLI), Environment and Climate Change Strategy (ENV), Forests (FOR), Indigenous Relations and Reconciliation (MIRR) and Water, Land and Resource Stewardship (WLRS).*

Organizational Chart:



EXECUTIVE MEMBER BIOGRAPHY

Name: Lori Halls
Title: Deputy Minister
Ministry: Water, Land and Resources Stewardship

Biography:
Lori was appointed Deputy Minister for the Ministry of Water, Land and Resource Stewardship on February 25, 2022 when the Ministry was first established following the natural resource ministries organizational effectiveness review.

Lori has been with the BC Public Service for 33 years and a member of its corporate executive for 15 years. She has held progressive leadership roles in the Ministry of Health, including the Chief Operating Officer for HealthLinkBC and has held Assistant Deputy Minister roles in the Ministry of Environment and the Public Service Agency. Prior Deputy Minister roles include BC Public Service Agency, former Emergency Management BC, and Land and Natural Resource Operations Secretariat. Lori has a Bachelor of Arts in Political Science and History and a Master of Public Administration from the University of Victoria Personal Information

Personal Information

EXECUTIVE MEMBER BIOGRAPHY

Name: David Muter
Title: Assistant Deputy Minister, Land Use Planning and Cumulative Effects Division
Ministry: Water, Land and Resource Stewardship

Biography:
David has over 14 years of experience working in the public service, serving in senior leadership roles in both a Crown corporation and in multiple different ministries. In 2020, David became the Assistant Deputy Minister with the Resource Stewardship Division with the former Ministry of Forests, Lands, Natural Resource Operations and Rural Development. On April 1, 2022, with the creation of the new Water, Land and Resource Stewardship ministry, David took on the role of Assistant Deputy Minister with the Land Use Policy, Planning and Ecosystems Division, which was renamed to Land Use Planning and Cumulative Effects Division in December 2023.

Prior to joining the BC Public Service, David spent over 10 years working in the forest industry in the areas of new product development, process improvement and finance. His work with industry took him clear across Canada from the Gaspé Peninsula to Vancouver Island. David holds a Bachelor of Science from the UBC Faculty of Forestry Personal Information

EXECUTIVE MEMBER BIOGRAPHY

Name: James Mack
Title: Assistant Deputy Minister, Water, Fisheries and Coast Division
Ministry: Water, Land and Resource Stewardship

Biography:
James Mack is the Assistant Deputy Minister of Water, Fisheries, and Coast Division with the Ministry of Water, Land and Resource Stewardship. Since joining the provincial government in 2008, James has held various positions including as the Head of BC's Climate Secretariat, Assistant Deputy Minister Agriculture Science and Policy, and most recently as Assistant Deputy Minister Environmental Sustainability Division in the BC Ministry of Environment and Climate Change Strategy.

Prior to joining the provincial government, James worked over ten years for the Government of Canada in a variety of organizations including the Canadian Environmental Assessment Agency, the Privy Council Office, and the Northern Affairs Office of Indian and Northern Affairs Canada. James has a Bachelor of Arts (hons.) in Political Science from UBC and a Master of Arts in Political Studies from Queen's University. Personal Information

EXECUTIVE MEMBER BIOGRAPHY

Name: Jennifer Anthony
Title: Assistant Deputy Minister, Permitting Transformation Division
Ministry: Water, Land, Resource Stewardship

Biography:
Jennifer (Jen) Anthony became the ADM of Permitting Transformation with its inception November 2023. She joined the BC public service in 2007, and has worked across different positions and jurisdictions, including a brief two-year hiatus to the Yukon to manage a regional office with the Yukon Environmental and Socio-Economic Board. Jen has worked with the Environmental Assessment Office and Energy & Mines in a diversity of leadership positions focused on a variety of permitting and regulatory issues with a strong focus on mining-related issues. In 2022, Jen was the lead of the Permitting Solutions Office, comprised of talented and motivated individuals dedicated to making a difference across permitting processes, policy, systems, and people.

Prior to joining the BC Public Service, Jen worked with the federal government in the Northwest Territories as well as Alberta under the Agriculture and Agri-Foods department as well as Environment Canada. Jen has a Bachelor of Science in physical geography and climatology from the University of Calgary.Personal Information
Personal Information

EXECUTIVE MEMBER BIOGRAPHY

Name: Laurel Nash
Title: Assistant Deputy Ministry, Southeast Initiatives Secretariat
Ministry: Water, Land and Resource Stewardship

Biography:
Laurel has a BSc in Geography from the University of Victora. Her career in the Natural Resource Sector of the BC public service has spanned nearly 35 years, including roles in B.C. Parks, the Ministries of Forests, Energy Mines, and Petroleum Resources, Indigenous Relations and Reconciliation, and Environment and Climate Change Strategy. Laurel has been an Executive member since the early 2000s, including as Executive Lead, Chief Gold Commissioner, and Director of Petroleum Lands in Energy and Mines, Chief Negotiator and Assistant Deputy Minister in Indigenous Relations and Assistant Deputy Minister in Environment. This has positioned her well for her current assignment leading the newly created Southeast Initiatives Secretariat, a multidisciplinary, cross-ministry team formed in July 2024 to facilitate key initiatives in this critically important region including a mandate to advancing continued responsible mining, coordinating authorizations, improving water quality and stewardship of our natural resources with Indigenous Nations and transboundary engagement.

Laurel brings innovation and collaboration to any role she is assigned and looks forward to continuing her work with all levels of government, Indigenous Nations, industry, and other partners to find opportunities to improve our economic climate while providing strong resource stewardship in the province. Personal Information

Personal Information

EXECUTIVE MEMBER BIOGRAPHY

Name: Colin Ward
Title: Assistant Deputy Minister, Reconciliation, Lands and Natural Resource Policy
Ministry: Water, Land and Resource Stewardship

Biography:
Colin joined the BC Public Service in 2016, working as an Executive Director in Treasury Board Staff at the Ministry of Finance and in the Ministry of Indigenous Relations and Reconciliation as the Executive Director of the Integrated Negotiations Branch. He was a key part of the development of several significant policy initiatives, including the CleanBC Roadmap to 2030 and government's Climate Preparedness and Adaptation Strategy through his work with Treasury Board Staff. A policy wonk at heart, Colin has a passion for the work of reconciliation recognizing the potential benefits to all British Columbians and is grateful for the many opportunities he has had to work in support of reconciliation for many years. Prior to joining the BC Public Service, Colin worked for Tsawwassen First Nation (TFN) for eight years, helping establish its legislative and governance frameworks prior to its Treaty Effective Date before continuing to work for TFN on policy and program development and implementation across a range of topic areas. He was appointed ADM for the Reconciliation, Lands and Natural Resource Policy Division in May 2022.

Colin has a Bachelor of History (Hons.) from Queen's University in Kingston and a Master of Public Policy from Simon Fraser University. Personal Information
Personal Information

EXECUTIVE MEMBER BIOGRAPHY

Name: Jennifer Psyllakis
Title: A/Assistant Deputy Minister, Resource Stewart Division
Ministry: Water, Land and Resource Stewardship

Biography:
Jennifer Psyllakis was directly appointed Acting Assistant Deputy Minister of the Resource Stewardship Division when it was created in December 2023. Jennifer's career with the BC Public Service began in 2008. Since that time, she has held a variety of leadership roles developing Natural Resource ministry policies, strategies and agreements including the Environmental Mitigation Policy, Cumulative Effects Framework, Together for Wildlife Strategy and the Tripartite Framework Agreement on Nature Conservation. In her Executive Director roles, she has led core program areas for wildlife, habitat and species at risk. In 2017, Jennifer was appointed the Director of Wildlife under the *Wildlife Act* and held associated statutory responsibilities until 2022.

Jennifer is currently a provincial representative on the Invasive Species Council of BC's Board of Directors and has provided stewardship leadership nationally and internationally through various board positions including the western Director representative for Wildlife Habitat Canada and elected President of the Western Association of Fish and Wildlife Agencies. Jennifer holds a B.Sc. in Wildlife Management from McGill University, M.Sc. in Biology from University of Regina, and Ph.D. in Natural Resource Management and Environmental Studies from the University of Northern B.C. Personal Information

Personal Information

EXECUTIVE MEMBER BIOGRAPHY

Name: Andy Calarco
Title: Assistant Deputy Minister and Chief information officer, Natural Resource Information & Digital Services
Ministry: Water, Land and Resource Stewardship

Biography:
Andy joined the BC Public Service in 2008 and has since worked in various capacities across the Natural Resource Ministries. His initial role was to transform and modernize the provincial aerial imagery program within the Integrated Land Management Bureau. He has since held positions such as Director of GeoBC, Executive Director of the Integrated Resource Operations Division at the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, and Executive Director in the Information, Innovation, and Technology Division. Currently, he serves as the Assistant Deputy Minister for the Natural Resource Information & Digital Services Division and Chief Information Officer for the six natural resource sector ministries.

Andy holds a Master of Science degree from the University of Western Ontario, where he specialized in glacial hydrology, statistical modeling, and geospatial analysis. Before his tenure in the BC Public Service, he spent eight years internationally as a product manager in the geomatics industry, providing consulting services and directing software development for private companies and governments globally. Personal Information
Personal Information

EXECUTIVE MEMBER BIOGRAPHY

Name: Sonja Martins
Title: Assistant Deputy Minister and Executive Financial Officer, Corporate Services for Natural Resources
Ministry: Water, Land and Resource Stewardship

Biography:
Sonja Martins is the Assistant Deputy Minister for Corporate Services for the Natural Resource Ministries (CSNR) serving as Executive Financial Officer for the Ministry of Water, Land and Resource Stewardship and the Ministry of Forests. She is the lead for financial services, facilities, fleet and assets and human resources for those ministries.

Sonja has worked for the BC Public Service for over 30 years in several ministries and organizations, including BC Ferries, the Public Guardian and Trustee and the Ministry of Advanced Education. However, most of her career has been in corporate services for the natural resource ministries with roles in finance, facilities and human resources. With a degree in Business Administration, she has been with CSNR since it was created in 2010 and was appointed ADM and EFO for CSNR on April 1, 2022. Personal Information
Personal Information

EXECUTIVE MEMBER BIOGRAPHY

Name: Ranbir Parmar
Title: Assistant Deputy Minister and Executive Financial Officer, Corporate Services for Natural Resources
Ministry: Water, Land and Resource Stewardship

Biography:
Ranbir Parmar is one of the Assistant Deputy Ministers (ADM) for Corporate Services for the Natural Resource Ministries (CSNR) and the Executive Financial Officer (EFO) for the Ministries of Agriculture and Food; Energy, Mines and Low Carbon Innovation; Environment and Climate Change Strategy; and Indigenous Relations and Reconciliation. He is also the lead for the Financial Services Branch and the People and Workplace Solutions Branch supporting those ministries. Ranbir started his career in the public service in 1994 with the Ministry of Transportation. He has also worked in a variety of roles for the Ministries of Small Business and Revenue, Finance, and Ministry of Forests and Range. Ranbir was permanently appointed as the ADM and EFO on April 1, 2022, he has a Bachelor of Commerce Degree in Finance from the University of British Columbia, and is a Chartered Professional Accountant, CGA.

Personal Information

WATER, LAND AND RESOURCE STEWARDSHIP
30-60-90-Day Issues

Issue / Decision / Activity	Brief Description
30 Days	
Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications	
Tripartite Framework Agreement on Nature Conservation	The Tripartite Framework Agreement on Nature Conservation was signed in November 2023 by the First Nations Leadership Council (FNLC), Canada and BC. The Agreement commits to 30% of BC's land and water being protected by 2030 and advances ecosystem health and biodiversity conservation. The Agreement leverages existing program base budgets. Cabinet Confidences; Government Financial Information; Intergovernmental Communications Cabinet Confidences; Government Financial Information; Intergovernmental Communications
Biodiversity and Ecosystem Health Framework	The draft Biodiversity and Ecosystem Health Framework proposes a new approach for land and water stewardship that prioritizes in new legislation conservation and management of ecosystem health and biodiversity. Outcomes of the draft Framework are intended to advance reconciliation and safeguard the long-term health and well-being of communities and economies by ensuring clean air, clean water and ecosystem resilience through a "whole of society, whole of government approach". Rather than managing species by species, the Framework proposes to focus on ecosystems Advice/Recommendations
Wildlife Act Review	Targeted engagement on the Wildlife Act concluded in March 2024. Key policy themes include objective setting; reconciliation with Indigenous Peoples; hunting, angling, trapping and commercial activities (including compensation); fish and wildlife habitat, conservation lands and stewardship (including funding models); and compliance and enforcement. Advice/Recommendations Advice/Recommendations

Issue / Decision / Activity	Brief Description
60 Days	
Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications	
Provincial input to federal transition plan for salmon aquaculture	Canada has announced a ban on open-net pen aquaculture effective in 2029. An engagement process was launched in September 2024 to develop a transition plan that will look at new technology options for the sector, community economic transition, and ongoing management of existing farms through the transition period. BC has several related roles to salmon aquaculture including issuing tenures for the operations or decommission of farms as well as authorizations for water use or effluent for new farm technologies. BC has advocated for a transition plan that considers both the economic transition of the sector as well as for coastal communities. Early direction will be required on provincial input into the federal transition plan development.
Skidegate and Masset Inlet Wildlife Management Area establishment	As part of the recently approved MPA Network Collaborative Governance agreements, BC is striving to meet targeted timelines for the establishment of the Skidegate and Masset Inlet Wildlife Management Areas in Dec 2024. This will require an OIC in December to meet timelines under the MPA Network governance agreement.
Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications	

Issue / Decision / Activity	Brief Description

Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications

Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications

90 Days

Advice/Recommendations; Cabinet Confidences

Wildlife Act Regulation – public engagement on the Controlled Alien Species Regulation (CASR)	Targeted engagement to update key elements of the CASR. Would allow government to address ownership of Serval cats and similar species not currently covered by the CASR.Advice/Recommendations Advice/Recommendations
Wildlife Act Regulation – pets and traps	Targeted engagement to launch on updating regulations to mitigate instances of pets caught and injured in traps. Advice/Recommendations
Caribou Recovery Program Implementation	The Caribou Recovery Program delivers habitat and population management to support the recovery of caribou herds throughout the province. Habitat conservation and protection measures have potential to have social and economic impact. Advice/Recommendations Advice/Recommendati

Cabinet Confidences

Issue / Decision / Activity	Brief Description
Cabinet Confidences	
Coastal Marine Strategy - Implementation plan development and funding	The province announced a Coastal Marine Strategy in July 2024 that was co-developed with coastal First Nations and a result of extensive engagement with communities and interests across BC's coast. No direction has yet been provided on an implementation priorities or resourcing. Early direction will be required on the future of the strategy including priorities and resourcing.
Watershed Security Strategy – Implementation plan development, Strategy release and funding	The province completed co-development with First Nations and extensive engagement across BC communities and interest groups on the development of a new Watershed Security Strategy. While some actions have been completed, including a new Watershed Security Fund and new efforts at collaborative water governance and planning efforts, a final decision has not been made on the approval of Strategy, implementation priorities or resources. Early direction will be required on the future of the strategy including priorities and resourcing.
BC Flood Strategy	In early 2024, BC announced a new BC Flood Strategy as the result of extensive engagement with First Nations, local governments and interest groups. BC has initiated several actions under the Strategy, such as project level funding for flood resilience projects, but has not set direction on implementation priorities or resourcing. Early direction will be required on the future of the strategy including priorities and resourcing.
Advice/Recommendations; Cabinet Confidences; Interests of an Indigenous People	

MAJOR CORPORATE ISSUE NOTE
(LAND USE PLANNING)

Ministry/Ministries:

- Water, Land and Resource Stewardship (lead)
- Energy, Mines and Low Carbon Innovation
- Forests

Issue:

- Land use planning sets the strategic direction to guide sustainable resource stewardship and management of provincial public land and waters to meet economic, environmental, social, and cultural objectives. Current policy requires land use planning to be done in partnership with First Nations and with the full involvement of communities, stakeholders and the public. Advice/Recomm Advice/Recommendations

- Through the Tripartite Framework Agreement on Nature Conservation with Canada and the First Nations Leadership Council, government has committed to making progress towards 30% conservation by 2030. Some stakeholders and industry have expressed concern that there is no similar economic or reconciliation objective for the use of public lands. This has resulted in a lack of public and stakeholder trust for some land use planning processes and concerns that conservation goals will be prioritized over rural economies and jobs.
- Government's vision and direction for the use of public lands is needed to inform the economic, conservation and reconciliations objectives that are to be achieved through land use planning.

Background:

- Land Use Planning (LUP), and other strategic planning initiatives, are the primary process by which government had engaged First Nations, stakeholders and the public to pursue conservation, reconciliation and economic objectives. This includes the incorporation of First Nations' interests expressed through self-declared Indigenous Protected and Conserved Areas (IPCAs), of which there are currently over 60 proposals.
- There are currently 15 formal LUPs with previous cabinet mandates, in various stages of development from pre-planning to implementation. Recently completed land use planning on Vancouver Island with 'Namgis First Nations has resulted in increased conservation of fish, wildlife, recreation and cultural values and Advice/Recommendations Advice/Recomme Other land use planning initiatives in the North are expected to unlock areas for critical mineral development and oil and gas development while also increasing conservation and reconciliation goals.
- Land use planning is designed to:
    - Solve land and water use conflicts across multiple natural resource sectors, bringing predictability to the land base and permitting regimes;
    - Support and maintain high values in planning area;
    - Implement strategic level policies and mandates (e.g. critical minerals strategy); and,
    - (Intergovernmental Communications
- Previous land use planning that occurred from the early 1990s to the mid 2000s primarily focused on conservation values and forestry activities and often did not include or reflect First Nation interests. Since then, many of these plans are obsolete due to climate change, natural disturbance, and changes in natural resource sector economics.

- In 2017, government directed that land use planning be reinstated and modernized to provide a more efficient and cohesive approach to decisions on the land base and aligned to the expectations of the UN Declaration on the Rights of Indigenous Peoples.
- Advice/Recommendations; Cabinet Confidences

- Other strategic planning initiatives that have developed since 2017 include Forest Landscape Plans (FLPs), Marine Plans, Watershed Stewardship Plans and planning commitments under strategic agreements with First Nations (e.g. Tŝilhqot'in National Government, Coastal First Nations). In many cases, these plans seek the same outcomes and have similar complexities as formal land use plans yet are established under separate mandates and processes. Advice/Recommendations; Intergovernmental Communications

- B.C. is aware of approximately 60 IPCA proposals at various stages of development. Since 2022, Canada has provided approximately $63M to B.C. First Nations to support stewardship and conservation interests of IPCAs. It is anticipated that B.C.'s $300M Conservation Financing Mechanism (announced in 2023 with the BC Parks Foundation – BCPF) will significantly fund IPCA interests.
- Advice/Recommendations; Cabinet Confidences; Government Financial Information; Intergovernmental Communications

- Interests of an Indigenous People; Intergovernmental Communications

Interests of an Indigenous People; Planning in the Northeast is combined with commitments to restoration of past industrial and commercial disturbances and new protected areas established to conserve important cultural values, habitat, and ecosystems. Collectively these measures are intended to redefine the balance between the protection of treaty rights and responsible resource development. Absent these measures, the courts direction in the Yahey case would have prevented government from advancing most natural resource development activities resulting in a significant loss to provincial revenue and the near closure of all resource sector jobs in the area. Interests of an Indigenous People; Intergovernmental Advice/Recommendations; Intergovernmental Communications

Interests of an Indigenous People; Intergovernmental

Implications / Considerations /Opportunities

- The complexity of land use planning has increased largely due to:
  - Government obligations to co-develop land use plans and objectives with First Nations, including amendments of existing land use legislation as per Declaration on the Rights of Indigenous Peoples Act (DRIPA).Advice/Recommendations
    Advice/Recommendations

    Advice/Recommendations
  - Reaching agreement on land use with First Nations in areas of territorial overlap.
  - Lack of clarity on economic goals for public land and how socio-economic interests are considered in planning, which has increased industry concerns with planning and proposed conservation in processes underway.
  - Uncertainty around the authority and increased numbers of First Nations IPCA declarations directing use and access to traditional territories have led to industry and local government concerns as well as isolated incidents of conflict around access to infrastructure and facilities. The public has also expressed concern over access to public lands for recreation.
  - Lack of coordination and governance of other land and resource planning initiatives across the natural resource sector (e.g., forest landscape planning) as well as reconciliation negotiations that have emerged and raise First Nations land use issues that are only appropriately addressed through a publicly involved Land Use Plan.
- Advice/Recommendations

- Intergovernmental Communications

Intergovernmental Communications (Cabinet Confidences; Intergovernmental Communications
Cabinet Confidences; Intergovernmental Communications

Cabinet Confidences; Intergovernmental . Intergovernmental Communications
Intergovernmental Communications

- Advice/Recommendations

- Advice/Recommendations

Advice/Recommendations

- The land use policy framework should be updated to provide better clarity on coordination and management of different planning initiatives across the natural resource sector in order to streamline the planning process and reduce public and stakeholder confusion.

Decision(s) Required / Next Steps:

- Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications
-
-

MAJOR CORPORATE ISSUE NOTE
(PERMITTING TRANSFORMATION)

Ministries: Water, Land and Resource Stewardship; Agriculture and Food; Energy, Mines and Low Carbon Innovation; Environment and Climate Change Strategy; Environmental Assessment Office; Forests; Transportation and Infrastructure, BC Energy Regulator (the NRMs).

Issue: Transformation efforts must continue to accelerate permitting decisions that are integral to resource development and effective stewardship of natural resources. Predictable, faster, more transparent, and durable decisions are needed while maintaining high environmental standards to ensure BC remains competitive, public confidence in the regulatory regime is maintained, cumulative impacts are effectively managed, and BC is positioned to respond to changing conditions in both the marketplace and environment. Previous efforts have shown that increasing resources without addressing underlying issues does not create sustained improvement and backlogs simply redevelop.

Background: Permitting by the Natural Resource Ministries (NRMs) plays a critical role in land and resource management to support a thriving economy, environmental stewardship and reconciliation objectives. Permitting enables critical infrastructure, clean energy, natural resource extraction, housing, connectivity, natural disaster recovery and restoration. Natural resource projects are authorized through a variety of statutes including but not limited to: the Land Act, Water Sustainability Act, Riparian Areas Protection Regulation, Forest Act, Environmental Management Act, Wildlife Act, Heritage Conservation Act, Transportation Act and the Environmental Assessment Act.

Advice/Recommendations; Government Financial Information

The regulatory regime for permitting and tenuring occurs across three levels: Strategic, Operational and Transactional.

(1) Strategic:
    a. The Environmental Assessment Act ensures that any potential environmental, economic, social, cultural and health effects that may occur during the lifetime of a major project are thoroughly assessed. The environmental assessment signal if a major project is supported to proceed. Environmental assessments are completed for projects such as major mines, large electrification and pipeline projects and shoreline modification projects if they meet prescribed thresholds.
(2) Operational:
    a. Smaller projects and initiatives that have impacts on the economy, environment and reconciliation that is often cumulative.
    b. Includes industrial development land projects, docks, clean-up of contaminated sites, restoration activities, instream works for road and highway maintenance, water licensing for non-domestic use.
(3) Tactical:
    a. Permitting that is required for a user to conduct an activity that has an impact on natural resources. Examples include hunting permits, fishing licences and Christmas Tree permits.

Government Financial Information

Advice/Recommendations

In 2022/2023, B.C. invested $77 million over 3 years and dedicated 203 full-time employees from across the NRMs to advance solutions in permitting. Overseen by a Deputy Ministers' Solution Project Board, over the last two years, the NRMs have driven strategic shifts while continuing to advance priorities across permitting through government projects of housing, connectivity and electrification. (Cross-ministry collaboration and early successes have built strong momentum in advancing permitting solutions by decreasing the time needed to process applications, reducing government-to-government permitting, and removing permit requirements in low-risk scenarios. This work includes:

Dedicated Teams and Resources, Enhanced Supports:

- Dedicated service and resources as well as process improvements has resulted in the elimination of 99% of the backlog in housing applications, as well as the ability for applicants to track their submission progress.
- Decisions on 99% of the 914 backlogged applications from March 2023 has resulted in a reduction in aged-files sitting and waiting for decision, saving approximately $16M for developers and enabling up to 210,000 new housing units to be built.
- In January 2023, MOTI created a dedicated Strike Force to expedite priority files and implemented strategic process improvements, reducing the average turnaround time for
- housing files from 60 days to 9 days in the Lower Mainland and resolving 99% of applications. Cross-ministry expert teams have been established to expedite connectivity-related permits. Since the teams were established in June 2023, 121 decisions have been made on 198 connectivity-related permits received, with an average turnaround time 70% lower than before.

- In March 2023, the backlog for riparian assessment was 373 files. With increased staff and improved processes, the backlog was eliminated. Since June 2023, the target review turnaround time of 30 business days has been maintained, down from 9-12 months.
- 80% of Cutting Permit applications were processed in 40 days in Q1 of this year. A 7% improvement over last year's performance.
- The number of decisions made by Archaeology Branch increased by 158% from 2018 to 2023 (478 to 1,235) largely due to reconfiguration of the branch to bring focus and priority to residential development.
- EMLI has reduced Major Project permit review timelines from an average of 259 business days to 164 business days since 2019.
- EMLI has reduced the backlog of regional mine permit applications by 56% since 2020 and the average processing time for mineral exploration files has been reduced from 164 to 148 days.

Expansion of Delegation and Deemed Authorities:

- MOTI delegations to local governments for rezoning approvals have been signed with 3 Local Governments reducing applications by 50 per year. Another 2 agreements are pending which will further reduce applications by another 50 per year. This will fast track developments within 800m of MOTI infrastructure.
- Delegation of the Water Sustainability Act from WLRS to MOTI is providing a project-cost overrun savings of approximately^{Govern} per year. MOTI's WSA authorizations team has completed 103 decisions since February 2024 and joint field auditing is planned for later this year to ensure compliance.
  Expanded BCER one window approach to include delegated authorities under the Land Act, Forest Act and Forest & Range Practices Act for restoration activities in the Northeast, to support rapidly diminishing cumulative effects as an obligation from the Yahey decision.

Removing or Reducing Permit Requirements in Low- Risk Scenarios:

- The Environmental Management Act's Public Notification Regulation was amended on July 6, 2024, with changes coming into effect immediately. This decreases the need for public notification and engagement for minor changes to operational certificates associated with Waste Management Plans issued to municipalities.
- 38 Blanket Permit approvals were put in place by MOTI with trusted utility companies for repetitive and low risk utility work within MOTI right of way, eliminating individual permitting and expediting project delivery on general utility work such as replacing poles, moving lines, hanging fiber, etc. WLRS created a sub-tenuring approach with BC Hydro, removing duplicative work, and an estimated 100 Land Act applications annually for Connectivity projects.

Supporting Disaster Recovery:

- Landscape level approach to Riparian Area Protection Assessments (RAPR) to remove the need for over 300 individual site assessments-focusing on a broader landscape approach and outcomes for rebuilding waterfront homes destroyed in the 2023 wildfires.
- FOR Archaeology Branch has 3 area permits in place to support the rebuilding of homes damaged in the 2023 wildfires rather than individual site by site archaeology assessments.

Implications / Considerations / Opportunities:
Early results demonstrate that through resourcing, focused effort of dedicated teams to question status quo and be creative, progress on permitting can be made however, much more must be done. Durable decisions, that consider legal obligations, economic and environmental objectives, public interests, along with consultation obligations are critical to prevent project delays from appeals or court processes and must be responsive to changing conditions in the marketplace and environment.

The regulatory regime has grown up incrementally, statute by statue and needs to be looked at wholistically.

<u>Addressing Cumulative Effects Supports Effective Permitting:</u>

- The implementation of economic, conservation and reconciliation objectives through land use planning is also one of the key elements to a cumulative effects management regime and can significantly reduce delays and transactional scrutiny on individual permitting and authorization decisions.
- Advice/Recommendations; Intergovernmental Communications

- Cumulative Effects is best managed at the landscape scale through transparent assessment of current conditions and the development of guidance and objectives done in collaboration with First Nations, industry, local communities and stakeholders. However, lack of government and First Nations capacity to complete CE value assessments and for planning to address cumulative impacts is resulting in increased complexity in permitting.
- Intergovernmental Communications

-

<u>Focus Going Forward:</u>

- Much can be learned from recent significant linear projects such as the Trans Mountain Pipeline Expansion, Coastal Gaslink and other projects such as LNG Canada Phase I and Site C. Work is underway to build a “one-window” approach for the North Coast Transmission Line informed by these lessons. Advice/Recommendations

Advice/Recommendations

- Learnings from Housing and Connectivity and strategic efforts are being applied to support efforts to deliver clean, affordable electricity across British Columbia, addressing BC Hydro's Call for Power Projects and Capital Projects.
    - Advice/Recommendations

- New priority projects, including disaster recovery and restoration, can be addressed by building on solutions from Housing, Connectivity and Electrification.
- Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications

- Advice/Recommendations; Intergovernmental Communications

- (Advice/Recommendations
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- The successful delegation of statutory authorities and effective use of deemed

authorizations since 2023 confirm the benefits of these approaches to reduce the volume of permit applications, streamline decisions, and improve outcomes. There is considerable opportunity to continue this work, further reducing the number of authorizations government issues to itself and the number of low-risk decisions the NRMs are making.

- Cabinet Confidences; Government Financial Information

- Government Financial Information; Intergovernmental Communications

- Currently NRMs have their own data and systems for permitting, not designed for cross-program ministry processes or performance. Advice/Recommendations; Intergovernmental Advice/Recommendations; Intergovernmental Communications

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Decision(s) Required / Next Steps:

- Advice/Recommendations; Cabinet Confidences

- Advice/Recommendations

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MAJOR CORPORATE ISSUE NOTE
(SOUTHEAST INITIATIVES)

Ministry/Ministries:

- Lead ministry: WLRS
- Other core ministries: ENV, EMLI, FOR, MIRR
- Associate ministries: EAO and MOTI

Issue:

Mining and other natural resource extraction activities in the Elk Valley have resulted in substantial adverse environmental impacts on water quality and aquatic ecosystems from elevated levels of selenium and other contaminants. There are also significant impacts on the land including rare ecosystems (including high elevation grasslands) and bighorn sheep. Indigenous rights held by the Ktunaxa Nation are adversely impacted by the current condition of the land and water.

Background:

Southeast B.C., specifically the Elk Valley, is critical to the provincial economy with metallurgical (or steelmaking) coal mining providing 12,820 direct, indirect and induced jobs in B.C. and 30,490 across Canada; $4.6B towards B.C.'s GDP, and approximately 80% of the GDP for the region.
Southeast metallurgical coal deposits are a high-quality, strategic resource held by B.C. In 2023, the four operating Elk Valley Resources (EVR; formerly Teck Coal Ltd.) mines in the SE accounted for 83 percent of total coal production and 81 percent ($663.5M) of all mineral tax collected from coal and metal mines in B.C.

The Elk Valley is part of the transboundary Kootenai/y watershed with water flowing across the border through Koocanusa Reservoir and into Montana and is in the core of Ktunaxa territory. This region is now the focus of an International Joint Commission Reference on water pollution. B.C. is part of the governance body and working to ensure that accurate data and science is available and understood by all parties associated with the reference.

EVR operates four mines (and one closed mine) and is currently proposing several expansions, including the Fording River Extension Project (FRX) which, if approved, may enable sustained production for several decades.

In addition to development pressures, the area is subject to numerous complex, overlapping and interrelated initiatives, including many stewardship priorities to heal the land. These efforts require prioritization Intergovernmental Communications so they demand a coherent and timely strategic response. There are also tangible and meaningful opportunities to advance reconciliation with Ktunaxa First Nations.

Interests of an Indigenous People; Intergovernmental Communications

Intergovernmental Communications

The Secretariat is a cross-ministry team with representatives from ENV, WLRS, FOR, EMLI and MIRR under the leadership of a dedicated ADM who will provide relationship continuity, accountability and functional authority, oversight and leadership for the development and implementation of a cross-ministry cohesive strategy to advance SE priorities.

The mandate of the Secretariat is to develop and implement a coordinated and aligned cross-ministry strategy that allows for continuation of responsible mining of metallurgical coal in the Elk Valley while improving environmental quality, managing cumulative effects, healing the land, and advancing models of shared decision-making with First Nations to build prosperous and healthy communities for all.

Implications / Considerations / Opportunities:

Advice/Recommendations

Advice/Recommendations Advice/Recommendations; Business Information

Advice/Recommendations; Business Information

Business Information

Advice/Recommendations; Interests of an Indigenous People; Intergovernmental Communications

The Secretariat is advancing initiatives to manage existing environmental impacts, mitigate future impacts, leverage broader stewardship opportunities, and advance reconciliation. Initiatives include:

- **Secretariat:** Improve coordination and alignment internal to the provincial government, but also with the federal government and First Nations; develop an overarching strategy and workplan which will include: Advice/Recommendations; Intergovernmental Communications
  Advice/Recommendations; Intergovernmental Communications

- **ENV:** Update and improve the valley-wide water quality management strategy by amending the Elk Valley Area Based Management; Improve water quality by requiring and permitting more water treatment facilities; and developing and implementing strategies to address and prevent other emerging issues related to water and air quality.
- **WLRS:** Finalize and implement Valued Component (VC) objectives and targets to ensure proposed developments or stewardship initiatives can be evaluated for adequately managing for Cumulative Effects; advance conservation and stewardship initiatives to heal the land; and formalize cumulative effects management in Land Use Planning as a strategic approach to manage toward VC objectives and healing the Intergovernmental Communications
- **FOR:** Initiate collaborative Forest Landscape Planning to establish clear outcomes for the management and use of forest resources, and as an opportunity to address cumulative impacts through road rehabilitation, ecosystem restoration and landscape resilience. Other priority work includes aligning partnerships with First Nations in the forest sector, supporting broader healing the land discussions, and managing cumulative effects in FOR decision making and permitting.
- **EMLI:** Ensure B.C. and EVR are demonstrating and planning for effective, long-term mine closure through EVR's Reclamation and Closure Plans; assess total liability of EVR's mines and ensure sufficient security is held by B.C.; and advance priority permitting work including water quality mitigation and non-EA mine expansion projects to sustain operations.
- **MIRR:** Continue to advance reconciliation priorities through implementing collective and individual agreements with Ktunaxa (including the Ktunaxa Nation Council Society and the individual Ktunaxa First Nations Governments) and through supporting and aligning SEIS initiatives.

Decision(s) Required / Next Steps:

- Advice/Recommendations

-

CABINET OPERATIONS

Government 101

Overview of Key Roles, Structures & Processes

October 2024

BRITISH COLUMBIA

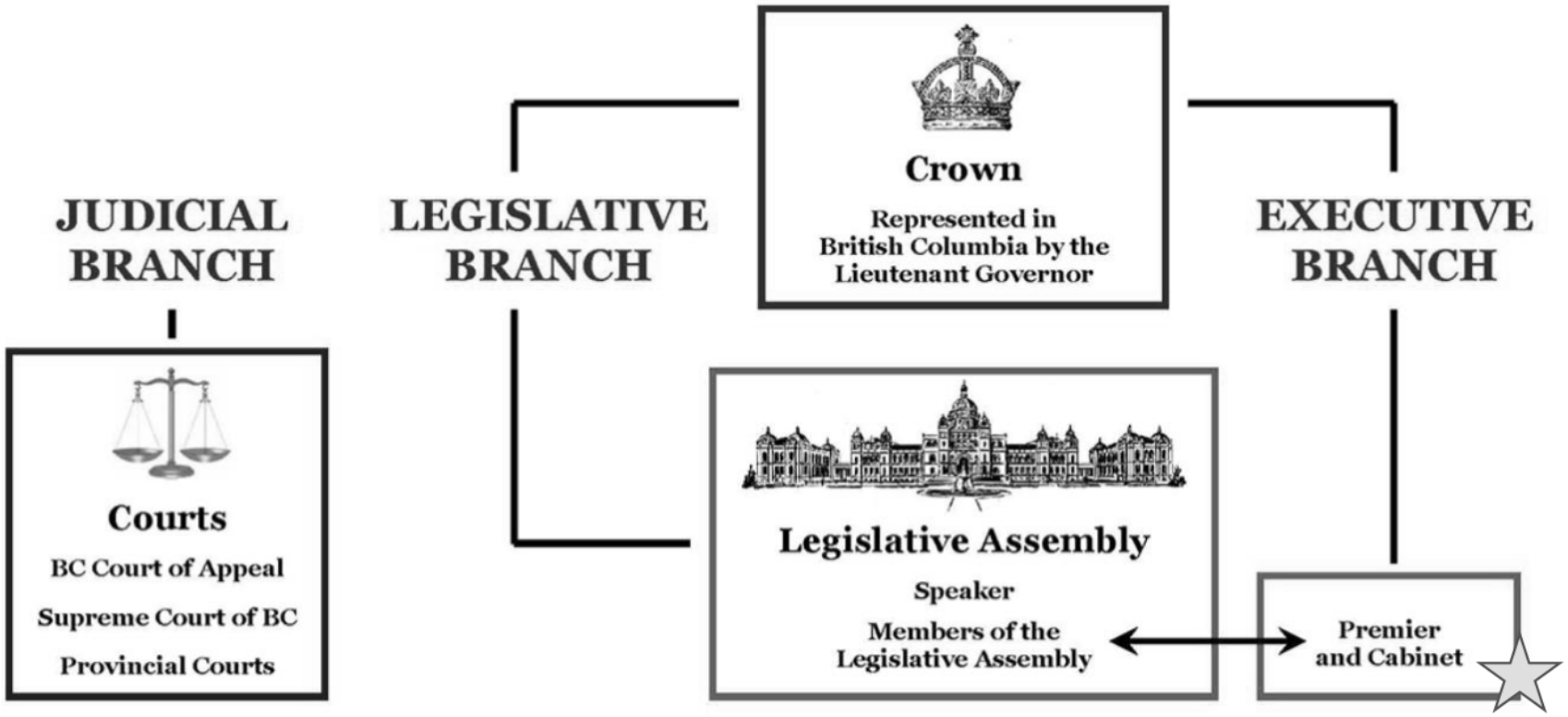
Overview

- Introduction
- Office of the Premier
- Roles & Responsibilities
- Government Decision Making
- Cabinet Confidentiality
- Conflict of Interest
- Records Management

Introduction

BRITISH COLUMBIA

The Three Branches of Government



The Executive Council or Cabinet

- Established under section 9 of *Constitution Act*
- Ultimate decision-making body of government
- Members appointed by the Lieutenant Governor on advice from Premier
- Chaired by the Premier

Office of the Premier

BRITISH COLUMBIA

Office of the Premier

- The Office of the Premier has two principal roles:
  1) **Political:** overseen by the Premier's Chief of Staff, who acts as the senior political advisor to government
  2) **Non-partisan Public Service:** overseen by the Deputy Minister to the Premier

- Premier's **Chief of Staff** and **Deputy Minister to the Premier** work collaboratively to:
  - Support the Premier to advance government's policy and legislative agendas
  - Represent the Premier in providing direction to their respective staffs:
    - Chief of Staff provides direction to political staff, including Ministers' chiefs of staff
    - Deputy Minister to the Premier provides direction to public servants

Key Roles

Premier's Chief of Staff

- Most senior political advisor
- Provides strategic advice to the Premier and Executive Council (Cabinet) to advance government's policy and legislative agenda
- Coordinates and develops governments strategic and policy objectives
- Coordinates cross-government communications and issues management
- Develops and maintains relationships with major stakeholders
- All Ministers' chiefs of staff report to the Premier's Chief of Staff

Deputy Minister to the Premier

- Most senior public servant (non-political official)
- Serves as Cabinet Secretary and head of the BC Public Service
- Provides non-partisan advice to the Premier on public policy, development of legislation, and operational issues
- Ensures effective administration of programs and services, the development and implementation of key policy initiatives
- Manages a professional and non-partisan public service
- All Deputy Ministers report to the Deputy Minister to the Premier

Roles & Responsibilities

BRITISH COLUMBIA

Page 0081 of 1021

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Advice/Recommendations

Page 0082 of 1021

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Page 0083 of 1021

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Page 0084 of 1021

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Page 0085 of 1021

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Page 0086 of 1021

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CABINET OPERATIONS

Government Decision-Making

BRITISH COLUMBIA

Cabinet-Level Decisions

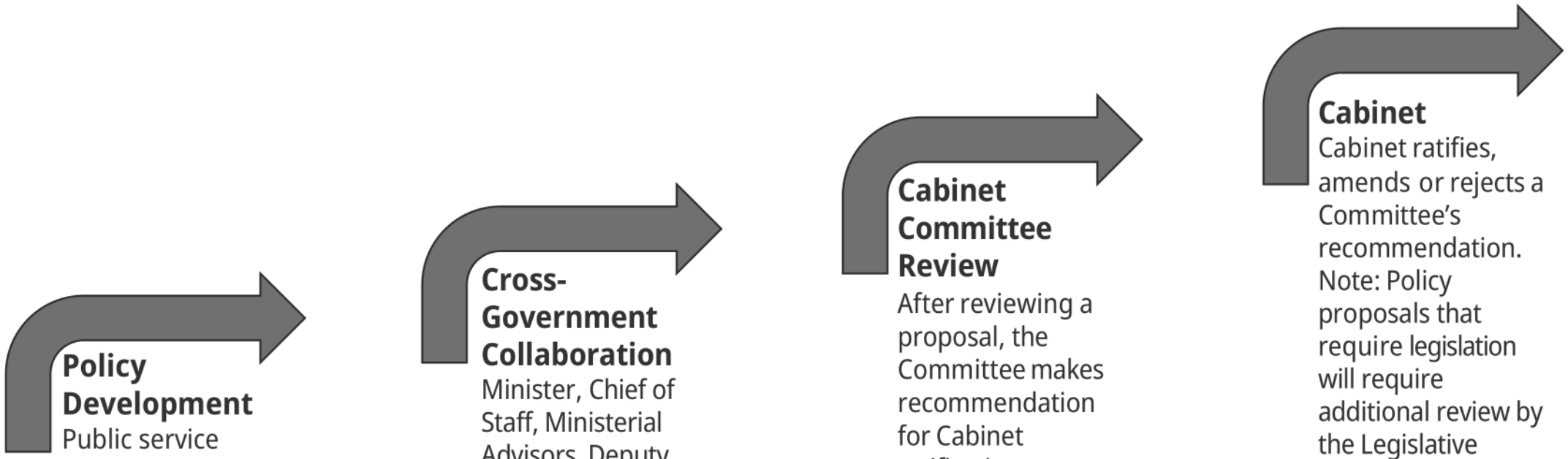
Policy
Cabinet considers and provides direction on significant new policies or shifts in policy. It may also provide direction on contentious issues and issues with significant cross-government and inter-governmental implications.

Fiscal
Treasury Board considers and provides direction on the overall financial decision making of the province and the execution of the fiscal plan, including making regulations or issuing directives to control or limit expenditures.

Legislative
Cabinet considers and provides direction on legislative priorities and legislation.

Regulations / OICs
Cabinet considers and provides direction on regulatory changes, appointments and more through Orders in Councils (OICs).

Government Decision-Making: Key Steps*



*This is a simplified representation of the process

Mandate Letters

- Usually, Mandate Letters are issued to each Minister by the Premier and set out the expectations and deliverables regarding their portfolio and priorities for government as a whole
- Mandate Letters act as a guide for the Minister and Deputy Minister to follow in their day-to-day work, as well as the means for evaluating it
- How and when Mandate Letter deliverables are achieved is determined through collective decision making at Cabinet
- Any policy proposal that falls outside of the objectives set out in Mandate Letters requires approval from the Premier's Office to enter into the Cabinet review and decision-making process

Page 0091 of 1021

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Advice/Recommendations

Cabinet and Cabinet Committees

- Policy or program proposals require formal Cabinet approval to proceed:
  - This process involves a Cabinet Submission, sometimes more than one, for review and decision
  - Policy and funding decisions are determined separately, through Cabinet and Treasury Board respectively
  - This process applies even if the item is listed in a Minister's Mandate Letter
  - The Deputy Minister to the Premier, in their role of Cabinet Secretary, is responsible for what advances into the Cabinet review process
  - The process and administration of Cabinet and Cabinet Committees is managed through the office of Cabinet Operations
- Cabinet and Cabinet Committees reach decisions through discussion and consensus
- Decisions are set out in minutes and are formally communicated to ministries through Records of Decision

Role of Cabinet Committees in the Review Process

- Prior to proceeding to Cabinet for decision, a submission may be vetted by a Cabinet Committee
- Practically speaking, Cabinet Committees help manage the high volume of items requiring decision so that Cabinet meetings can focus on the most significant, high-profile public policy issues
- Cabinet Committees are established by the Premier, by convention or by legislation
- Membership is composed of Cabinet Ministers and some government caucus MLAs. Each Committee is chaired by a member of the Executive Council (Cabinet)
- Cabinet Committees assess submissions and make recommendations to Cabinet, which the Chair reports out on at a full Cabinet meeting
- Cabinet can ratify, amend or reject the Committee's recommendation and Ministers are expected to leave Cabinet with a united voice

Cabinet Confidentiality

BRITISH COLUMBIA

Cabinet Confidentiality

- The work undertaken by Cabinet and its Committees is and must remain confidential. This includes anything that would reveal the substance of Cabinet deliberations:
  - Cabinet and Treasury Board Submissions and supporting documents
  - Discussion around the Cabinet table
  - Attendees, agendas and dates that items are scheduled to come forward
- Cabinet is a safe place to talk frankly and emerge with one voice
- All Ministers, MLA Cabinet Committee members and their supporting political staff are required to uphold the confidentiality provisions under the oaths or confidentiality agreements they have taken:

Cabinet Minister	Oath for Member of Executive Council
MLA Cabinet Committee Member	Oath of Confidentiality for Committees of Executive Council
Ministers' Chiefs of Staff	Political Staff Oath Confidentiality Agreement for attending Cabinet & Committee meetings

Cabinet Confidentiality

- The requirement for Cabinet confidentiality prohibits direct and indirect disclosures outside of government – to stakeholders, lobbyists or the media
- Breaches in Cabinet confidentiality violate the collective responsibility shared by all Cabinet Ministers and can have serious implications for Government as a whole
- Confidentiality applies to Cabinet as an entity – individual ministers do not have the authority to waive it

Advice/Recommendations

-

independence

Conflict of Interest

BRITISH COLUMBIA

Conflict of Interest

- Ministers and political staff are required to avoid conflicts of interest
- Ministers must abide by the *Members' Conflict of Interest Act*, which prohibits acting in an official capacity if a conflict of interest or a perceived conflict of interest exists
- Similarly, political staff must abide by the conflict of interest requirements outlined in the Standards of Conduct for Political Staff
- There are three types of conflict of interest: real, potential and perceived
- A conflict of interest exists if an official power or an official duty or function is performed when the person knows that there is the opportunity to further a private interest
- A private interest does not include an interest that applies to the general public or affects a minister as a broad class of people
- **Effectively managing conflicts of interest is one of the primary ways that public confidence in the integrity of government is fostered and maintained**

Conflict of Interest Commissioner

- The Conflict of Interest Commissioner is an independent, non-partisan Officer of the Legislative Assembly who is responsible for independently and impartially interpreting and administering the *Members' Conflict of Interest Act*
- All Members of the Legislative Assembly are required to file a confidential disclosure statement with the Commissioner within 60 days of being elected, and after that, annually
- Once the contents of the confidential disclosure statement have been finalized, a Public Disclosure Statement is prepared, which contains most, but not all, of the information provided to the Commissioner
- The Public Disclosure Statement is filed with the Clerk of the Legislative Assembly and is available for public inspection

Records Management

BRITISH COLUMBIA

Records Management

- All records created are subject to the *Freedom of Information and Protection of Privacy Act (FOIPPA),* whether they are considered transitory in nature or are related to government decisions
- These include both hard copy and electronic records (E.g., emails, texts, Post-It notes, notebooks)
- Records relating to government decisions need to be maintained by Ministers and Ministers' office staff
- Maintaining records does not equate to disclosure of records
- Records belong to government, not to individual members of Executive Council or political staff

Records Management

- Content related to Cabinet and Cabinet Committee deliberations cannot be disclosed under section 12 of FOIPPA
- Section 13 of FOIPPA provides a similar rule for policy advice or recommendations developed for a Minister
- Information and Privacy Analysts in the public service help with redacting content from records from records in accordance with FOIPPA as part of preparing responses to freedom of information requests
- Some records are proactively disclosed, including Minister's calendars and travel expenses

Records Management

- Deputy Minister Offices (DMOs) are responsible for the proper management of government records that reside in a Minister's Office and sign off on the final response packages for freedom of information requests
- DMO and Minister's Office staff should establish protocols regarding records management and responses to freedom of information requests
- Minister's Office staff should undertake training via the Corporate Information and Records Management Office related to records management, freedom of information requests, and protecting the personal privacy of individuals
- Specific executive training may be available via dedicated sessions in addition to online learning courses through the Public Service Agency
- **Staying on top of records management is key – any record you didn't need to keep but is still in existence is subject to FOIPPA**

CABINET OPERATIONS

BRITISH COLUMBIA

BRITISH COLUMBIA | Ministry of Water, Land and Resource Stewardship

Functional Organization Chart

Deputy Minister
Lori Halls

Land Use Planning and Cumulative Effects

ADM David Muter

- Land and Watershed Planning
- Land Use Policy
- Strategic Land Stewardship Initatives:
  - 30%-by-2030
  - Other Effective Conservation Measures
  - Indigenous Protected and Conserved Areas
- Cumulative Effects Management: Provincial Policy, Decision Supports and Resources
- Northeast Hub
- First Nations Strategic Relations
- Collaborative Indigenous Stewardship Framework
- Regional Management Committee Leadership
- Together for Wildlife Implementation
- Ecosystem Management Planning and Operations:
  - Permitting and Authorizations Ecosystem Assessment
  - Species at Risk and Wildlife Habitat Designation

Resource Stewardship

A/ADM Jen Psyllakis

- Biodiversity and Ecosystem Health
- Together for Wildlife Strategy
- Wildlife Policy and Allocation
- Ecosystem and Habitat Policy
- Terrestrial Species Recovery
- Fish and Wildlife Mangement, Data and Licensing
- Terrestrial Conservation and Wildlife Science
- Invasive Terrestrial Fauna
- Wildlife Health
- Tripartite Framework Agreement on Nature Conservation between Canada, British Columbia and the First Nations Leadership Council

Water, Fisheries and Coast

ADM James Mack

- Watershed Stewardship and Security
- Water Comptroller
- Water Allocation
- Flood/Drought Policy and Strategy
- River Forecast Centre
- Dams and Dikes
- Provincial Fish Policy and Allocation
- Fisheries, Aquaculture and Wild Salmon
- Coastal Marine Stewardship
- Aquatic Ecosystems

Reconciliation, Lands and Natural Resource Policy

ADM Colin Ward

- Lands Policy and Adminstration
- Crown Land Opportunities and Restoration
- First Nation Land Transfers
- Natural Resource Sector Reconciliation Policy and Strategies
- Natural Resource Sector Strategic Partnerships, Policy and Legislation
- Natural Resource Sector Economic Analysis and Insights
- First Nations Leadership Council Liaison
- Alliance of BC Modern Treaty Nations Liaison
- Declaration Act Secretariat Liaison
- Strategic Consultation Initatives
- Regional Management Committee Coordination

Permitting Transformation

ADM Jen Anthony

- Sector Permitting Solutions and Provincial Priority Projects
- Process Reform and Data Analytics
- Statutory Reform for Permits
- FrontCounter BC and Naviator Service
- Land/Water Authorization and Resource Management
- First Nations Consultation
- Lower Fraser River Dredging and Floathomes Frameworks

Southeast Initatives Secretariat

ADM Laurel Nash

- Strategic Framework for Southeast B.C. and Provincial Ministries Coordination
- Southeast Initiatives:
  - Area Based Management Plan
  - International Joint
  - Commission
  - Dominion Coal Blocks
  - Stewardship
  - Cumulative Effects

Natural Resource Information and Digital Services

ADM & CIO Andy Calarco

- Natural Resource App Development, Maintenance, Support
- Cloud Tech: AI, Software as a Service
- Emergency Response: Radio, Communications, Mapping Support
- Natural Resource Data and IT Services
- Geospatial Mapping, Analysis and Geomatics Tech
- Conservation Assessment, Inventory and Modeling

Corporate Services for Natural Resource Ministries

ADM & EFO Sonja Martins

- Human Resources
- Finance
- Facilities
- Fleet and Assets
- Corporate Security and Business Continuity

October 2024

Page 0106 of 1021

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Page 0107 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Cabinet Confidences ; Government Financial Information ; Intergovernmental Communications

Page 0108 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Cabinet Confidences ; Interests of an Indigenous People ; Intergovernmental Communications

Page 0109 of 1021

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Page 0110 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Cabinet Confidences ; Government Financial Information ; Intergovernmental Communications

Page 0111 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Intergovernmental Communications ; Legal Information

Page 0112 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Cabinet Confidences ; Government Financial Information ; Intergovernmental Communications

Page 0113 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Cabinet Confidences ; Government Financial Information ; Intergovernmental Communications

Page 0114 of 1021

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Issue / Decision / Activity	Division	Brief Description	Key Date	For PO (Y/N)
Advice/Recommendations; Government Financial Information; Intergovernmental Communications				N
Advice/Recommendations; Intergovernmental Communications				Y
Advice/Recommendations				N
Introduction to Minister's Wildlife Advisory Council (MWAC)	RS	The MWAC advises Ministers on province-wide wildlife and habitat issues and guides the implementation of the Together for Wildlife Strategy. Members are non-representative, appointed by the Minister, and must meet specific diversity and leadership criteria. Members are expected to provide expertise, through their diverse perspectives, to build consensus recommendations related to wildlife and habitat stewardship. An early meeting provides the opportunity for the minister of the incoming government to set tone and expectations for their advisory council.	Dec 2024 TBC	N

****Green fill indicates item is in 30-60-90 Corporate list**

Page 0116 of 1021

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Issue / Decision / Activity	Division	Brief Description	Key Date	For PO (Y/N)
Pacific Salmon Foundation's Salmon Recovery and Resilience Conference.	WFC	Pacific Salmon Foundation (PSF) will be hosting the inaugural BC Salmon Recovery Conference at the Vancouver Convention Centre. The intent is to host a biennial conference to support transboundary coordination on salmon recovery by complimenting Washington State's Salmon Recovery Conference hosted in odd years. PSF has expressed a desire to have a BC political speaker.	Dec 2024 TBD	N
90 Day				
Advice/Recommendations; Cabinet Confidences; Government Financial Information; Intergovernmental Communications				N
Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications				Y

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Page 0118 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information ; Intergovernmental Communications

Page 0119 of 1021

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Issue / Decision / Activity	Division	Brief Description	Key Date	For PO (Y/N)
Advice/Recommendations; Government Financial Information; Intergovernmental Communications				N
Northeast region habitat restoration open houses	RS	The Province and First Nations partners (West Moberly, Saulteau, and McLeod Lake) have conducted habitat restoration on legacy disturbances within the South Peace region for several years. The Caribou Recovery Program is proposing to hold open house engagement sessions in the communities (Chetwynd and Tumbler Ridge) to inform the public of targeted areas and gather feedback to mitigate potential concerns for public access. The scope of the engagement would include actions proposed by both the Province and partner First Nations. This work is operational in nature, focusing on specific target areas, and contributes to the local economy, including forest sector contractors that may be under employed. Open houses of a similar scope have occurred in the past, though not for the last two fiscal years.	Late Jan 2025 TBC	N
Advice/Recommendations; Cabinet Confidences				N
Advice/Recommendations; Cabinet Confidences				N
Advice/Recommendations; Intergovernmental Communications				N

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Page 0122 of 1021

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Issue / Decision / Activity	Division	Brief Description	Key Date	For PO (Y/N)
Advice/Recommendations; Government Financial Information; Intergovernmental Communications				N
BC's Freshwater Fishing Regulations – Bi-Annual Changes	WFC	These fishing regulations are the foundation to a $11-12M annual revenue stream to BC. Every two years the suite of freshwater fishing regulations are updated and come into effect April 1. The next scheduled update is for April 2025, and all the preparation work will be completed in the 2024-25 fiscal year. Public comment on the proposed changes will end in January 2025, capturing concerns and support to inform a final decision under the BC Wildlife Act. New regulations will take effect April 1 2025.	Jan 2025 TBC	N
Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications				N
Pacific Salmon Commission 2025 Post-Season Meeting	WFC	To be held in Vancouver. January meeting lays out plans for both Canada and the US for the conservation and sharing of our transboundary Pacific salmon stocks. Will provide BC, as a sub-national state, the opportunity to input our priorities for PST renewal in 2028.	Jan 2025 TBC	N

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Page 0124 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0125 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information ; Intergovernmental Communications

Page 0126 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information ; Intergovernmental Communications

Page 0127 of 1021

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Page 0128 of 1021

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Page 0129 of 1021

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Cabinet Confidences

Page 0130 of 1021

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Cabinet Confidences ; Government Financial Information

Page 0131 of 1021

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Cabinet Confidences ; Government Financial Information

Page 0132 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0133 of 1021

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Page 0134 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0135 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0136 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0137 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0138 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0139 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0140 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0141 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0142 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0143 of 1021

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Page 0144 of 1021

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Page 0145 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0146 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Cabinet Confidences ; Government Financial Information ; Intergovernmental Communications

Page 0147 of 1021

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Advice/Recommendations ; Cabinet Confidences

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024 (updated as of November 14)

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: WLRS Budget Mitigation Strategies

KEY POINTS:

- Ministry Operations has an Estimates Budget of $214.267M and approved access to contingency funding of Government for a total approved spending of Government
- The ministry is required to report quarterly to Treasury Board Staff (TBS), to summarize the ministry's full-year forecast (including statutory spending and contingency access) compared to the ministry's voted appropriation.
- In addition to TBS quarterly reporting, and in response to the Fiscal Management Update received from the Ministry of Finance on July 4, 2024, the Advice/Recommendations; Cabinet Advice/Recommendations; Cabinet Confidences

  Advice/Recommend which continue to remain in effect. See Advice/Recomm for details.
- As of the Ministry's second quarter report, the Ministry is forecasting a full spend of the estimates budget and approved contingency access of Government . The Ministry is also managing an unmitigated pressure of Government. See Appendix B for details. In order to balance, this requires significant spending restrictions on the ministry such as delaying hiring, contracts, etc.

BACKGROUND:

- CSNR's Sonja Martins, Executive Financial Officer (EFO) and Tamra McQuitty, Chief Financial Officer (CFO) for WLRS are responsible for managing the ministry's budget, in addition to being the key liaisons between program areas and central agencies, including the Office of the Comptroller General (OCG) and TBS.
- Advice/Recommendations; Cabinet Confidences; Government Financial
- Information

DISCUSSION:

- Advice/Recommendations; Cabinet Confidences

FINANCIAL IMPLICATIONS:

- Adhering to financial policy and accounting standards is a legal requirement per the *Financial Administration Act* and *Budget Transparency and Accountability Act*.

SUMMARY:

- Advice/Recommendations; Cabinet Confidences

Attachment(s):

Advice/Recommendations; Cabinet Confidences; Government Financial Information

PREPARED BY:

Tamra McQuitty, CPA, CMA
Chief Financial Officer (WLRS)
236-478-1324

REVIEWED BY:

	Initials	Date
DM	LH	Nov 14, 2024
EFO/ADM	SM	Nov 6, 2024
CFO/Exec Dir	TM	Nov 1, 2024
Program Dir/Mgr.		

Page 0150 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0151 of 1021

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Page 0152 of 1021

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Page 0153 of 1021

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Page 0154 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0155 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0156 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0157 of 1021

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Page 0158 of 1021

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Page 0159 of 1021

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Page 0160 of 1021

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Page 0161 of 1021

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Page 0162 of 1021

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Page 0163 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information ; Intergovernmental Communications

Page 0164 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0165 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0166 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information ; Intergovernmental Communications

Page 0167 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Page 0168 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Government Financial Information

Summary of Legislation Administered by Water, Land and Resource Stewardship

Act	Details
Boundary	The Act establishes the British Columbia Alberta boundary, appointment procedures for boundary commissioners and procedures for mapping and recording boundary alterations.
Canadian Pacific Railway (Stone and Timber) Settlement	The Act was made pursuant to an agreement with Canadian Pacific Railway (CPR) to clarify an issue related to disputed ownership and value of timber and stone rights on 145,000 hectares of Crown land and 68,000 hectares of private land. The Act extinguishes CPR's interest in historic timber and stone reservations. The Act allows the Province and affected landowners to apply to amend land titles, cap compensation to CPR to the amount in the settlement agreement and validate previous decisions made by the Province regarding these reservations.
Creston Valley Wildlife	The Act places the Creston Valley Wildlife Management Area (CVWMA) in trust for the continued conservation, management and development of wildlife. The Act restricts mining, the disposition of land and protects natural resources in the CVWMA. A Management Authority is established under the Act to regulate activity within the CVWMA. The Authority is subject to the Minister in the exercise of its functions, powers and duties under the Act. The Minister also has the capacity to declare a portion of the CVWMA a sanctuary area.
Dike Maintenance	This Act empowers the Inspector of Dikes to supervise all dikes and the operation of all dike authorities relative to the construction and maintenance of dikes.
Drainage, Ditch and Dike	The Act defines the powers and functions that district commissioners have over dikes and drainage assets and works. This can include: levying taxes on all the lands in a diking district, vesting ownership and authorities over of flood infrastructure to commissioners, executing, operating, and maintaining works, and the creation of maintenance funds for the purposes of executing, operating, and maintaining of works. All diking districts under the Act are eventually being transferred to local governments. The Act will remain in use until the last remaining structures are transferred over. A sunset clause is included in the Act (s. 173) which states the Act will be repealed by a certain future date (currently set to December 31st, 2025). Amendments to this date have been requested over time by local governments needing more time to incorporate the remaining diking districts into their oversight.
Drinking Water Protection	The Act sets out certain requirements for drinking water operators and suppliers to ensure the provision of safe drinking water to their customers. The Act also helps to ensure safe and potable drinking water for British Columbians by requiring that the Provincial Health Officer, among other things, monitor compliance of drinking water officers and prepare and deliver an annual report to the Minister (of WLRS) regarding activities under this Act. The Minister (of WLRS) is responsible for Sections 4.1 and 4.2 and Part 5 of the Act.
Environment and Land Use	The Act establishes the Environment and Land Use Committee and its framework of operation. Grants the Lieutenant Governor in Council (Cabinet) the authority to make any order they consider necessary or advisable respecting the environment or land use.

Summary of Legislation Administered by Water, Land and Resource Stewardship

Act	Details
Environmental Management	The Act establishes the framework for managing pollution to the environment, including prohibitions on waste disposal, establishing requirements for municipal waste management and contaminated site remediation. The Act also grants the Minister the authority to issue orders to prevent pollution or protect the environment. The Act also establishes the Conservation Officer Service and provides them with their powers and authorities. The Minister is responsible for Section 5 (f) as that provision relates to the portfolio of the Minister of Water, Land and Resource Stewardship [preparing environmental managements plans].
Fish and Seafood	The Act applies to fish and aquatic plants that are produced and processed for consumption in BC. Federal regulations govern those facilities producing seafood products for the export markets. The Act sets out the regulatory framework for the production of fish and aquatic plants for human consumption. The Act regulates growing and harvesting aquatic plants and receiving, selling, storing, transporting and processing of aquatic plants and fish. The ministry is responsible for the Act as it relates to "licensing respecting the growing of aquatic plants and the harvesting of wild aquatic plants".
Flathead Watershed Area Conservation	The Act provides the legal framework for permissible land use in the Southern Rocky Mountains Management Plan to balance economic, social and environmental values for the long-term health of the economy, communities and ecosystems within the eastern portion of the Cranbrook Timber Supply Area.
Flood Relief	The Act addresses matters relating to providing aid, relief and rehabilitation to communities that are affected by floods. It provides authorities for the Lieutenant Governor in Council (LGiC) to enter into agreements with municipalities to support flood recovery and allows the LGiC to establish a board to support and manage a flood area.
Forest and Range Practices	The following: (a) sections 141 (general power to make regulations) and 143 (ability to set fees by way of regulation) as those provisions relate to the Minister of Water, Land and Resource Stewardship. (b) As the Minister responsible for the *Wildlife Act*, sections 149 - 150.5 (prescribing objectives through regulation, objectives through regulation for these areas: ungulate winter range, wildlife habitat, community watersheds, watersheds with fish values and significant watershed sensitivity, lakeshore management zones and objectives, streams, wetlands and lakes criteria and classifications).
Greenbelt	The Act provides for establishing, protecting, managing and disposing of greenbelt land in BC establishes and maintains a Greenbelt Registry for recording all land reserved or acquired under the Act.
Hunting and Fishing Heritage [The]	The Act affirms that a person has the right to hunt and fish in accordance with the law.
Industrial Operation Compensation	The Act governs the agreement for compensation for damage to land. A company owning or operating an ore reduction works, or industrial plant may make an agreement with the owner of any land for payment of compensation to the owner for any damage or injury resulting or likely to result to the land from the operation of the ore reduction works or industrial plant. The Act also sets out arbitration if a company cannot agree with the owner of the land about making an agreement and setting compensation.

Summary of Legislation Administered by Water, Land and Resource Stewardship

Act	Details
Land (Spouse Protection)	The Act provides protection for the interest of a spouse in a homestead. A spouse may obtain an entry on the register that the homestead is subject to this Act. The effect of the entry is that the interest of the other spouse may not be disposed of without the consent of the spouse who obtained the entry.
Land	The Act governs the acquisition, disposition, management, administration, transfer and surveying of Crown land in British Columbia and provides the authority for base mapping, land information systems and the naming of geographic features. The Act also establishes the Integrated Land and Resource Registry, an electronic database for recording Crown land tenure information.
Land Settlement and Development (Repeal)	The Act repealed the Land Settlement and Development Act and abolished the Land Settlement Board while transferring the rights and liabilities of the Board to the Crown.
Land Survey	The Act governs various land survey matters in British Columbia including existing parcels and boundaries, survey monumentation, procedures to lay out subdivisions, and the powers of land surveyors.
Land Surveyors	The Act establishes professional standards for land surveyors including licensing, standards of practice, regulation, and enforcement.
Land Title	The Act governs the registration and management of land titles, including property rights protection, transferring land, title assurance, and survey requirements. The Minister is responsible for the Act except the following: (a) section 77.2; (b) section 219 (1), (2), (3) (a) and (b), (4) – (10), (11) (a), (12) and (14) as those provisions relate to the portfolio of the Minister of Environment and Climate Change Strategy, to the portfolio of the Minister of Municipal Affairs or to the portfolio of the Minister of Transportation and Infrastructure; (c) Divisions 2 and 3 of Part 17.
Land Title Inquiry	The Act establishes procedures for judicial investigation of land title, including fee simple property owners, persons with interest in land, or government title.
Land Transfer Form	The Act standardizes forms for the transfer of land and interests in land.
Libby Dam Reservoir	The Act sets out the powers of the ministry with respect to acquisition of all land in the province necessary or convenient for the creation of a storage reservoir in the U.S., as well as the use of the land or body of water on it.
Ministry of Environment	The following: Sections 4 (2)(b) (undertaking inventories and planning for management of water, land, air, plant and animal life), (d) (setting standards for collection and storage of environmental data), (f) (coordination of environmental studies), (g) (developing public information and education programs) and 6.1 (publishing information) as those provisions relate to the portfolio of the Minister of Water, Land and Resource Stewardship.
Ministry of Forests and Range	The following: Sections 4 (c) (resource management for socio-economic benefit), 5 (ability to acquire land), 6 (a) (entering agreements) and 6.1 (publishing information) as those provisions relate to the portfolio of the Minister of Water, Land and Resource Stewardship.

Summary of Legislation Administered by Water, Land and Resource Stewardship

Act	Details
Ministry of Lands, Parks and Housing	The Act provides authority for the management of Crown lands, including allocation, development, and conservation. In some instances, this Act is used for the disposition of Crown land instead of the Land Act. The Minister is responsible for the Act except the following: (a) sections 3 (3), 5 (b), 6 and 9 as those provisions relate to the portfolio of the Minister of Environment and Climate Change Strategy; (b) sections 5 (b.1) and (c), 8.1 and 10.
Muskwa-Kechika Management Area	The Act creates the Muskwa-Kechika Advisory Board. They manage integrated resource management decisions in a specific area of Northern BC.
Off-Road Vehicle	The Act sets registration, licensing and safety regulations for off-road vehicles, and designates areas where off-road vehicle use is restricted for environmental protection.
Railway	The Act provides authority for the establishment and statutory governance of railways operating solely within the Province and falling under provincial jurisdiction, including common carrier, industrial, heritage, and commuter railways. The Minister is responsible for Section 33. Section 33 requires a company who has a certificate of consent (to occupy, use or possess government land), under section 32 of the Act, to apply to the Minister to set the price and compensation to be paid by the company to the government for the taking of land and properties described in the certificate of consent. Payment must be made before the land and properties can be granted to the company.
Riparian Areas Protection	Previously the Fish Protection Act, which was retitled the Riparian Areas Protection Act, this act provides for the protection of riparian areas while facilitating urban development. The accompanying Riparian Areas Regulation calls on local governments to protect riparian areas during residential, commercial, and industrial development by ensuring that a Qualified Environmental Professional (QEP) conducts a science-based assessment of proposed activities.
Skagit Environmental Enhancement	This Act gives corporate identity in British Columbia to the Skagit Environmental Endowment Commission. The Commission was established by a treaty with the United States (specifically, the City of Seattle) in 1984. The Act provides authority to the Commission to acquire and dispose of property. The fundamental purpose of the Act is to provide a mechanism in British Columbia for protecting biodiversity and administering the disposition of Crown land within an area set out by the Act in the Skagit Valley/ Ross Lake area. The Commission is responsible for the management of the Skagit Environmental Endowment Fund, which can be used by the Commission to acquire property for the purposes of the Act.
University Endowment Land	The Minister is responsible for Sections 2 (1) (a) and (d) and 3 (b). Section 2 (1) (a) and (d) provide that the Minister may, subject to the regulations and with the approval of Cabinet, survey and subdivide all lands held by the government within the University Endowment Land and advertise, sell and lease any of the land so subdivided. Section 3 (b) requires the monies derived from the sale of the subdivided lands to be paid into the consolidated revenue fund.

Summary of Legislation Administered by Water, Land and Resource Stewardship

Act	Details
Water Protection	This Act provides essential protection of British Columbia's water. Specifically, the Act: • confirms ownership of surface water and groundwater in the province; • prohibits removal of British Columbia's water in bulk supply to locations outside of this province; • grandfathers existing bulk water removal rights; and • prohibits large-scale transfers of water between the major watersheds of the province.
Water Sustainability	Principal Act that governs the management and regulation of water resources. Sets system for allocation of water rights, licensing, environmental protection, streamflow and groundwater management, and monitoring and enforcement. This Act came into effect in 2016, replacing the previous Water Act. Key elements of the new Act include: licensing groundwater for non-domestic use, new fees and rentals for water use, stronger protection for aquatic ecosystems, increasing dam safety, drought management including temporary restrictions, and introducing Water Sustainability Plans as a collaborative co-governance tool.
Water Users' Communities	The Act governs the creation and management of water users' communities (WUC). These are public corporate bodies, referred to as groups, of six or more water licensees, each with their own license(s) who create and maintain a system to store and deliver water to their respective places of use. The Act outlines powers for these groups to: acquire, hold, and control property and licenses; acquire, construct, hold, maintain, improve, replace, and operate works; and levy assessments on its members and enforce payment. WUCs are incorporated and named by the Comptroller of Water Rights. WUC members may save money and time through sharing resources and works used to divert water. Communities hold at least one general meeting per year to determine and vote on issues facing the WUC, including projected expenditures and assessments.
Water Utility	This Act provides that water utilities that come under the scope of provincial jurisdiction are to be subject to the same duties, responsibilities and restraints that are imposed on a public utility under the Utilities Commission Act.
Wildlife	The Act provides for the conservation and management of wildlife and wildlife habitats, including hunting/fishing. This includes: • setting out licence and permit requirements and fees for applications for trapping, angling and hunting • establishment of wildlife related offences • designation wildlife management areas • setting out the powers of a conservation officer

Ministry of
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BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Legislation Amendment Priorities

KEY POINTS:

- Potential legislative initiatives that could be advanced during the mandate of the incoming government are outlined in Attachment 1.
- Several proposals will be seeking approval of the incoming WLRS Minister to secure time in the 2025 Spring or Fall legislative session.

BACKGROUND:

- Ministries seeking to amend or establish new legislation must follow the government's established legislative process.
- Cabinet Operations receives and tracks legislative proposals for current and future legislative sessions. No proposals have been advanced yet for the Spring 2025 legislative session due to the Fall 2024 election.
- WLRS's legislation team works with ministry program areas to advance legislative proposals and develop materials supporting the drafting and approval of bills. WLRS's process is outlined in Attachment 2.

DISCUSSION:

- Timelines related to forming a new government in Fall 2024 shorten the time leading up to the first session of the 43rd Parliament (Spring 2025). Several potential legislative initiatives could be advanced within this timeframe, while larger, more complex initiatives would benefit from added time and could advance in the Fall 2025 agenda or in 2026.
- Timing and scope for some active legislative initiatives will be driven by cross-ministry committees and may impact the prioritization of initiatives put forward by WLRS to Cabinet Operations.
- Advice/Recommendations; Cabinet Confidences
-
- Several agreements between government and First Nations commit to explore legislative amendments to meet the agreement objectives, and these are also forecast to come forward in the next mandate. The timeframe for readiness to proceed with any identified work is unknown at present.
- Forecasted legislative initiatives and what is prioritized will likely change based on the mandate of the incoming government.

INDIGENOUS PEOPLES:

- *The Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) requires government to ensure the laws of British Columbia are consistent with the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) and to do this work in consultation and cooperation with Indigenous Peoples in British Columbia.
- The Interim Approach to implement the requirements of Declaration Act section 3 further guides the lifecycle of legislative initiatives.

FINANCIAL IMPLICATIONS:

- Not Applicable.

NEXT STEPS:

- Several legislative proposals will be seeking approval of the incoming WLRS Minister to secure time in the 2025 Spring or Fall legislative session.

Attachment(s):

Advice/Recommendations; Cabinet Confidences
Attachment 2 – WLRS Legislative Process Deck

PREPARED BY:

Rebecca Freedman
Director, NRS Legislation
Strategic Partnerships, Policy and Legislation
(778) 698-4862

REVIEWED BY:

	Initials	Date
DM	LH	Oct 16, 2024
CFO/EFO (if required)	n/a	
ADM	CW	Sept 26, 2024
Program Dir/Mgr.	MG	Sept 13, 2024

Page 0176 of 1021

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Page 0177 of 1021

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Page 0178 of 1021

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Page 0179 of 1021

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Page 0180 of 1021

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Legislative Process

LIVING DRAFT

Purpose and Contents

PURPOSE

- Collaborative process by which new legislation is created or existing legislation is amended, including policy work, consultation, drafting and approvals
- Early policy exploration and dialogue with Indigenous peoples to determine their involvement in process

LIVING DRAFT

BRITISH COLUMBIA | Ministry of Water, Land and Resource Stewardship

Contents	Page #
Key Terms	3
Legislative Process: When & Why	4
Reconciliation with Indigenous Peoples	5-6
High Level Legislative Process	7
Legislative Process: Who's Involved	8
Process Responsibility Maps	9-15
Timeline	16
Detailed Content and Resources	18-22

If you have any questions or suggestions related to this process, please reach out to the Director, NRS Legislation. Current contact:

- **Rebecca Freedman:** Rebecca.Freedman@gov.bc.ca

Key Terms

Act

Acts are written laws that require the Royal Assent of the Lieutenant Governor in order to become law. Acts are the "parent" legislative instrument, as all other legislative instruments flow from Acts.

Bill

A government Bill is a written legislative initiative submitted to the Legislative Assembly by the government for consideration and approval. A Bill becomes law upon receiving Royal Assent, subject to specified commencement dates.

Legislative instrument

Includes Acts, regulations, Orders in Council, Ministerial Orders or grants of statutory authority.

Legislative process

The key processes by which legislative instruments are created including policy work, drafting, and approvals.

Legislative Process: When & Why

There are many precipitating events that may initiate the legislative process:

- ✓ Alignment of laws to be consistent with UN Declaration (legislative requirement)
- ✓ Legal requirement (e.g., case law triggers)
- ✓ Mandate letter/Throne speech commitment
- ✓ Election promise/public commitment
- ✓ An issue is identified by the program area or other parties
- ✓ Operational demands
- ✓ Housekeeping (e.g., minor errors in reference, form, style, numbering, aligning with drafting practices)
- ✓ Identified errors that will change the legal effect of a provision when corrected

The required process to create any new legislation or amend any existing legislation for which the Ministry is responsible may vary from the standard process outlined. These maps outline the “best case scenario”.

If you’re not sure if a project that you’re working on will require the legislative process or the type of legislative instrument that may be needed, **please reach out to the Legislation team early** to understand the requirements as well as timelines.

Reconciliation with Indigenous Peoples

The Province is committed to true and lasting reconciliation with Indigenous Peoples. **All NRS legislative projects will require early planning and development of policy with Indigenous Peoples as well as alignment with the UN Declaration.** Please consult with the following documents to better understand engagement and consultation requirements with Indigenous Peoples:

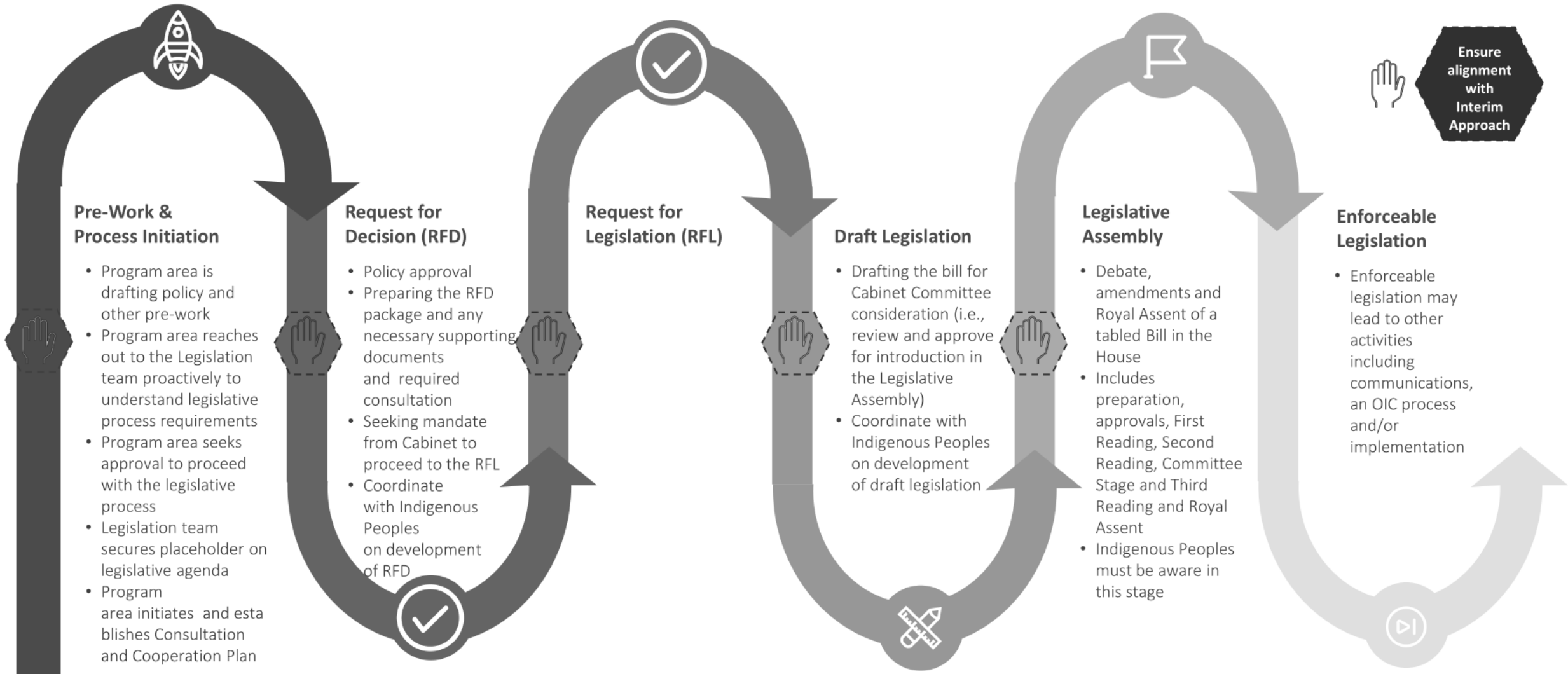
- Declaration on the Rights of Indigenous Peoples Act (DRIPA)
- Interim Approach to Implementing the Requirements of Section 3 of DRIPA (Interim Approach) provides interim guidance "regarding approaches for including Indigenous Peoples in policy and legislative development"
- Distinctions-based Approach means working in a manner that acknowledges the specific rights, interests, priorities and concerns of First Nations, Métis and Inuit Peoples
- Section 35 of the Constitution Act recognizes and affirms the "existing aboriginal and treaty rights of the aboriginal peoples of Canada"

Reconciliation with Indigenous Peoples

Early in the project conception stage, staff should consider the following:

- What resources are available to support this work? E.g. engagement budget, staffing
- What are the drivers for this work and what timeline is desired and/or needed? How does this work integrate with other initiatives that may require involvement of Indigenous peoples?
- Which UN Declaration articles apply and align with this work? How will you integrate these throughout the process?
- Have you planned out your project along the 5-point steps in the Interim Approach?
- How will you engage with Indigenous Peoples? Wise practice is to provide a variety of opportunities which could include engagement sessions, 1:1 meetings, written submissions, forums, convening advisory groups, etc.
- How will you apply a distinctions-based approach (DBA) and recognize First Nations, Métis, and Inuit as Indigenous peoples, with their own distinct histories? How will recognition of the rights, respect, co-operation, and partnership be reflected in the unique interests, priorities and circumstances of each people?
- Have you developed a consultation and cooperation plan?
- Have you contacted AG-Indigenous Legal Relations team for a legal review of your work?

High Level Legislative Process



Legislative Process: Who's Involved

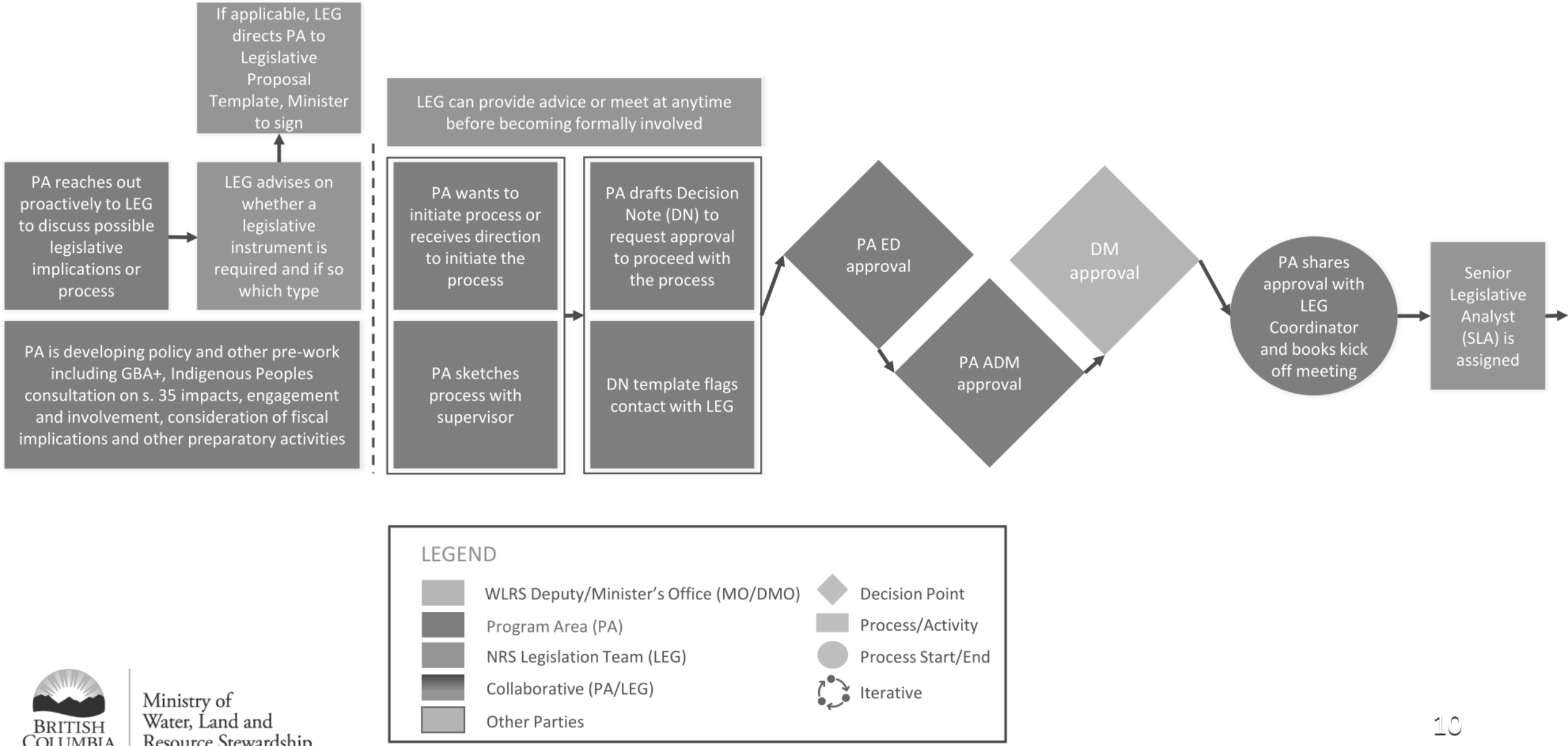
Team	Role in process
Legislative Team • Senior Legislative Analyst • Legislative Coordinator • Director of Legislation	• Senior Legislative Analysts and Legislative Coordinator collaborate with and support Program Areas to provide advice on legislative tools in policy exploration phase and facilitate access to legal services • Translate policy direction into legislative drafting instructions and prepares legislative package • Coordinate with Cabinet Operations and Cabinet Committees • Communicate with the Office of Legislative Counsel (OLC) and Legal Services throughout process
Program Area (PA) • Analyst(s) • Director(s)	• Identify issue, initiate engagement with First Nations, co-lead briefing notes, RFD, advisory on RFL, and drafting instructions
WLRS Deputy/Minister's Office (MO/DMO)	• Review and approvals
Cabinet Operations (Cab Ops)	• Review, support, and approvals • Schedule cabinet dates
Indigenous Peoples	• Review, approvals (if applicable), and potential co-drafting
Declaration Act Secretariat (DAS)	• Review all legislative proposals early and provide comments on alignment with the Interim Approach to Implement Section 3 of the Declaration Act
Ministry of Attorney General • Legal Services • OLC	• Legal Services provide advice and review • OLC drafts the Bill

BRITISH COLUMBIA

Ministry of Water, Land and Resource Stewardship

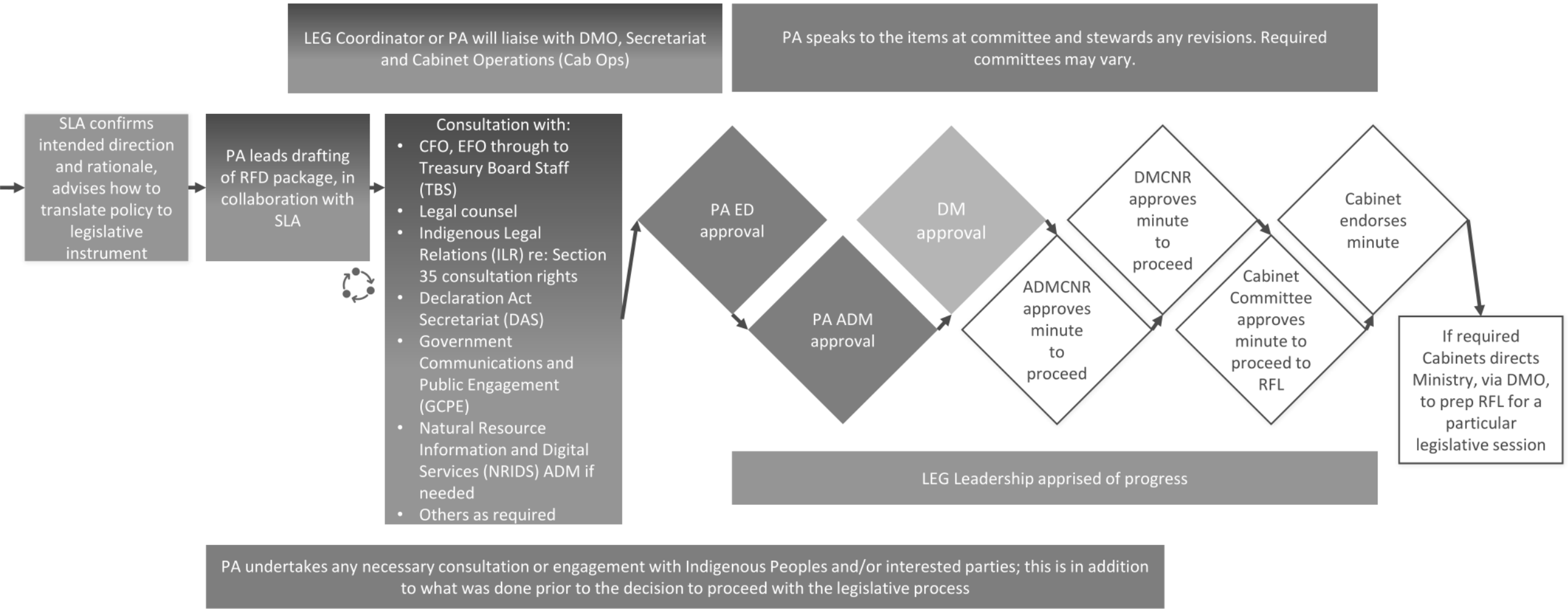
Process Responsibility Maps

Responsibility Map: Pre-Work & Process Initiation



Ministry of Water, Land and Resource Stewardship

Responsibility Map: RFD



Responsibility Map: RFL

LEG Coordinator or PA will liaise with DMO, Secretariat and Cab Ops

LEG and/or PA speaks to the items at committee and stewards any revisions. Required committees may vary.

PA and SLA co-develop work plan including responsibilities and approvals

PA and SLA collaboratively draft RFL and supporting documents

Consultation and/or actions:

- EFO and CFO through to TBS
- Legal Counsel
- ILR
- Declaration Act Secretariat (DAS)
- Legislative Counsel
- Business and Economic Implications Framework (BEIF)
- Privacy office
- GCPE
- NRIDS ADM as needed
- JEDI re trade agreements as required
- Others as required

ED approval

ADM approval

DM approval

ADMCNR approves scope and minute to proceed

DMCNR approves scope and minute to proceed

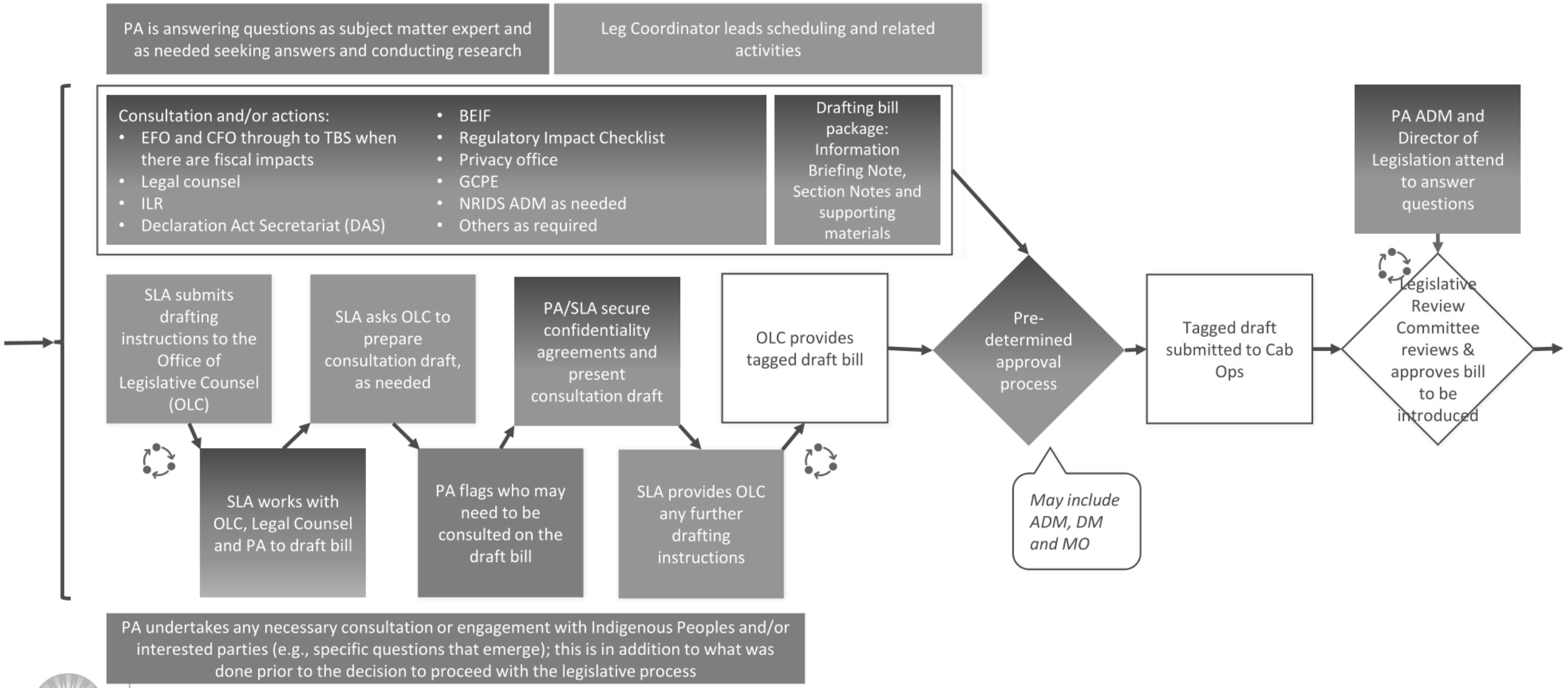
Cabinet Committee approves scope and minute to proceed to drafting

Cabinet endorses minute

Cab Ops sends Cabinet direction, via DMO, to LEG team to work with legislative counsel to draft the bill

PA undertakes any necessary consultation or engagement with Indigenous Peoples and/or interested parties; this is in addition to what was done prior to the decision to proceed with the legislative process

Responsibility Map: Draft Legislation



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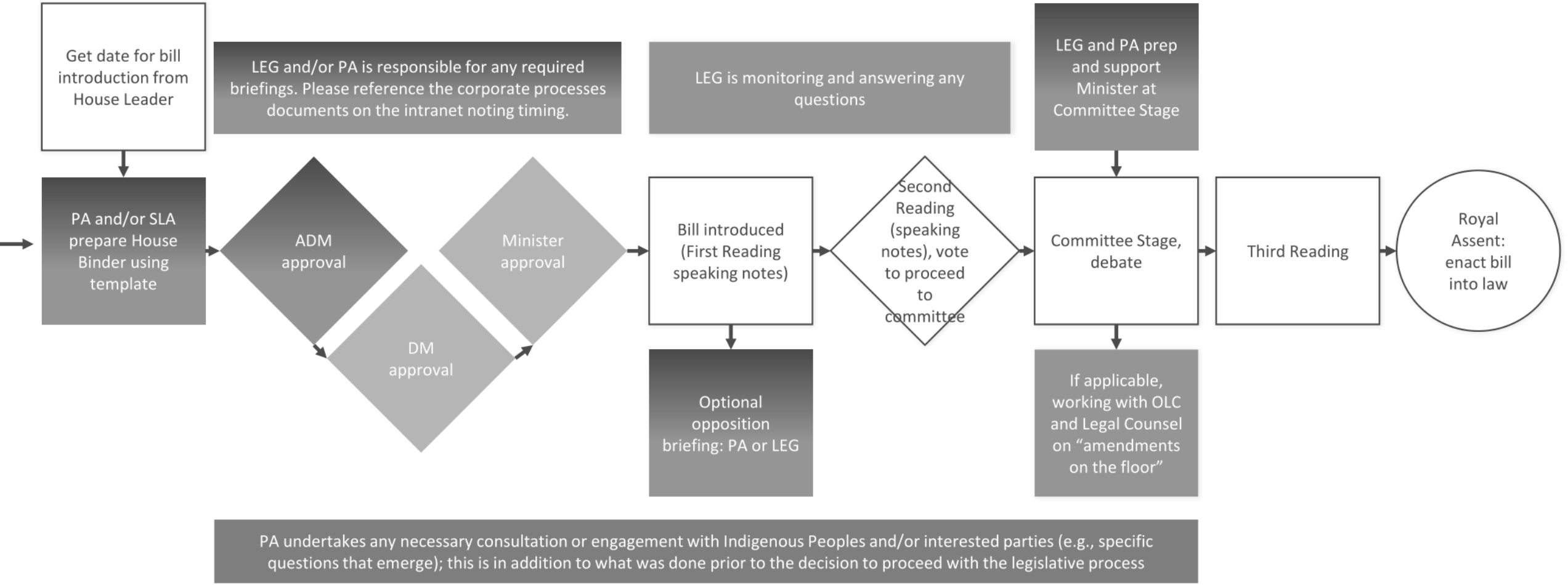
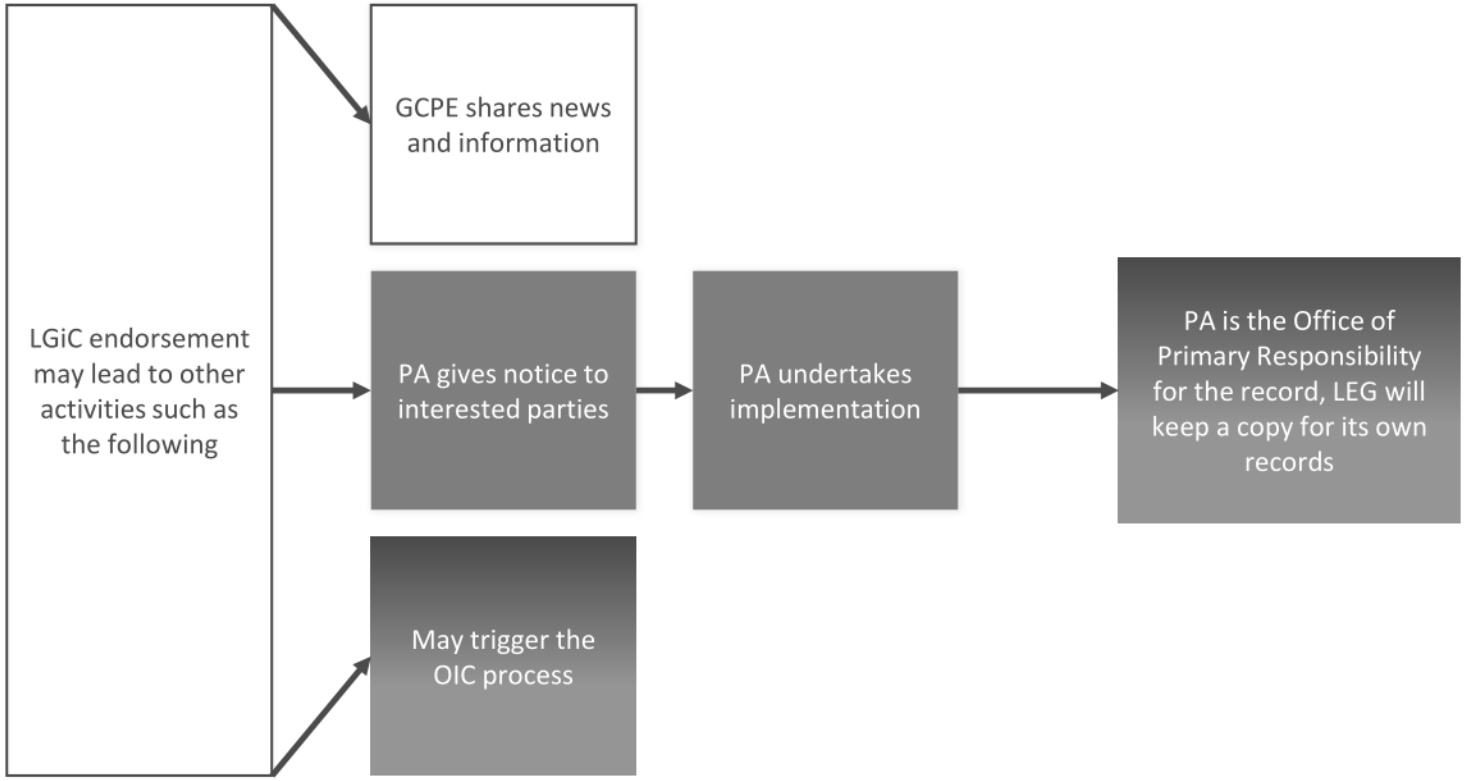
Responsibility Map: Legislative Assembly



Responsibility Map: Enforceable Legislation



Timelines

Timelines can vary significantly, depending on:

- ✓ The complexity of the Act
- ✓ The number of agencies involved – the more complex, the longer the timeline
- ✓ Requirements for consultation
- ✓ Time of the year
- ✓ Scheduling of Cabinet dates

The legislative process is complex and dynamic. It takes time to get it done right. Get the Legislation team involved EARLY.

Drafting can take many months. Approvals can take several weeks. The Legislative Assembly can take a couple of months to half a year to work through a Bill. The entire process can take anywhere from several months to years to work through.

BRITISH COLUMBIA

Ministry of Water, Land and Resource Stewardship

Thank you!

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Detailed Content

Helpful Resources

Templates

- Cabinet Operations for current legislative process templates
- Request for Decision template
- Decision Note (DN) and Information Briefing Note (IBN)
- PowerPoint slides with Speaking Notes
- Q&A (no template, check with Legislation team for preferences)

Tools & References

- ELUA and OIC process documents
- Other corporate processes, see intranet
- Declaration Act and Supporting Guidance Documents
- Parliamentary Procedures Workshop
- Consult other acts, regulations and/or policies as required

Guidance

- Interim Approach to Implementing the Requirements of Section 3 of DRIPA
- A Guide to Legislation and Legislative Process in British Columbia, Part 1, The Legislation Process (August 2013)
- Provincial Legislation engagement with Treaty Nations Guide
- Consultation Guide

Packages and Materials

Request for Legislation Package

- Request for Legislation Template
- Required elements:
  - Regulatory Impact Checklist
  - Business and Economic Implications Framework (BEIF)
  - Legislation Privacy Impact Assessment (LPIA)
- Appendices:
  - Appendix A: Legislative Counsel Advice to Cabinet
  - Appendix B: Treasury Board Staff Comments
  - Appendix C: Three Column Document
  - Appendix D: Drafting Instructions
  - Appendix E: Communications Plan Template

Request for Decision Package

- Request for Decision Template
- Required elements:
  - Business and Economic Implications Framework (BEIF)
  - Speaking Notes
  - Power Point – Presentation
  - FAQs

Committee and House Materials

- Legislative Review Committee Briefing Note
- Legislative Review Committee Section Notes
- Second stage LPIA
- First and Second Reading Speaking notes
- Committee Stage Section Notes

Acronym Reference Table

Acronym	Term	Acronym	Term
ADMCNR	Assistant Deputy Minister Committee on Natural Resources	LEG	NRS legislation team
BEIF	Business and Economic Implications Framework	LGiC	Lieutenant Governor in Council
CFO/EFO	Chief Financial Officer/Executive Financial Officer	OIC	Order in Council
DBA	Distinctions-based approach	OLC	Office of Legislative Counsel
DMCNR	Deputy Minister Committee on Natural Resources	PA	Program Area
DMO/MO	Deputy Minister's office/Minister's office	PIA	Privacy Impact Assessment
DN	Decision note	RFD	Request for decision
DRIPA	Declaration on the Rights of Indigenous Peoples Act	RFL	Request for legislation
ELUA	Environment and Land Use Act	SLA	Senior legislative analyst (from legislative team)
GBA+	Gender-based analysis +	TBS	Treasury Board staff
GCPE	Government Communications and Public Engagement		
IBN	Information briefing note		
ILR	Indigenous Legal Relations Branch in Ministry of Attorney General		

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Constitution Act Orders in Council

KEY POINTS:

- Following the establishment of the Ministry of Water, Land and Resource Stewardship (WLRS) in February 2022, the WLRS Minister has been assigned responsibility for all or parts of statutes related to their mandate via a *Constitution Act* Order in Council (OIC).
- Since that time, several amendments to the *Constitution Act* OIC have been approved to ensure that WLRS's legislative authorities are aligned to its mandate and that the ministry has the appropriate authorities to support its work.

BACKGROUND:

- The *Constitution Act* outlines the powers and rules governing the executive and legislative branches of the provincial government of British Columbia.
- Sections 10, 13 and 14 of the *Constitution Act* permit the Lieutenant Governor in Council (LGiC) to determine the organization of Ministries, including the ministry that will exercise specific duties or functions under an enactment, and may transfer duties and functions from one ministry to another. If powers, duties or functions of an official or ministry are transferred to another official or ministry, the LGiC may order that all or part of the money to be paid and applied for purposes of those powers, duties and functions, be expended by and through the other official or ministry to whom those powers, duties and functions are transferred.
- In February 2022, an Order in Council (OIC) 92/2022 was approved to establish the Ministries of Forests (FOR) and Land, Water and Resource Stewardship (now WLRS) and to designate the authorities assigned to their respective Ministers. This OIC was amended several times with minor adjustments in 2022.
- Through 2022 and 2023, a cross-ministry working group carried out a review of the *Constitution Act* OIC assigned authorities to ensure that the staff of each ministry were able to achieve their ministry's mandates. Additional adjustments were recommended to the *Constitution Act* OIC, specifically to transfer certain authorities from the Ministries of Environment and Climate Change Strategy (ENV), Health (HLTH) and Forests (FOR) to WLRS. The recommended amendments also included certain transfer of certain authorities from WLRS to FOR.
- Prior to those recommendations being considered by Cabinet, the WLRS and FOR ministry rebalance was announced and the *Constitution Act* OIC was again amended. All of the recommended changes were included in the updated OIC, along with further transfers to reflect the rebalance.
- One final *Constitution Act* OIC has been approved to date to make adjustments that were missed in the rebalance work.

DISCUSSION:

- OIC 92/2022 amended OIC 602/2020 to:
    - Effective February 25, 2022, establish the Ministry of Land, Water, and Resource Stewardship (LWRS).
    - Effective April 1, 2022, specify the LWRS minister as the Minister able to exercise certain duties or functions under the *Forest and Rance Practices Act* (FRPA), *Land Act*

(LA), *Water Sustainability Act* (WSA), *Oil and Gas Activities Ac*t (now the *Energy Resource Activities Act* (ERRA)),
    - Assign the LWRS minister as responsible for the following statutes - *Environment and Land Use Act*, *Muskwa-Kechika Management Area Act, Skagit Environmental Enhancement Act, Flathead Watershed Area Conservation Act*, and
    - Assign the LWRS minister as responsible for specified provisions of statutes as those related to the portfolio of the Minister of LWRS – FRPA, LA, Ministry of Environment Act, Ministry of Forests and Range Act, WSA, Wildlife Act (WA).
- OIC 167/2022 amended OIC 92/2022 to:
    - Effective March 31, 2022, adjust some of the duties and functions assigned to the LWRS Minister, and
    - Transfer the *Water Protection Act* to the LWRS Minister.
- OIC 658/2022 repealed and replaced OIC 602/2020 to:
    - Effective December 7, 2022, continue the ministry under the name Ministry of Water, Land and Resource Stewardship, and
    - Make minor adjustments to the duties, powers and functions of the WLRS Minister.
- OIC 568/2023 amended OIC 658/2022 to:
    - Effective Oct 19, 2023, transferred entire responsibility for statutes previously under the purview of the FOR Minster (e.g., LA, WSA, and WA) to the WLRS Minister, as well as specified provisions in the *Drinking Water Protection Act* to the WLRS Minister.
- OIC 546/2024 further amended OIC 658/2022 to:
    - Effective August 1, 2024, transfer the *Flood Relief Ac*t and specified provisions of the *Ministry of Environment Act* to the WLRS Minister.
- As of October, 2024, the full list of statutes under the WLRS Minister's responsibility can be found on BC Laws (https://www.bclaws.gov.bc.ca/civix/document/id/amr/amr/amr_wlrs)

INDIGENOUS PEOPLES:

- The assignment of statute responsibility to ministers does not affect the rights of Indigenous Peoples and no consultation occurred.

FINANCIAL IMPLICATIONS:

- If powers, duties or functions of an official or ministry are transferred to another official or ministry, the LGiC may order that all or part of the money to be paid and applied for purposes of those powers, duties and functions, be expended by and through the other official or ministry to whom those powers, duties and functions are transferred.
- The ADM of Strategic Initiatives in the Ministry of Finance approved all changes to the Constitution Act OICs and where applicable, budget allocations were completed.

CONCLUSION

- All recommended changes to the *Constitution Act* OIC for WLRS have been realized to date.

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 16, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Decision Matrix – Delegations and Designations

KEY POINTS:

- The Minister of Water, Land and Resource Stewardship (WLRS) is responsible for several statutes which include specific provisions enabling the Minister to grant government staff in their ministry, or another, the authority to make decisions or take specific actions in relation to the subject matter contained in those statutes.
- Decision-making authorities that are operational in nature and routinely exercised by government staff are assigned through formal Grants of Statutory Authorities (GOSAs).
- GOSAs are routinely updated to ensure that the authorities granted to staff are consistent with the authorities of the Minister and are legally valid. If a GOSA expires, or is out of date, any decision made by ministry staff granted that authority could be challenged on the basis that staff did not have the authority to make that decision or take a particular action.

BACKGROUND:

- Provincial statutes are assigned to Ministers by way of an Order in Council (OIC) made under the *Constitution Act*. Once assigned, references to a Minister within a provincial statute are generally read to be understood as a reference to the Minister who is given responsibility for that statute.
- Within each provincial statute, Ministers are granted specific decision-making authorities in relation to the subject matter for which the statute is responsible. Many of these decision-making authorities are operational in nature and it would not be practical for the Minister to personally make these decisions.
- For example, under the *Government Actions Regulation,* the Minister's authority to establish Wildlife Habitat Areas, Ungulate Winter Ranges and other wildlife protection measures in relation to forestry practices, are delegated to Area Executive Directors. Under the *Land Act*, the authority to consider applications for the use of Crown land or consider the disposition of Crown land to third parties, is granted to various ministry staff. At times, the Deputy Minister also has the authority to make certain appointments where no delegation authority exists within a statute. For example, in the *Wildlife Act*, it is the Deputy Minister who can appoint Directors and Regional Managers for the purposes of that Act.
- To support operational efficiency, GOSAs are often issued to grant these routine and operational decision-making powers to staff. GOSAs can be made to a specific individual within a ministry or can be made more broadly by job title. The authorities can be granted subject to any terms or conditions that the Minister considers advisable.
- GOSAs are managed, maintained and routinely updated by the Ministry's Legislation Branch. GOSAs must be updated as necessary to ensure that any ministerial authorities granted to staff are valid, following any changes to job titles, ministry re-organizations and emerging case law or legal advice.
- GOSAs include any delegations, designations, appointments, authorizations and other transfer of authorities from the Minister to ministry staff.

DISCUSSION:

- There are currently eight WLRS statutes or regulations for which GOSAs are established (see Attachment 1 for full list). There are also three authorizations made for the purposes of fish harvesting, aquatic plant harvesting and game meat sustenance harvesting in accordance with applicable First Nations Treaties.
- While GOSAs are used to transfer the authorities of the Minister to staff, these are typically reviewed and approved by the Deputy Minister. Section 23 of the *Interpretation Act* clarifies that any reference to the authority of a Minister to take an action, other than the authority to make a regulation, includes the authority for the Deputy Minister to take that same action. As the Deputy Minister is typically responsible for matters relating to the internal organization of a ministry, GOSAs are reviewed and approved by the Deputy Minister.
- Following interregnum, if there are any updates to the assignment of legislative responsibilities under the *Constitution Act* OIC, or significant internal ministry reorganizations, updates to existing GOSAs will need to be made to ensure that staff have the necessary legal authority to make decisions in relation to the statute for which they are granted a ministerial authority.
- Advice/Recommendations

INDIGENOUS PEOPLES:

- N/A. There are no GOSAs currently made to any persons or entities outside of the Ministry, with the exception of the three authorizations made to Treaty First Nations, in accordance with their Treaties.

FINANCIAL IMPLICATIONS:

- N/A

CONCLUSION:

- GOSAs are an important element of ministry operations that ensure staff have the necessary authorities to consider and make decisions relating to licences, permits, applications, etc.
- Existing GOSAs may need to be updated, following any changes to ministry legislative responsibilities or re-organizations after interregnum.
- GOSAs are reviewed and approved by the Deputy Minister.

Attachment: Attachment 1 – WLRS Statutes for which there is a GOSA

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Government Financial
Information

REVIEWED BY:

	Initials	Date
DM	LH	Oct 16, 2024
ADM	CW	Oct 2, 2024
ED, SPPL	MG	Oct 1, 2024
Dir., Leg	RF	Oct 1, 2024

Attachment 1: WLRS Statutes for which there is a GOSA

1. *Fish and Seafood Act*
2. *Forest and Range Practices Act*
3. *Dike Maintenance Act*
4. *Land Act*
5. *Ministry of Lands, Parks and Housing Act*
6. *Off-road Vehicle Act*
7. *Water Sustainability Act*
8. *Wildlife Act*

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Intergovernmental Relations Overview and Cooperative Natural Resource Sector Files

KEY POINTS:

- All NRS Ministries have intergovernmental relations (IGR) teams, mostly focussed on federal/ provincial/territorial (FPT) relations and bilateral relations with sub-national governments.
- The IGR Secretariat (IGRS) in the Premier's Office manages relationships with national and sub-national heads of government, embassies and consulates, and leads on initiatives that involve the Premier (e.g., Council of the Federation, Pacific Northwest Economic Region).
- WLRS staff provide subject matter expertise to IGRS and seek advice from IGRS on matters with national or international implications.

BACKGROUND:

- Agriculture and Food (AF) has four IGR staff who support negotiations and implementation of FPT policy frameworks and bilateral agreements with Agriculture and Agri-Food Canada to deliver programs for food producers and processors, and ministry input at the FPT Ministers of Agriculture table.
- Environment and Climate Change Strategy (ENV) has two IGR units, one with seven staff led by an Executive Director and another with eight staff in the Climate Action Secretariat. Both support participation in the FPT Canadian Council of Ministers of the Environment and work with adjacent sub-national governments on environmental issues, including climate action.
- Energy, Mines and Low Carbon Innovation (EMLI) has IGR staff across the ministry; EMLI collaborates with ENV on clean energy and mining and with WLRS on permitting.
- Forests (FOR) has four IGR staff in the Deputy Minister's office, providing support for executive participation in the Canadian Council of Forest Ministers and secretariat support for associated sub-committees. Work includes wildfire resilience and sustainable forestry.

DISCUSSION:

- Cross agency collaboration and coordination includes:
    - Negotiations for the Columbia River Treaty (EMLI, WLRS).
    - Industrial impacts on transboundary water (ENV, WLRS, FOR, AF), including the recently initiated work by the International Joint Commission on mining (ENV, WLRS).
    - Advice on the Statement of Cooperation and Coordination on the Salish Sea between Environment Canada and the US Environmental Protection Agency (WLRS, ENV).
    - Emergency management and mitigation work such as the Nooksack and Sumas Watershed Transboundary Flood Initiative (IGRS, ENV, WLRS).
- Additionally, WLRS works on specific subject areas with other NRS ministries on specific topics that have IGR elements. For example, with AF on invasive species, animal diseases and predator management; with ENV and FOR on linkages to accessing funding from federal government programs.
- Multi-ministry strategic work also occurs to set frameworks and commitments from federal ministries with overlapping jurisdiction in BC. For example: ship breaking businesses, moorage of vessels, US Tribes policy on BC major projects, dredging, national parks and protected areas and Dominion Coal Blocks.

FINANCIAL IMPLICATIONS:

- Coordination on IGR work across NRS ministries can lead to significant cost-shared, multi year agreements or applications to federal programs that provide financial resources to specific areas of work in all the NRS ministries. Leveraging the relationships and making connections are key to getting the most out of these agreements.
- Entering into funding agreements is predicated to approval from cabinet and Treasury Board for a negotiation mandate and future funding commitments.

SUMMARY:

- IGR is fundamental for inter and intra agency cooperation across all levels of government.
- Strategic partnerships and relationships can help solve problems and provide additional financial resoures to support NRS programs and goals.

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 7, 2024
ED	AN	Oct 3, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Federal/Provincial /Territorial Committees

KEY POINTS:

- The Ministry of Water, Land and Resource Stewardship (WLRS) executive and staff participate in two Federal/Provincial/Territorial Committees.
- The Council for Ministers Responsible for Conservation, Wildlife and Biodiversity (CWB) is co-led by Environment and Climate Change Canada (ECCC).
- The Council of Canadian Ministers for Fisheries and Aquaculture Minister (CCFAM) is led by Fisheries and Oceans Canada (see IN *Federal Provincial Intergovernmental Relations (Fisheries and Oceans)*).

BACKGROUND:

- CWB is a forum to discuss issues related to biodiversity, wildlife and nature conservation.
- The WLRS Minister, Deputy Minister and the ADM, Resource Stewardship currently co-chair the three executive-level CWB committees; Ontario will become co-chair in December 2024.
- Changes to governance of CWB staff-level committees were proposed again in fall 2024 by ECCC.

DISCUSSION:

- Current topics important to BC include:
    - CWB *(see IN related to each topic for additional detail)*
        - 30x30 conservation targets (including Marine Protected Area Network), and appropriate definitions that respect jurisdictional flexibility.
        - Biodiversity and ecosystem health and associated coordinated funding and public communications for implementation.
        - Tripartite Framework Agreement on Nature Conservation implementation.
        - Species at risk policy that provides for jurisdictional flexibility on approach.
        - Coordinated and updated wildlife health strategy that includes concrete plans for multi year funding and implementation.
        - CWB governance model refinement and implementation.
    - CCFAM (see IN *Federal Provincial Intergovernmental Relations (Fisheries and Oceans) for additional detail*)
        - Salmon aquaculture transition plan and appropriate consideration for soci-economic impacts with associated funding for transitioning to new businesses.
        - Federal advancement of an owner/operator commercial fisheries policy for BC.
        - Fish habitat issues: dredging, pollution, aquatic disease.
        - Urgent need for increased federal action at international boarders to prevent the transport of invasive mussels into Canada.
        - Moorage, ship breaking, dredging and the associated accountability of DFO.
        - Coastal marine policy and planning.

INDIGENOUS PEOPLES:

- Inclusion of Indigenous representation on CWB committees is proposed; however, provincial and territorial feedback to date does not support this approach.

- Currently, a meeting with National Indigenous Organizations (Assembly of First Nations, Métis National Council and Inuit Tapiriit Kanatami) is held prior to the annual CWB Ministers' meetings; Regional Indigenous participation is determined by the meeting host.

FINANCIAL IMPLICATIONS:

- Travel costs to attend the annual Ministers' meeting.

SUMMARY:

- WLRS continues active participation in CWB and CCFAM executive and staff meetings.

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 16, 2024
Executive Director	AN	Oct 2, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Seattle City Lights

KEY POINTS:

- Seattle City Light (SCL), a public utility owned by the city of Seattle, operates a hydroelectric system on the Skagit River south of the BC/WA border, providing approximately 20 per cent of the power for Seattle.
- The operating license expires in April 2025; SCL applied for a 30 to 50-year license renewal to the US Federal Energy Regulatory Commission (FERC) in April 2023.
- Proposed changes by SCL to the system operation, including fish passage into the transboundary Ross Lake Reservoir, Advice/Recommendations; Intergovernmental Communications
Advice/Recommendations; Intergovernmental Communications

BACKGROUND:

- A Final Settlement Agreement with US federal, state, and federally recognized US tribes will be submitted by SCL to FERC in early 2025. If approved, environmental analysis will begin.
- Evaluation of the renewal proposal and identification of research gaps are underway, led by WLRS; Advice/Recommendations

DISCUSSION:

- BC was invited by SCL to the Settlement Table. Legal Information
Legal Information

- Advice/Recommendations

- Advice/Recommendations

- Advice/Recommendations; Cabinet Confidences to

- Advice/Recommendations

INDIGENOUS PEOPLES:

- Stó:lō, Syilx and Nlaka'pamux First Nations, Swinomish Indian Tribal Community, Upper Skagit and Sauk Suiattle Tribes have long-standing interests in the Upper Skagit watershed.
- Canadian case law allows for *Constitution Act* s. 35 rights by transboundary nations.
- Intergovernmental Communications
-

FINANCIAL IMPLICATIONS: N/A

NEXT STEPS:

- Advice/Recommendations; Intergovernmental Communications
-

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 7, 2024
Executive Director	AN	Oct 2, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Modernized Land Use Planning

KEY POINTS:

- Land use planning sets the strategic direction to guide sustainable resource stewardship and management of provincial public land and waters to meet economic, environmental, social, and cultural objectives. Current policy requires land use planning to be done in partnership with First Nations and with the full involvement of communities, stakeholders and the public. In some cases, the collaboration with First Nations is seen by stakeholders and the public as coming at the expense of full and early engagement with other interest holders.
- The complexity of land use planning has increased in recent years and many planning initiatives are challenged by a variety of socio-economic, internal governance and public trust issues.
- Through the Tripartite Nature Agreement with Canada and the First Nations Leadership Council, government has committed to making progress towards 30% conservation by 2030. Some stakeholders and industry have expressed concern that there is no similar economic or reconciliation objective for the use of public lands. This has resulted in a lack of public and stakeholder trust for some land use planning processes and concerns that conservation goals will be prioritized over rural economies and jobs.
- A new government will need to consider and provide direction on:
    - commitments made with First Nations through LUP processes underway, including the implementation of substantive mineral exploration interim measures in the Northwest;
    - the overarching vision for public land that would set direction on economic, conservation and reconciliation objectives that are to be delivered through planning; and,
    - the implementation of that vision through the inclusive development of a Land Use Framework with First Nations, other levels of government, stakeholders and the Public.

BACKGROUND:

- Land Use Planning (LUP), and other strategic planning initiatives, are the primary process by which government had engaged First Nations, stakeholders and the public to pursue conservation, reconciliation and economic objectives. This includes the incorporation of First Nations' interests expressed through self-declared Indigenous Protected and Conserved Areas (IPCAs), of which there are currently almost 50 known proposals.
- Recently completed land use planning on Vancouver Island with Namgis First Nations has resulted in increased conservation of fish, wildlife, recreation and cultural values and is expected to result in a 28% increase average timber harvest. Other land use planning initiatives in the North are expected to unlock areas for critical mineral development and oil and gas development while also increasing conservation and reconciliation goals.
- Land use planning follows a stage gate approached where separate Cabinet and Treasury Board approval is required for the initiation of a land use plan, the launch of public engagement on land use plan scenarios, and the final approval of a recommended land use plan.
- There are currently fifteen formal LUP projects with previous cabinet mandates, in various stages of development from pre-planning to implementation. (Attachment 1)

- Other strategic planning initiatives that have developed since 2017 include Forest Landscape Plans (FLPs), Marine Plans, Watershed Stewardship Plans and planning commitments under strategic agreements with First Nations (e.g. Tŝilhqot'in National Government, Coastal First Nations). Together with LUPs, there are over 57 planning type projects underway with First Nations across BC. (see Attachment 2). In many cases, these plans seek the same outcomes and have similar complexities as formal land use plans yet are established under separate mandates and processes. This increase in planning commitments outside of the governance of land use planning has resulted in confusion amongst First Nations, stakeholders and industry on the different types of land and resource planning and how they are managed.
- BC is aware of almost 50 IPCA proposals at various stages of development. Since 2019, Canada has funded over $80M to BC First Nations for approximately 16 IPCAs. Approximately 14 of these IPCAs are being advanced through planning initiatives.
- BC's $300M Conservation Financing Mechanism (announced in 2023 with the BC Parks Foundation – BCPF) will significantly fund further IPCA interests.
- Advice/Recommendations; Intergovernmental Communications

DISCUSSION:

- The complexity of land use planning has increased in recent years due to:
  - Government obligations to co-develop land use plans and objectives with First Nations, including amendments of existing land use legislation as per *Declaration on the Rights of Indigenous Peoples Act* (DRIPA). In most cases, stakeholder groups and local governments have perceived that co-development with First Nations is being done at the expense of fulsome industry or public consultation. While process agreements are in place that require broader, more inclusive engagement, the perception is that the proposed land use plans proposed by the Province and First Nations rights and title holders are "already baked".
  - Reaching agreement on land use with First Nations in areas of territorial overlap
  - Lack of clarity on economic goals for public land and how socio-economic interests are considered in planning, which has increased industry concerns with planning and proposed conservation in processes underway.
  - Advice/Recommendations; Intergovernmental Communications

Advice/Recommendations; Intergovernmental Communications

- There is a need for an updated land use planning policy framework that can provide greater clarity on the different types of land and resource planning across the natural resource sector, and how they are managed to support strategic goals and objectives for the use of public land as well as tactical and operational requirements for specific resource sectors.
- Through the Tripartite Nature Agreement, the Province has committed to making progress towards 30% conservation by 2030; however, there is no overarching vision or direction on what specific conservation objectives are to be achieved in making progress towards 30% conservation. Conservation interests identified within planning initiatives already underway have the potential to add 5.3 million hectares of conservation. Other conservation measures in development, including with Treaty 8 and Coastal First Nations, will likely result in government achieving 30% conservation before fully addressing the needs of species at risk (e.g. Southern Mountain Caribou), or specific conservation requests provided by First Nations (e.g. Raucsh Valley), specific provincial conservation interests (e.g., Flathead Valley), or ecosystem conservation priorities.
- The Natural Resource Sector continues to be a significant source of provincial revenue and the economic driver for nearly all communities outside of Southwestern BC. Without an overarching vision that addresses the economic, conservation and reconciliation goals for the use of public land, government will continue to make individual case by case trade off decisions on land use initiatives, resulting in delayed timelines and public frustration with the land use planning process

INDIGENOUS PEOPLES:

- BC continues to build its relationship with First Nations Leadership Council in determining a pathway forward to support the implementation of Action 2.6 of the Declaration Act Action Plan and the commitment to co-develop strategic level direction for collaborative stewardship through planning and other stewardship initiatives.

FINANCIAL IMPLICATIONS:

- The LUP program has received Government Financial annually since 2018 to support projects, policy and program development. First Nations capacity to support the program is provided through the Indigenous Funding Program.

NEXT STEPS:

- Advice/Recommendations; Intergovernmental Communications

- Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications

- Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications

Attachment(s): Advice/Recommendations; Intergovernmental Communications
Attachment 2 – Current Projects and Emerging Planning Pressures in BC

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024
CFO/EFO (if required)		
ADM	DM	Sept 27, 2024
ED	MG	Sept 26, 2024
Program Dir/Mgr.	TM	Sept 26, 2024

Page 0217 of 1021

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Advice/Recommendations ; Intergovernmental Communications

Page 0218 of 1021

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Advice/Recommendations ; Intergovernmental Communications

Page 0219 of 1021

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Page 0220 of 1021

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Page 0221 of 1021

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Page 0222 of 1021

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Page 0223 of 1021

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Page 0224 of 1021

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Page 0225 of 1021

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Page 0226 of 1021

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Page 0227 of 1021

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Page 0228 of 1021

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Page 0229 of 1021

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Page 0230 of 1021

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Page 0231 of 1021

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Page 0232 of 1021

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Page 0233 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Intergovernmental Communications

Page 0234 of 1021

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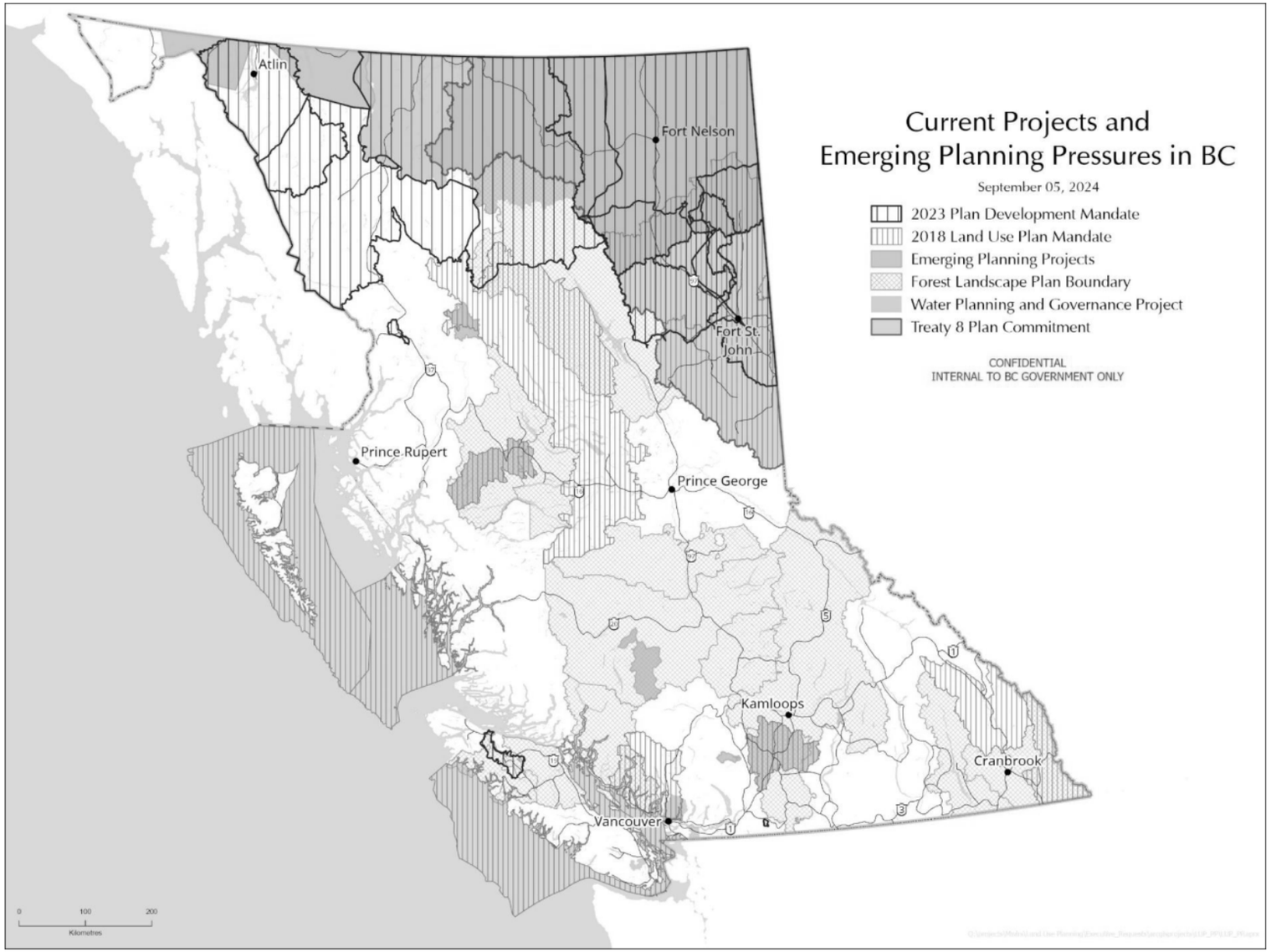
Advice/Recommendations ; Intergovernmental Communications

FOR INTERNAL USE ONLY

Provincial Land and Water Planning Project Dashboard

Fall 2024

- Land Use Planning
- Forest Landscape Planning
- Water Sustainability Planning



Page 0237 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Intergovernmental Communications

Page 0238 of 1021

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Page 0239 of 1021

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Advice/Recommendations ; Interests of an Indigenous People ; Intergovernmental Communications

Page 0240 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Interests of an Indigenous People ; Intergovernmental Communications

Page 0241 of 1021

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Advice/Recommendations ; Interests of an Indigenous People ; Intergovernmental Communications

Page 0242 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Interests of an Indigenous People ; Intergovernmental Communications

Page 0243 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Interests of an Indigenous People ; Intergovernmental Communications

Page 0244 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Interests of an Indigenous People ; Intergovernmental Communications

Page 0245 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Interests of an Indigenous People ; Intergovernmental Communications

Page 0246 of 1021

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BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Indigenous Protected and Conserved Areas

KEY POINTS:

- Government has seen a rise in declarations of Indigenous Protected and Conserved Areas (IPCAs) and is currently aware of approximately 50 IPCA proposals across BC.
- To date, BC has focused collaboration with First Nations on IPCAs where there are opportunities to meet mutual objectives, there is adequate capacity and funding, and First Nations agree to pursue those interests through Land Use Planning (LUP), the Collaborative Indigenous Stewardship Framework (CISF) or other strategic agreements that provide opportunities for the inclusion of public and stakeholder interests.
- IPCAs can be a positive indicator that a First Nation has developed a land use vision for their traditional territory, and an opportunity to advance planning and reconciliation processes.
- Federal and provincial funding has further provided resources and momentum towards IPCA development and declaration.
- IPCA's are the purview of First Nations and include a range of elements from monitoring and guardians to collaborative stewardship, resource management requirements, conservation and full title and governance over identified areas.
- Legal orders and land designations within an IPCA area remain unchanged until such time as strategic planning processes or agreements conclude, and government has approved any necessary change in status. Parts of IPCAs can be implemented using existing legislation (e.g. conservation measures using the Parks Act, or Section 7 Agreements under DRIPA), however further legislative amendments are needed to give effect to First Nations governance and authority over IPCA areas.
- Many declared IPCAs will be challenging to fulfill given: 1) some nations are unwilling or do not have the capacity to participate in planning, 2) there is a disparity over expectations that can be realistically achieved in a LUP context, 3) there exists a lack of public trust that other interests will be incorporated into planning processes and 4) there are criticisms that conservation interests may not be addressed adequately alone through IPCAs.
- Direction from a new government is needed on overarching goals for economic development, reconciliation and conservation to inform and direct BC's IPCA policy and prioritization approach.

BACKGROUND:

- The 2018 *We Rise Together* Report completed by the Indigenous Circle of Experts (see Attachment 1) defines IPCAs as *"lands and waters where Indigenous governments have the primary role in protecting and conserving ecosystems through Indigenous laws, governance and knowledge systems".*
- IPCAs have emerged 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 by 2030;
    - nations who are seeking renewed land use plans with the province; and,
    - nations who wish to exert and express more formally rights and title.

- Since 2019, Canada, through Environment and Climate Change (ECCC). has provided over $80M to BC First Nations to fund approximately 16 IPCAs, including through direct grants and programs such as the Indigenous-led Area-based conservation fund, the Nature Smart Climate Solutions fund and the Indigenous-led Nature Climate Solutions fund. Unfortunately, this funding has been advanced without full coordination and alignment to provincial interests and has increased expectations amongst First Nations. The Tripartite Framework Agreement on Nature Conservation (TFANC) between BC, Canada and the First Nations Leadership Council aims to improve coordination and alignment of funding to ensure alignment to shared interests.
- In 2023, BC announced $300M for the Conservation Financing Mechanism in partnership with the BC Parks Foundation (BCPF) to invest in projects that advance area-based conservation initiatives and their long-term stewardship as part of the international commitment to halt and reverse biodiversity loss ($150M was provided by the province and $150M is to be matched by 3rd party / philanthropic organizations). Government Financial Information; Intergovernmental Communications

Government Financial Information; Intergovernmental Communications

- Advice/Recommendations; Intergovernmental Communications

DISCUSSION:

- Intergovernmental Communications

- BC is incorporating approximately 14 IPCAs through strategic planning enabled by G2G agreements. In some cases, components of IPCAs may be addressed at the operational level (i.e. improved data collection, monitoring, Indigenous guardians, CISF) but typically the broader conservation and self-determination objectives require a more fulsome planning stage.
- IPCA objectives can complement measures already in place, aligning or overlapping with their boundaries and can also represent opportunities to develop new, shared objectives and management direction.
- Intergovernmental Communications

Intergovernmental Communications The public has also expressed concern over access to public lands for recreation.

- In order to improve the transparency and effectiveness of land use planning, government could consider establishing an overarching vision and goals for the use of public lands that would guide the economic, conservation and reconciliation objectives that are to be achieved through land use planning and other strategic initiatives.

INDIGENOUS PEOPLES:

- There may not always be agreement amongst neighbouring Nations regarding a particular IPCA vision and content. Further engagement between FNs and the Province may be required to resolve differing perspectives on land use among neighbouring First Nations.
- The concept of an IPCA is desirable to many First Nations. This, together with federal resources, has resulted in multiple 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 (including implications for conservation and economic objectives; and
- change in authority and governance of land as part of advancing co-management.

FINANCIAL IMPLICATIONS:

- Pressures from IPCAs far outweigh the ability to respond to all declarations through LUP's modest Governm budget. IPCA declarations, particularly those not a part of formal planning process, can create further uncertainty for tenure holders and public use of lands which could impact natural resource revenues to the province.

SUMMARY:

- Strategic direction from the new government is needed on how BC will advance and prioritize or otherwise address IPCAs in the context of broader conservation, reconciliation and economic goals.
- WLRS will work with other natural resource sector ministries to develop an overarching vision and goals for the use of public lands for Cabinet's consideration that would guide the economic, conservation and reconciliation objectives that are to be achieved through land use planning initiatives.
- There is also a need for government to better define the approach and necessary resources for advancing co-management of land, water and natural resources in the context of implementing IPCAs. This will provide clarity to First Nations, stakeholders, industry, community and the public on how IPCAs areas will be considered and managed through implementation.

Attachment(s):

Attachment 1 – "*We Rise Together*" Report Summary
Attachment 2 – IPCA Declarations Inventory

PREPARED BY:

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Government Financial Information

REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024
CFO/EFO (if required)		
ADM	DM	Sept 24, 2024
Program Dir/Mgr.	MG	Sept 24, 2024

We Rise Together Achieving Pathway to Canada Target 1 through the creation of Indigenous Protected and Conserved Areas in the spirit and practice of reconciliation: Recommendation Summary

Background

- The Pathway to Canada Target 1 initiative (Pathway) was launched in 2016 to help accelerate progress toward the 17% terrestrial and inland water portion of Canada Target 1 (Canada's response to the international Aichi Target 1). Recently, Canada adopted new international conservation targets of 25% by 2025 and 30% by 2030.
- The Indigenous Circle of Experts (ICE) was formed through the Pathway initiative to make recommendations and offer guidance on how Indigenous Protected and Conserved Area's (IPCAs) could be realized in Canada and contribute towards this country's conservation goals. ICE members included a core group of Indigenous experts from across Canada and officials from federal, provincial and territorial jurisdictions.
- The ICE Report and Recommendations were published in March 2018, titled "We Rise Together: Achieving Pathway to Canada Target 1 through the creation of Indigenous Protected and Conserved Areas in spirit and practice of reconciliation" (the Report).
- The Report describes IPCAs as "lands and waters where Indigenous governments have the primary role in protecting and conserving culture and ecosystems through Indigenous laws, governance and knowledge systems" (pg. 5).
- The ICE Report summarized that "while IPCAs can vary in terms of their governance and management objectives, they generally share three essential elements:
    - They are Indigenous led
    - They represent a long-term commitment to conservation
    - They elevate Indigenous rights and responsibilities" (Pg. 5).
- Twenty-eight recommendations were proposed in the Report, articulating the necessary foundation for reconciliation and Indigenous governments relationship building with federal, provincial and territorial governments, including cross-cultural competency, bridging methods and tools needed to work together respectfully in creating IPCAs.

Additional Information

- The federal government has committed to an updated target under Canada's Nature Legacy, protecting 25% of Canada's lands and oceans by 2025, and working towards 30% by 2030.
- The BC Government has not formally accepted Canada's conservation targets.
- The BC government is committed to working with Indigenous governments on a co-management approach for land and resources. This includes a commitment to understanding stewardship objectives of Indigenous communities and, where appropriate, supporting the implementation of IPCA objectives.
- In alignment with the Report recommendations, announcements or proposals for new IPCA's by Indigenous governments should be responded to in two key steps. First is to initiate a 'good faith discussion' between the governments to explore the vision, appropriate land uses, level of protection, and governance sought by the Indigenous government. This step includes conducting an assessment of the IPCA direction relative to existing land use objectives to determine overall amount of land use objectives shifts that would be required under the IPCA. Outcomes of discussions are unique to each situation and may identify management solutions that can be implemented without changes to existing land use plans. Second, if there are inconsistencies with existing land use plans, future land use planning processes may be identified to achieve government-to-government outcomes.

Introduction

The following is a summary of the twenty-eight recommendations presented in the "We Rise Together: Achieving Pathway to Canada Target 1 through the creation of Indigenous Protected and Conserved Areas in the spirit and practice of reconciliation" (the Report). The Report organized the recommendations under six headings; (1) Reconciliation in Conservation, (2) We Rise Together, (3) Holistic and Integrated Approaches to Stewardship, (4) Capacity Building, (5) Sustained Funding, and (6) Implementation and Immediate Actions. This summary follows a similar format to the Report, listing the recommendations under each heading and providing a brief explainer of the grouping. This summary provides guiding words for each grouping and can be touchstones for actions that may be taken by BC Government to respectfully work with Indigenous peoples on IPCAs and carry out recommendations. The guiding words are generated from key action words in the recommendations.

Further details, discussion, and intent for each of the recommendations is provided in the Report.

Summary of Recommendations:

Reconciliation in Conservation (1-9)

Guiding words: **Endorse, recognize, address, educate, respond, engage, support**

There are nine recommendations grouped under "Reconciliation in Conservation" and they describe several different reconciliation actions that the federal, provincial and territorial governments can take. The recommendations look back, contemplating the legacies of protected areas in Canada and potential actions to address harmful wrongdoings; and the recommendations look forward, proposing actions that promote a shared vision for the "land and waters that conserve culture and ecosystems with the elevation of Indigenous governments in decision-making processes, with appropriate recognition" (pg.58).

Recommendations	
1.	ICE calls on federal, provincial, territorial and Indigenous governments to endorse the concept of IPCAs outlined in this report.
2.	ICE encourages federal, provincial and territorial governments to work with Indigenous governments to support the development and implementation of IPCAs that count, when appropriate, toward Canada's biodiversity and protected area targets, including Target 1.
3.	ICE calls upon federal, provincial and territorial governments to support the development of IPCAs beyond the Pathway to Target 1 timeline.

4.	4.1: ICE recommends that federal, provincial and territorial governments support IPCAs whether they count toward Target 1 or not. 4.2: ICE calls on the Government of Canada to support and promote its definition of IPCAs internationally—such as under international designated areas of protection, including UNESCO (United Nations Educational, Scientific and Cultural Organization) designations like World Heritage and Biosphere Reserves—and with regards to processes and requirements in the context of IUCN (International Union for Conservation of Nature) and CBD (Convention on Biological).
5.	ICE recommends that federal, provincial, territorial and Indigenous governments recognize and support the potential of IPCAs to enable sustainable, conservation based Indigenous economies to help diversify local economies.
6.	6.1: ICE calls on federal, provincial and territorial governments to acknowledge and address past wrongdoings— such as appropriating lands and waters from Indigenous Peoples, refusing to recognize the rights of Indigenous Peoples, and excluding them from access to their resources—in the establishment of parks and protected areas. In the spirit and practice of reconciliation, ICE therefore also calls on governments to work with affected Indigenous communities and their governments to determine appropriate action 6.2: ICE calls on federal, provincial and territorial governments to develop collaborative governance and management arrangements for existing federal, provincial and territorial parks and protected areas. 6.3: ICE recommends that federal, provincial and territorial governments support Indigenous designed and led cultural programs in existing parks and protected areas to educate the public (and where applicable, government employees) about Indigenous natural laws and stewardship. This can be done through Indigenous Peoples' geographical, spiritual, social and economic connections to a given park or protected area.
7.	ICE recommends that federal, provincial and territorial governments enter into good faith discussions with Indigenous governments that have an interest in establishing IPCAs relating to, or coinciding with, parks and protected areas where there are not enough meaningful partnerships with Indigenous governments.
8.	For IPCAs or other protected areas already declared by Indigenous governments, such as Tribal Parks, ICE calls upon federal, provincial and territorial governments to formally respond to and engage in good faith dialogue with Indigenous governments to explore appropriate recognition, level of protection and governance sought by the Indigenous government.
9.	ICE recommends that federal, provincial, territorial and Indigenous governments work together on an ongoing basis to review—and, where necessary, amend—protected area legislation, policies and tools to support IPCAs.

"We Rise Together" (10-16)

Guiding Words: **ethical space, acknowledge, respect, collaboration, flexibility, relationship**

Under the "We Rise Together" heading there are seven recommendations, the report characterizes them as more that 'best-practices', they draw from the experiences of Indigenous communities across Canada that have created an IPCA or otherwise protecting part of their territory through 'from the ground up' movements and other effective means and creative process. Outcomes where everyone, federal, provincial, territorial, and Indigenous governments benefits demonstrate the principle of "We Rise Together."

Recommendations	
10.	ICE recommends that federal, provincial and territorial governments use land withdrawals and other measures to prevent development and new third-party interests in IPCA candidate areas while those areas are being considered.
11.	ICE calls on federal, provincial, territorial and Indigenous governments to practice the principle of ethical space by building nation-to-nation, government-to-government and Inuit-to-Crown relationships in the pursuit of IPCAs.
12.	ICE recommends that when building relationships by developing IPCAs, federal, provincial and territorial governments respect the diversity of protocols, preferences, relationships and self-determination of Indigenous governments and regions.
13.	ICE recommends that federal, provincial and territorial governments adopt a flexible approach to collaborating with Indigenous governments and Peoples when identifying and protecting sacred or culturally important areas and cultural keystone species, whether they are in an existing protected area or an IPCA. Governments should not be bound by standard objectives and criteria in these matters.
14.	ICE recommends that Indigenous governments develop IPCA indicators for success, including social, economic and cultural indicators.
15.	ICE calls on federal, provincial and territorial governments to acknowledge and respect the fact that Indigenous governments will use their own unique legal traditions and knowledge systems when establishing IPCAs.
16.	ICE encourages philanthropic organizations and other NGOs to support and partner with Indigenous governments (and Indigenous NGOs, where applicable) and federal, provincial and territorial governments to develop, implement and manage IPCAs.

Holistic and Integrated Approaches to Stewardship (17- 20)

Guiding Words: **integration, collaboration,**

Four recommendations are made under "Holistic and Integrated Approaches to Stewardship", the recommendations place an emphasis on approaching conservation and biodiversity in a way that is consistent with Indigenous worldviews. Reflecting that "achieving reconciliation on land and resource issues will require holistic, integrated approaches that consider and balance the conservation and economic objectives of the parties" (pg.62).

Recommendations	
17.	ICE recommends that federal, provincial and territorial governments collaborate with Indigenous governments to support Indigenous land use planning, collaborative land use planning and governance models to support them.
18.	18.1: ICE recommends that federal, provincial and territorial governments take a more integrated approach to conservation and biodiversity that is consistent with Indigenous worldviews and tailored to what the land and water need locally and regionally. 18.2: ICE recommends the full implementation and coordination of the other Aichi Targets and their related Canadian targets, notably (in the context of ICE's mandate) Aichi Targets 14 and 18: TARGET 14 By 2020, ecosystems that provide essential services, including services related to water, and contribute to health, livelihoods and well-being, are restored and safeguarded, taking into account the needs of women, Indigenous and local communities, and the poor and vulnerable. TARGET 18 By 2020, the traditional knowledge, innovations and practices of Indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected, subject to national legislation and relevant international obligations, and fully integrated and reflected in the implementation of the Convention with the full and effective participation of Indigenous and local communities, at all relevant levels.
19.	ICE recommends that federal, provincial and territorial governments facilitate and support cross-boundary (inter-national, provincial/territorial) conservation strategies as they relate to IPCAs.
20.	ICE encourages the federal government to enable, fund and build on Indigenous-led processes to examine IPCAs in the marine context.

Capacity Building (21-25)

Guiding Words: **Support, encourage, educate, partnership, programs**

Six recommendations are made under 'Capacity Building", the recommendations allow that building capacity of Indigenous Peoples to establish and manage IPCAs may take time. The recommendations call upon federal, provincial and territorial governments, philanthropic organizations, academia, environmental NGOs and industry to support capacity building with some direction on how and what the support can look like.

Recommendations	
21.	ICE calls upon federal, provincial and territorial governments, philanthropic organizations, academia, environmental NGOs and industry to support the capacity of Indigenous governments, communities and associated organizations to plan, establish and manage IPCAs and engage in conservation efforts more broadly.
22.	ICE encourages federal, provincial, territorial and Indigenous governments to work together to support the development of on-the-land programs (e.g., guardian programs or similar community-based initiatives) for the development and management of IPCAs.
23.	ICE recommends creating a network of IPCA managers, supported by an Indigenous-led national coordinating body in partnership with federal, provincial and territorial governments, to support the capacity, development, implementation and success of IPCAs now and beyond 2020.
24.	Further to TRC Call to Action #57, ICE calls upon federal, provincial and territorial governments to educate and create mandatory skills-based training relevant to the local context for staff in intercultural competency, conflict resolution, human rights and anti-racism.
25.	ICE recommends that federal, provincial, territorial and Indigenous governments collaborate with educational institutions to support and encourage further research and capacity-building in IPCAs, such as with respect to the impacts and mitigation of climate change.

Sustained Funding (26)

Guiding word: **multi-year**

The "Sustained Funding" recommendation highlights the incompatibility between traditional bureaucratic funding structures and the long-term commitment to conservation and relationships imagined within an IPCA. The Report recommends that a more streamlined, predictable and flexible funding model is required.

Recommendations	
26.	ICE calls on federal, provincial, territorial and Indigenous governments, and conservation partners, to provide or facilitate secure multi-year funding for the planning, development and management of IPCAs.

Implementation and Immediate Actions (27-28)

Guiding word: **support**

The final pair of recommendations speak to the implementation of the ICE report and acknowledging the work of the ICE committee.

Recommendation	
27.	ICE recommends that federal, provincial and territorial governments and Indigenous governments continue to support the work of ICE going forward to help guide the implementation of these recommendations.
28.	Immediate Actions • 1. Federal, provincial and territorial governments should support ICE to conduct communication and outreach directly with these governments, Indigenous governments, and potential non-government partners after the ICE Report is released to support the process of building IPCAs. • 2. ICE should be supported to host a National Gathering on IPCAs in 2018 for a commencement and ceremony to honour the work completed and work ahead. • 3. ICE should be expanded to include youth advisers (such as from the Youth Climate Advisory Body, or some other youth-oriented group focused on topical environmental issues) and Elder advisers.

Reviewed July 27, 2022

ATTACHMENT 2: IPCA DECLARATIONS INVENTORY (SEPTEMBER 2024)
Shaded entries in blue include marine conservation areas

	First Nation	Project Name	Area	Region - Lead
1	Carcross/Tagish First Nation and Kwanlin Dün First Nation	Yukon River Shahéenx' Southern Lakes Indigenous Protected And Conserved Area Network	North	Skeena
2	Doig River First Nation	K'ih Tsaa?dze Tribal Park	North	Northeast
3	Fort Nelson First Nation	Moose Lake IPCA	North	Northeast
4	Fort Nelson First Nation	Snake-Kotcho IPCA	North	Northeast
5	Gitanyow - Wilp Wii Litsxw	Ha'Nii Tokxw Indigenous Protected Area (Meziadin)	North	Skeena
6	Gitxsan Nation - Wilps Gwininitxw	Gwininitxw Protected Area	North	Skeena
7	Gitxsan Nation - Wilps 'Wii K'aax	Wilps 'Wii K'aax IPCAs and Territorial Stewardship Initiative	North	Skeena
8	Kaska First Nations (Dease River First Nation, Kwadacha Nation, Liard First Nation, Ross River Dena Council)	Dene K'éh Kusān	North	Northeast
9	Kitsumkalum Indian Band	Kitsumkalum Traditional Territory Protected Areas Initiative	North	Skeena
10	Lheidli T'enneh First Nation	Ltha Koh Headwaters Project	North	Omineca
11	McLeod Lake Indian Band	Sas Cho Koh	North	Northeast
12	Nak'azdli Whut'en	Gilchooz/Gordon Lake Archaeology Site	North	Omineca
13	Simpcw First Nation	Rausch Valley IPCA	North	Omineca
14	Saulteau First Nation	Klinse-za/Twin Sisters Park Expansion	North	Northeast
15	Tahltan Central Government (Tahltan Band Council, Iskut First Nation)	Tahltan Indigenous Protected and Conserved Areas	North	Skeena
16	Takla Nation	Chu'duzih Tribal Park	North	Omineca
17	Taku River Tlingit First Nation	T'akú Tlatsini Indigenous Protected and Conserved Areas: Taku IPCA	North	Skeena
18	Tsay Keh Dene	Wədzih Yin¾ (formerly Ingenika IPCA and Special Management Area)	North	Omineca
19	Saik'uz First Nation	Saik'uz Indigenous Conservation Area Network	North	Omineca
20	Kitasoo Xai'xais Nation	Green Inlet (Choowelth') Indigenous Protected Area	Coast	West Coast
21	Kitasoo Xai'xais Nation	Choolque-Sxis IPA Network (formerly Sxis Indigenous Protected Area)	Coast	West Coast
22	Kitasoo Xai'xais Nation	Gitdisdzu Lugyeks (Kitasu Bay) Marine Protected Area	Coast	West Coast

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ATTACHMENT 2: IPCA DECLARATIONS INVENTORY (SEPTEMBER 2024)
Shaded entries in blue include marine conservation areas

	First Nation	Project Name	Area	Region - Lead
23	K'omoks First Nation	Restoring Integrity - Kus-kus-sum	Coast	West Coast
24	Kwikwasut'inuxw Haxwa'mis First Nation	Hada &Kakaweikan Indigenous Protected and Conserved Area	Coast	West Coast
25	Lower Similkameen, Nlaka'pamux, and Sto:lo First Nations	Upper Skagit Conservation Management Area	Coast	South Coast
26	Mamalilikulla First Nation	Gwaxdlala/Nalaxdlala (Lull Bay/Hoeya Sound) IPCA	Coast	West Coast
27	Mowachaht/Muchalaht First Nation	Salmon Parks	Coast	West Coast
28	Nuxalk Nation	Acquisition and protection of land parcels with important spiritual, cultural, and environmental importance to Nuxalkmc	Coast	West Coast
29	Shíshálh	lilx-mit: IPCAs in skw'ákw'u xénichen and ts'únay	Coast	South Coast
30	S'ólh Téméxw Stewardship Alliance (STSA) (Pilalt)	Gill Bar	Coast	South Coast
31	Te'mexw Treaty Association (Sc'ianew First Nation, Songhees Nation, T'Sou-ke First Nation)	Te'mexw Treaty Association Indigenous Protected Area Network	Coast	West Coast
32	Tla-o-qui-aht first Nation	Tla-o-qui-aht Tribal Parks: Esowista Tribal Park	Coast	West Coast
33	Tla-o-qui-aht first Nation	Tla-o-qui-aht Tribal Parks: Ha` uukmin (Kennedy Lake Watershed)	Coast	West Coast
34	Tla-o-qui-aht first Nation	Tla-o-qui-aht Tribal Parks: Tranquil Tribal Park	Coast	West Coast
35	Tla-o-qui-aht first Nation	Tla-o-qui-aht Tribal Parks: Wah-nuh-jus – Hilth-hoo-is (Meares Island)	Coast	West Coast
36	Tsawout First Nation	QEN'T Marine Protected Area	Coast	West Coast
37	Wei Wai Kum Nation	Homayno IPCA	Coast	West Coast
38	Cook's Ferry Indian Band	Cook's Ferry (Horn Mountain) IPCA	South	Thompson-Okanagan
39	Kanaka Bar Indian Band	ƛ̓ə-ɬ̓ƛ̓aqtn/T'eqt'aqtn Indigenous Protected and Conserved Area	South	Thompson-Okanagan
40	Ktunaxa Nation Council (ʔaɬ̓am, ʔakisɬ̓nuk First	Qat'muk	South	Kootenay-Boundary

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	First Nation	Project Name	Area	Region - Lead
	Nation, yaqan nuʔkiy, Tobacco Plains Indian Band)			
41	Lower Similkameen Indian Band	nʔaysn̓aʔxʷ (Ashnola) smelqmix Protected and Conserved Area	South	Thompson-Okanagan
42	Nazko First Nation	Nazko Conservation Areas	South	Cariboo
43	11 Nlaka'pamux communities	Stein Nahatlatch IPCA	South	Thompson-Okanagan
44	Okanagan Indian Band, Osoyoos Indian Band	Nxelxweltantet (that which gives us life): syilx Oganagan	South	Thompson-Okanagan
45	Williams Lake First Nation & Xatśūll First Nation	Great Caribou Rainforest Conservation Area	South	Cariboo
46	Xaxli'p First Nation	Creation of a Xaxli'p Ecological and Cultural Protected Area	South	Thompson-Okanagan
47	Xeni Gwet'in First Nations Government, Yunesit'in Government	Dasiqox-Nexwagwezʔan	South	Cariboo

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Cumulative Effects Framework

KEY POINTS:

- Effective management of cumulative effect requires the development of trusted data on the current condition of values[1], and the application of those data into objective setting processes, management guidance, decision making and land use planning that will ensure important values are maintained into the future. If there is a common understanding of the current condition of the land and a transparent and shared vision for a balanced approach to land use, permitting and authorization decisions are less likely to be challenged.
- The Cumulative Effects Framework (CEF) was first launched in 2013/14 and included the foundational elements of current condition assessments and management guidance on provincial and regional values. In 2016 the CEF Interim Policy provided guidance on how cumulative effects should be considered by statutory decision makers, however there were no changes made to underlying legislation to require consideration of cumulative effects in a consistent manner.
- In the 2021, Blueberry River First Nations BC (Yahey) 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"*. In response to this finding the Province has committed to restoration, establishing protected areas and multiple land and resource planning initiatives with Treaty 8 Nations. The Province has also implemented a Cumulative Impacts Order requiring decision makers in the Northeast to document their consideration of cumulative impacts on treaty rights.
- Across the rest of the province there is no similar legal order to what has been done in the Northeast and only partial commitments to land use planning and objective setting based on trusted current condition data. Pressures are increasing from First Nations to better manage for cumulative effects, particularly in the Southeast and Lower Mainland. Given the level of disturbance in other parts of the province, it is likely that courts would come to similar findings to the Blueberry River First Nations court case should other First Nations seek legal action related to cumulative impacts of disturbance on Aboriginal or treaty rights.

BACKGROUND:

- Cumulative Effects is described as the changes to environmental, social and economic values caused by the combined effect of past, present and future human activity.
- The BC Cumulative Effects Framework (CEF) led by the Ministry of Water, Land and Resource Stewardship (WLRS) is a set of policies, procedures and decision-support

[1] Through the Provincial Cumulative Effects Framework, assessment of provincial values includes moose, grizzly bear, forest biodiversity, old forests and aquatic ecosystems. Regional values are also assessed based on regional priorities and needs (eg, grasslands, wetlands, species at risk etc).

tools that helps statutory decision makers and planning tables identify and manage cumulative effects consistently and transparently across British Columbia's Natural Resource Sector (NRS).

- The 2016 CEF Interim Policy was approved by Natural Resource Sector Deputy Ministers and provided consistent standards and direction for assessing and reporting cumulative effects, general expectations for natural resource decision-making key roles and responsibilities as well as expectations and commitment for continued engagement and collaboration with First Nations and stakeholders.
- 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 resource authorizations, such as roads and forestry activities; (5) watershed security planning and fish habitat management; (6) consultation with First Nations and impact assessment to Aboriginal rights and title; and (7) other strategic, operational and tactical natural resource management decisions.
- To date, current condition reports and accompanying data generated under the CEF on various values have been published in all of the eight Natural Resource Regions and many more reports are in progress (see Appendix 1).

DISCUSSION:

- In the 2021, BC 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"*. In response to this the Implementation Agreement (IA) with Blueberry River First Nation and the Consensus Document with Treaty 8 nations were signed.
- The Yahey decision did not find fault with the foundational elements of the CEF (current condition assessments). The Regional Strategic Environmental Assessment (RSEA) was a collaboration between the province and Treaty 8 Nations to complete current condition assessment and management guidance for decision makers. RSEA reports we part of the evidence provided by BRFN in their court case to demonstrate that cumulative impacts were occurring. The gap found in the Yahey case was the province's failure to demonstrate that decision making included consideration of RSEA data and that decision makers across Ministries and Agencies were applying a consistent approach to cumulative effects management.
- A key commitment the Consensus Document is to issue legally effective direction to decision makers to consider cumulative effects. This commitment responds to the court's determination that *"the Province's mechanisms for assessing and taking into account cumulative effects are lacking and have contributed to the breach of its obligations under Treaty 8"*.
- Provincial law (including the Declaration on Rights of Indigenous Peoples Act and Interpretation Act), First Nation consultation obligations (including the Constitution Act) and proven treaty rights infringement by Blueberry River First Nations together create requirements on statutory decision makers to consider and incorporate Indigenous interests and rights into decisions. However, because many natural resource statutes don't clearly articulate these expectations, a legal gap exists to ensure decision makers understand their obligations when making their independent decisions. The

passive policy and guidance advice approach of the CEF was challenged by the court as being ineffective.

- This gap in cumulative effects management has been partially addressed in the Northeast through the implementation of the Northeast District Cumulative Impacts (Treaty 8) Order under the Environment and Land Use Act, which requires SDMs across the natural resource sector to prepare a written record setting out:
  1. The impacts of the activity on treaty rights under Treaty 8, having regard to at least:
     a. their geographic extent;
     b. their duration over time; and,
     c. the cumulative impacts of the activity in the context of the impacts on treaty rights of other industrial and commercial activities.
  2. The measures the statutory decision maker has taken to avoid or mitigate those impacts.
- Through the data, information, and guidance produced under the CEF, a suite of materials has been developed to support Northeast decision makers in the implementation of the Order. The Order itself provides clear and consistent legal direction for decision makers rather than the passive policy advice approach of the CEF. The learnings gained through this process in the Northeast will likely aid in supporting similar processes in other part of the province, as required.
- Across the rest of the province there is no similar legal order to what has been done in the Northeast yet there are mounting CE pressures, particularly in the Southeast and Lower Mainland. Given the level of disturbance in other parts of the province, it is likely that courts would come to similar findings should other First Nations seek legal action related to cumulative impacts of disturbance on Aboriginal or treaty rights.

INDIGENOUS PEOPLES:

- BC continues to shift towards co-development of cumulative effects information through the Collaborative Indigenous Stewardship Framework (CISF) to ensure trusted data is being developed.
- Cumulative effects assessments are a growing and key interest for many First Nation governments. Through CISF, trusted data is collected, and assessments are conducted collaboratively to inform operational and strategic decision-making, reflecting Indigenous perspectives and knowledge.

FISCAL IMPLICATIONS:

- There is a lack of capacity to effectively engage with all First Nations to build the necessary data on current conditions and management guidance and strategic objectives into decision making and land use plans. Government currently supports 13 Collaborative Indigenous Stewardship Forums that includes approx. 150 First Nations across 80% of the provincial land base. While this program has broad support and covers most of the province, the budget (Governm provincial plus matching contribution from Canada) means that only a limited number of values assessments can be done in each year. There is a significant gap in trusted data on the current condition of key values, which results in First Nations questioning permitting decisions.

- Delays in permitting decisions can have an economic impact on communities and the Province as would further legal action taken by First Nations on the basis of cumulative impacts to First Nations rights.

NEXT STEPS:
Provincial CE Policy Framework:

- WLRS will work with natural resource sector ministries to complete an analysis of the level of investment and prioritization required to properly assess current conditions and complete necessary objectives and management guidance to inform permitting and land use planning process. Advice/Recommendations; Cabinet Confidences
Advice/Recommendations; Cabinet Confidences

CEF Implementation:

- Next steps for CEF implementation include: 1) continue publishing CE assessment results for Grizzly Bear, Forest Biodiversity, Old Growth, Aquatic Ecosystems, and Moose, including building web-based reporting tools to communicate assessment results to users, 2) continue engagement with First Nations through CISF to share information and seek collaboration on CE approach, and 3) advancing CE data into operational decision-making through the development of management considerations and guidance (i.e., drawing learnings from the NE and applying in other regions).

Northeast Cumulative Impacts Order Implementation:

- Next steps for the Northeast CE Legal Order Implementation include: 1) ongoing engagement with Treaty 8 Nations around implementation and guidance to decision makers, 2) ongoing refinement of implementation resources, tools, and guidance, and 3) tracking of permitting efficiencies during the order.

Attachments: Appendix 1: Cumulative Effects Framework – Report Status

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250-637-1007

REVIEWED BY:

	Initials	Date
DM	LH	Oct 16, 2024
CFO/EFO (if required)		
ADM	DM	Sept. 27, 2024
Program Dir/Mgr.	LH	Sept. 25, 2024

Cumulative Effects Framework (CEF) Reporting Status

Note: This update does not include all published resources under the CEF (2015-present). 80+ unique CE studies have been developed under the CEF; this includes reports, online web maps or other CE related guidance and decision support products. All public resources are available through the CEF External Website and the BC Data Catalogue. All internal resources are available through the CEF Intranet, including bi-annual program updates from the Branch and Regional programs.

Region	Product	Drafting	Review and Revisions	Approvals[1]	Anticipated Publication Date
Kootenay-Boundary	Grizzly Bear Current Condition Report	complete	complete	complete	Published Nov 2023
	Old Growth Current Condition Report	on hold (pending FLP)			TBD
	Aquatics Current Condition Data	complete	complete	complete	Published March 2024
Thompson Okanagan	Moose Current Condition Report	complete	in progress		Spring 2025
	Old Growth Current Condition Report (Kamloops LRMP, Merritt TSA, Lillooet TSA, Okanagan LRMP)	complete	complete	complete	Published Summer 2024
	Grizzly Bear Current Condition Report	complete	complete	complete	Published April 2022
Cariboo	Grizzly Bear Current Condition Report	complete	complete	complete	Published March 2024
	Moose Current Condition Report	complete	in progress		Spring 2025
	Forest Biodiversity & Old Growth Quesnel District)	complete	complete	complete	Approved Sept 2024 (waiting until after interregnum for posting)
	Forest Biodiversity & Old Growth (Cariboo-Chilcotin District, Quesnel District, 100 Mile House District)	in progress	complete	in progress	Winter 2024
Skeena	Lakes Timber Supply Area – Forest Biodiversity Current Condition Report	complete	complete	complete	Approved Sept 2024 (waiting until after interregnum for posting)
	Morice Timber Supply Area -Forest Biodiversity Current Condition Report	complete	complete	complete	Approved Sept 2024 (waiting until after interregnum for posting)
	Moose State of the Value Report				TBD

[1] Process generally as follows: regional review by subject matter experts – LUPCE Director, Resource Stewardship Operations (for decision) – Regional Management Committees (for information) – LUPCE Area EDs (for decision/information) – LUPCE ADM and others as identified (for information) – publication of report, data, geospatial tools to external CEF website and BC Data Catalogue.

West Coast	Grizzly Bear Current Condition Report	complete	complete	complete	Published April 2022
	Vancouver Island Old Growth Current Condition Report	complete	complete	complete	Published Nov 2023
	Aquatic Ecosystems Current Condition Report	complete	on hold (limited capacity)		TBD
Omineca	Grizzly Bear Current Condition Report	complete	complete	complete	Published February 2022
	Robson Valley Old Growth Current Condition Report	complete	complete	complete	Published Dec 2023
	Aquatics Current Condition Report **(Region led)**	complete	in progress		TBD
	ESI Stuart Nechako Old Growth Current Condition Report **(Region led)**	complete	complete	in progress	TBD
	Moose Current Condition Report **(Region led)**	complete	in progress		TBD
	Moose ESI report **(Region led)**	complete	in progress		TBD
Northeast	Water CCR **(RSEA led)**	complete	complete	stalled	Publication unlikely
	Moose CCR **(RSEA led)**	complete	complete	stalled	Publication unlikely
	Peaceful Enjoyment CCR **(RSEA led)**	complete	complete	stalled	Publication unlikely
	Old Forest (Biodiversity) CCR **(RSEA led)**	complete	complete	stalled	Publication unlikely
	Environmental Livelihoods CCR **(RSEA led)**	complete	complete	stalled	Publication unlikely
	Forest Biodiversity Assessment Data	complete	complete	complete	Published Sept 2024
	Aquatics Current Condition Data	complete	complete	complete	Published March 2024
	Grizzly Bear Current Condition Report and Data	complete	complete	complete	Published 2020
South Coast	Old Growth Current Condition (Region led – SBOT)	complete	complete	complete	Published Winter 2023
	Aquatic Ecosystems Current Condition (Region led – SBOT)	in progress			TBD

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Lower Fraser Cumulative Effects

KEY POINTS:

- Cumulative Effects (CE) described as the changes to environmental, social and economic values caused by the combined effect of past, present and future human activity, pose a significant challenge to regulatory decisions on project development and relationships with First Nations in the Lower Fraser.
- The Ministry of Water, Land and Resource Stewardship (WLRS) and the Ministry of Indigenous Relations and Reconciliation (MIRR) have been working with Tsawwassen First Nation (TFN) and Musqueam Indian Band (MIB) to advance a First Nation-led Lower Fraser šxʷkʷecxənəm Partnership/CE Approach. It is anticipated that the partnership, when complete, will be a place where CE impacts are addressed through restoration and enhancement activities and monitoring through a fund that governments and proponents can make contributions into. The partnership does not replace the need for project specific assessment of CE impacts.

BACKGROUND:

- The Lower Fraser is the most complex jurisdiction in the province, with decisions made by Canada, Metro Vancouver, Vancouver Fraser Port Authority (VFPA) and British Columbia (BC). It plays a key role in the province's economy, with almost $1B in trade passing through the area every day. These factors highlight the need for collaboration amongst all governments.
- MIB and TFN wrote to BC, Canada, Metro Vancouver and the Vancouver Fraser Port Authority in 2023 requesting all parties work to develop a cross government, First Nations-led approach to stewardship that would address CE challenges.
- To date, all governments have written in response to MIB and TFN indicating a willingness to engage in discussions that could lead to the creation of the Lower Fraser šxʷkʷecxənəm Partnership as a new approach to CE in the Lower Fraser.

DISCUSSION:

- Effective management of CE requires the development of trusted data on the current condition of values, and the application of those data into objective setting processes, management, guidance, decision making and land use planning that will ensure important values are maintained into the future.
- Through the provincial Cumulative Effects Framework, assessment of provincial values includes moose, grizzly bear, forest biodiversity, old forests and aquatic ecosystems. Regional values are also assessed based on regional priorities and needs (e.g., grasslands, wetlands, species at risk etc.). WLRS has begun to scope and gather information about the values within the Fraser River that are within provincial jurisdiction to manage; however, there are no current condition assessments or objectives set for the values.
- In 2022, the Environmental Assessment Office (EAO) assessed the Tilbury Marine Jetty (TMJ) project as having serious cumulative impacts to TFN Treaty rights related to culture, and moderate-to-serious cumulative impacts related to fishing. BC issued an environmental assessment certificate for the TMJ project in spring 2024 and Canada issued their final environmental assessment decision allowing the project to proceed in July 2024.

- This first ever assessment in the Lower Fraser River poses a significant challenge to future projects and decisions, as decisions will likely require a robust CE solution that is led by or has significant support from First Nations.
- The Lower Fraser šxʷkʷecxənəm Partnership has the potential to address some of significant CE issues being raised by First Nations through establishment of a dedicated trust First Nations manage themselves.
- While the exact structure and function for the partnership has yet to be set, areas of focus could include coordination of restoration and enhancement activities, knowledge and data sharing, and inventory and monitoring.
- Geographic scope of the partnership is focused on the Port Mann bridge downstream to the mouth of the Fraser River, including North Arm, South Arm and Canoe Pass and is limited to foreshore and excludes upland areas.
- Major projects will still be required to follow the regulatory environmental assessment process(es), including assessing and mitigating for project specific cumulative impacts; however, the partnership approach has the potential to streamline the regulatory review as it offers a way in which the impacts can be addressed.
- Proponents would make a financial contribution to the trust in support of efforts to manage non-project specific CE that contribute to regional impacts in the Lower Fraser. Contributions would not replace project-specific mitigations.
- In 2024, BC provided conditional support for up to $100M to establish a trust to advance project work, as well as First Nation capacity. Advice/Recommendations; Cabinet Confidences
  Advice/Recommendations; Cabinet Confidences
- d
- Advice/Recommendations; Intergovernmental Communications
- Cabinet Confidences; Intergovernmental Communications
- MIRR, with support from other natural resource sector ministries are providing a secondment to MIB, matching EAO's secondment to TFN. These secondments will be key to successfully advancing and finalizing the MOU.
- Intergovernmental Communications

INDIGENOUS PEOPLES:

- TFN and MIB have constitutionally protected, proven rights to harvest in the Lower Fraser with numerous other First Nations (20-35) asserting rights and title.

FINANCIAL IMPLICATIONS:

- MIRR has led on the financial components of the partnership that includes:
  - conditional support for up to $100M to establish a trust to advance project work;
  - up to Govern for First Nation capacity; and,

- Senior provincial government staff seconded to work with TFN, and a second secondment is in development with MIB.

NEXT STEPS:

- Advice/Recommendations; Intergovernmental Communications
- Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications
- BC will support the partnership in creating significant and meaningful opportunities for communities and the public.

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	Initials	Date
DM	LH	Oct 9, 2024
CFO/EFO (if required)		
ADM	DM	Oct 2, 2024
Program Dir/Mgr.	ML	Sept 26, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Collaborative Indigenous Stewardship Forums

KEY POINTS:

- Stewardship Forums delivered in full partnership with First Nations were first piloted under the Environmental Stewardship Initiative (2014) and the Collaborative Stewardship Framework (2018). In 2022 the Collaborative Indigenous Stewardship Framework received a Cabinet mandate and base funding for a long-term commitment to collaborative stewardship and co-management.
- The CISF model has been established to provide a regionally-based venue for co-management with First Nations, grounded in technical priorities, and directed by regional strategic priorities.
- CISF is a central delivery mechanism through which multiple government priorities can be efficiently delivered and/or supported, including cumulative effects assessment, monitoring and reporting, Land Use Planning (LUP), Forest Landscape Planning (FLP), Old-Growth forest management, fish and wildlife management and watershed stewardship.
- CISF's governance model represents a foundational approach to shared stewardship, whereby Nation and provincial leadership have committed to common priorities, trusted data and have jointly endorsed pathways to advancing collaborative stewardship and co-management of natural resources.
- This approach to collaborative stewardship and co-management is rebuilding trust with First Nations and can result in faster permitting and planning. However, the scope and scale of the CISF program is very small compared to First Nations' expectations.

BACKGROUND:

- CISF represents BC's fundamental, strategic approach to shared stewardship and collaborative land and resource management between BC and partner First Nations.
- The CISF model is currently comprised of 18 Regional Forums with 150 Nations involved: four in the Marine Plan Partnership for the North Pacific Coast, one in the Great Bear Rainforest (GBR) and 13 CISF Forums province-wide. Forums cover close to 80% of the provincial land-base.
- The CISF is guided by a Governance Working Group Executive (GWGE) comprised of senior Nation leadership, elected and hereditary Chiefs. The GWGE advises BC on the design, implementation and strategic direction of the CISF.
- CISF received a Cabinet mandate in October 2022 after the Ministry of Water, Land and Resource Stewardship (WLRS), supporting NRS agencies and partner First Nations, co-developed a submission that included recommendations for a long-term commitment to collaborative stewardship and co-management. The mandate was modelled based on a decade of trials and pilot Forums with First Nations through the Environmental Stewardship Initiative (ESI) and Collaborative Stewardship Framework (CSF).

- WLRS has committed to base program funding on an annual basis, such that Nations can begin building capacity as land managers and building trust in the partnership approach. The provincial budget commitment has been leveraged to attract matching federal investment. Through the tri-partite Framework Agreement on Nature Conservation (TFANC), Environment and Climate Change Canada (ECCC) and BC have negotiated a long-term funding agreement for CISF for fiscal years 2023/24, 2024/25 and 2025/26. This represents a three year partnership, that will merge into the longer-term 8 year TFANC agreement with Canada.

DISCUSSION:

- The approach to collaborative stewardship and co-management begins with defining the values that First Nations and the Province want to manage for and assessing the current condition of those values. By investing in the values and current conditions, the Province and First Nations can build a trusted data set that informs permitting decision, resource planning (FLP) and strategic land use planning. This results in shorter permitting timelines and faster planning processes as the underlying data is no longer questioned. Collaborative stewardship in this manner can also reduce the risk of litigation based on historic and cumulative impacts from industrial and commercial development.
- Discussions are underway with many of the Nations not currently participating in a regional forum. As those Nations advance towards a regional partnership for collaborative stewardship and co-management, they are offered capacity and participation opportunities via CISF. However, with a fixed budget, it is difficult to onboard new First Nations into the program.
- BC continues to hear directly from Nation partners about the profound impact that CISF is having in their communities. Positive outcomes are arising with respect to the management of resource values, as well as with Indigenous youth engagement, the transfer of Indigenous knowledge into land and resource use and decision making, community healing, and social well-being.
- Over 73 Indigenous positions are funded, and 350 individuals trained, working as Fish and Wildlife Technicians, Land Management Guardians, Cumulative Effects Specialists, and Project Managers. Capacity funding provided through CISF is resulting in an increase in professional land and resource managers at the Nation community level, further supporting the path towards co-management.
- Participating Nations state that CISF is the best example they have seen in delivering true shared stewardship and trusted land and resource management. Industry and stakeholder representatives are engaged provincially and at the regional forums.
- CISF has facilitated the completion of twelve cumulative effects assessment and monitoring reports. These reports provide trusted data into decision making and permitting decisions.
- Agreements are in place to deliver Forum-generated information to LUP, FLP and Water Sustainability Planning (WSP) tables (e.g. LUP - Fort St. John, Nicola Watershed; FLP – Williams Lake, 100 Mile, MacKenzie, Kamloops, Lakes Timber Supply Areas and WSP/FLP - Upper Bulkley Morice (Wet'zinkwa)).
- While the scope of the CISF program includes many First Nations, there is not enough funding to properly assess all shared values and relate the work to all government natural resource planning and permitting initiatives. Direction will be required from the new government on level of investment, and continued alignment across ministries and programs, necessary to advance collaborative stewardship of land, water and natural resources.

INDIGENOUS PEOPLES:

- The Forum model is a unique structure of consent-based decision-making between Indigenous governments and the Province and supports the implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) and the *Declaration on the Rights of Indigenous Peoples Act* (*Declaration Act).*

- CISF delivers on Action 2.6 of the Declaration Act Action Plan which commits the province to "*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 is achieved through collaborative stewardship Forums and requires B.C. to work with First Nations to develop new policies that better reflect long-term co-management of the land".*
- CISF Nations have committed to reporting together on the progress of Declaration Act Action 2.6.
- Delivery of CISF and related Guardians activities are intended to promote the exercise of the right of self-government and self-determination, which is captured in a number of articles in the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration), including but not limited to, Articles: 3, 4, 5, 18 and 32.

FINANCIAL IMPLICATIONS:

- CISF has provided annual capacity funding to First Nations participating in the Program since 2014. On average, Forums require a minimum investment of $1M annually to support Nation capacity and participation, governance, operations, Guardians, and specific resource management projects.
- The CISF typically forecasts a budget of approximately $15M annually. Increased resources will be needed to meet growth projected as Forum outputs expand in complexity.
- Government Financial Information; Intergovernmental Communications

- From the above sources, CISF has secured $14.15M to directly support First Nation's capacity needs for FY24/25. The Province and First Nations are working together in a Funding Working Group to seek supplementary external funding that will address a remaining shortfall of approximately $4M based on pressures put forward by participating First Nations.
- Beyond FY25/26, CISF will be seeking further funding from external sources such as the BC-Canada Nature Agreement, the Conservation Financing Mechanism and BC Parks Foundation to continue to support the Program.
- Forums allocate approximately 1/3 of their annual budgets to Guardians' activities on the land base such as monitoring and assessments, data collection and protocol development.
- CISF funding is primarily flowed through STOB 80 Shared Cost Arrangements (SCAs) on a one fiscal year timeline (April 1 – March 31) with First Nations participating in the Program SCAs.
- BC is currenty negotiating long-term agremeents under the new fiscal framework, led by the Ministry of Indigenous Relations and Reconciliation (MIRR) that will likley decrease the pressure for CISF to provide capacity funding to certain Nations over time.

NEXT STEPS:

- Nations will be seeking an early audience with new government to discuss co-management and stewardship at the following upcoming opportunities: First Nations Leadership Gathering January 2025, BC Natural Resources Forum 2025, and CISF Forum Gathering April 2025. CISF partners are developing a long-term strategic vision, plan and pathway for delivery, to be presented to the incoming government post-election.
- Direction will be required from the new government on level of investment, and continued alignment across ministries and programs, necessary to advance collaborative stewardship of land, water and natural resources

Attachment(s): 1. Map of CISF Forums

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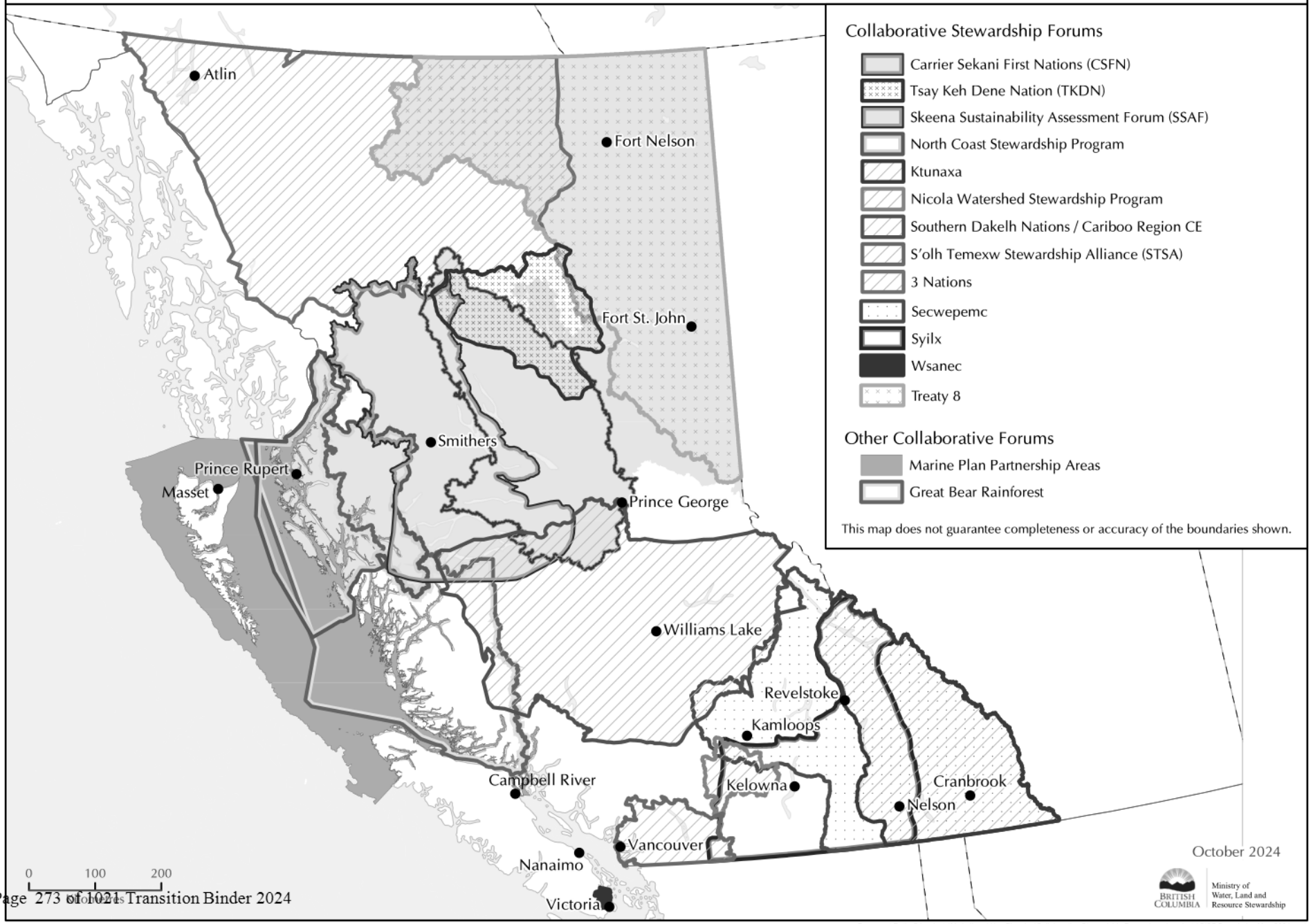
REVIEWED BY:

	Initials	Date
DM		
CFO/EFO (if required)		
ADM	DM	Sept 24, 2024
ED	LH	Sept 18, 2024
Program Dir/Mgr.	SR	

Collaborative Indigenous Stewardship Framework (CISF)



BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Ecosystem Stewardship

BACKGROUND:

- Ministry staff within the Land Use Planning and Cumulative Effects (LUPCE) Division are responsible for terrestrial and aquatic habitat management (i.e., Ecosystem Stewardship) on provincially managed public land.
- Reporting within area-based teams, these staff implement regional Ecosystem Stewardship core business on behalf of the Ministry, and in collaboration with other natural resource sector Ministries.

DISCUSSION:

Ecosystem Stewardship is a broad area of business that includes the following core functions across the North, Coast and South Areas related to aquatic and terrestrial habitat management:

- Land manager for terrestrial and aquatic habitat values including strategic planning, decision making and operational prioritization at the regional level.
- Statutory decision maker in establishment of land designation and stewardship measures for forest and range values under the Government Actions Regulation (GAR), including Wildlife Act Areas, Ungulate Winter Ranges, Specified Areas, and Fisheries Sensitive Watersheds; also responsible for monitoring effectiveness of GAR designations and considering requests for exemptions to existing GAR designations.
- Technical support in biology, ecology, hydrology and cumulative effects to ensure robust permitting decisions under the *Water Sustainability Act*, *Land Act*, *Wildlife Act*; also provide technical support to other decisions made by other agencies (e.g., Ministry of Energy, Mines and Low Carbon Innovation (EMLI), Ministry of Forest (FOR), Environmental Assessment Office (EAO) and external clients (e.g., local governments) through agency referrals by request.
- Regional implementation of the Together for Wildlife Strategy and other wildlife habitat management actions, in particular establishment of Regional Wildlife Advisory Committees (RWACs), on-the-ground stewardship actions to meet wildlife objectives (e.g., access management, prescribed burning), securement and management of provincial Conservation Lands, and collaborative wildlife stewardship to advance reconciliation with First Nations.
- Regional implementation of species at risk recovery actions, including subject matter expert contribution to provincial and federal recovery planning documents, inventory and data gathering, habitat restoration and outreach to establish effective protection in support of the Canada-British Columbia Agreement on Species at Risk.
- Technical support for all hazards management, including regional drought technical working groups, wildfire response analysis and post-wildlife recovery tables, and flood emergency respond and recovery.
- Technical support for Land Use Planning, Collaborative Stewardship Forums through incorporation of aquatic and terrestrial habitat science information to inform planning and decision making.
- Technical advice and expert witness statements to support legislative compliance investigations involving damage to aquatic and terrestrial habitats.

INDIGENOUS PEOPLES:

- Indigenous communities are key partners in planning and on-the-ground implementation of Ecosystem Stewardship actions, both at the community level and at the nation level.
- Collaborative ecosystem stewardship of BC's nature resources is an integral part of reconciliation with Indigenous Peoples.

FINANCIAL IMPLICATIONS:

- Ministry-led ecosystem stewardship actions are funded through a patchwork of internal and external funding sources.
- Key provincial funding sources include the Together for Wildlife Strategy and the Land Based Investment Strategy, which continue to be significantly oversubscribed each year; partner funding programs include Habitat Conservation Trust Foundation and Environment Canada's Priority Places funding for species at risk.
- Funding for Indigenous participation in Ecosystem Stewardship is available through the Indigenous Funding Program and Collaborative Indigenous Stewardship Forums.

SUMMARY:

- Ecosystem Stewardship is a core business area that includes strategic and operational implementation of terrestrial and aquatic habitat management actions following an adaptive management cycle (i.e., plan, implement, monitor, adjust).
- This work is integral to managing terrestrial and aquatic habitat values throughout the Province on behalf of the public and to advancing reconciliation with Indigenous partners.

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 3, 2024
CFO/EFO (if required)		
ADM	DM	Sept 26, 2024
Program Dir/Mgr.	EV	Sept 20, 2024
Program Dir/Mgr.	ML	Sept 24, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Cowichan Weir

KEY POINTS:

- The replacement of the Cowichan Lake weir is an important initiative in response to increased climate change pressures (drought) and is vital to ensuring the survival of fish species and the health of the broader ecosystem. The project is also key to the ongoing government-to-government relationship with Cowichan Tribes (CT).
- The Ministry of Water, Land and Resource Stewardship (WLRS) has been supporting this project on behalf of the Province both by engaging directly with the partnership of the Cowichan Watershed Board (CWB), the Cowichan Valley Regional District (CVRD), CT and Paper Excellence (the partnership) who is the owner of a mill downstream and the license holder for the current weir.
- The Province provided a $14M grant as part of Budget 2024 to support CT in their initiative to replace the Cowichan Lake weir.
- Advice/Recommendations; Government Financial Information

BACKGROUND:

- The Cowichan watershed is a vital source of fresh water that supports drinking water, critical fish habitat, cultural use, and a diverse regional economy for local residents, CT, industry, and the broader community.
- The CWB includes representation from CT and the CVRD and provides leadership for sustainable water management in the Cowichan Watershed and adjacent Koksilah Watershed.
- Since 1957, the Cowichan Lake weir has controlled water flow into the Cowichan River by storing water in winter and releasing it in summer.
- Various downstream users are accordingly impacted by the flow of water from the weir, including Catalyst Crofton (a local mill owned by Paper Excellence).
- Climate change impacts (decreased snowpack, frequent summer drought) now regularly cause low river flows and higher water temperatures resulting in negative impacts to fish and wildlife, river users, and food security and cultural practices for CT.
- In summer 2023, the Department of Fisheries and Oceans Canada (DFO) attributed a mass die-off of fish in the Cowichan River to low flows and higher water temperatures.
- The partnership is pursuing construction of a new weir with greater storage capacity to help mitigate these issues.

- In 2019, BC awarded the CVRD $4M through the BC Salmon Restoration and Innovation Fund to study the engineering requirements of rebuilding the weir and the impact of storing more water on lakeshore properties. The study estimated new weir construction costs at $20M - $24M, not including liability, compensation to lakeshore properties, or operational costs.
- The Federal government has also earmarked ~$24M in funding toward weir reconstruction. Federal funding expires in 2032 and was contingent on securing $14M from BC, which was provided to the CWB as part of the 2024 provincial Budget.
- Advice/Recommendations; Government Financial Information; Intergovernmental Communications

- WLRS staff (Land Use Planning and Cumulative Effects Division - West Coast Region) meet regularly with CWB staff to collaborate on these concerns.

DISCUSSION:

- It is anticipated that the rebuilding and replacement of the weir will add 70 cm of water storage to Cowichan Lake which will help minimize the aforementioned ecological impacts by ensuring year-round environmental flows meet ecosystem needs.
- Work to rebuild the weir is a partnership between CT, the CWB, the CVRD and Paper Excellence, and is supported by provincial staff. Given the positive outcomes for the project, there also exists support from the Federal government, as well as residents and environmental non-governmental organizations.
- The Province announced $14 M as part of Budget 2024 to support Cowichan Tribes in their initiative to replace the Cowichan Lake weir. The $14M number was informed by the CWB's costing and the CVRD's technical study in 2019. The Province's contribution was also critical to unlocking the $24M already committed by the Government of Canada through a Federal Disaster Mitigation and Adaptation Fund grant to CT.
- Since the $14M was announced, costs for construction have been updated and is now
Advice/Recommendations; Government Financial Information; Intergovernmental Communications
- Advice/Recommendations; Government Financial Information; Intergovernmental Communications

-

- Given the construction of the weir and the associated increase in water storage, it is anticipated that the water levels of Cowichan Lake will rise resulting in reduced beachfront and increased erosion risks for landowners along the shore of the lake. Over Fall 2024, the partnership will also be undertaking analysis of these potential impacts, as well as an assessment of the costs of potential financial compensation to landowners.
- In order for a new weir to be constructed, the partnership will also be required to determine how they wish to approach ownership and operation, including the need to obtain the necessary approvals from the Province in the form of water licenses under the *Water Sustainability Act* (WSA).

- Paper Excellence is the current holder of the water license and owner of the existing weir. The partnership will need to determine who will be the new applicant for the water license (e.g., Cowichan Tribes) and the ultimate owner of the new structure. The partnership has raised concerns associated with taking on the liability associated with ownership and license-holding and will be looking into insurance costs and other factors as part of their work over Fall 2024.

INDIGENOUS PEOPLES:

- The Cowichan Watershed is the ancestral home to Quw'utsun Nation, including CT, Halalt, Lyackson, Penelakut and Stz'uminus First Nations.
- CT is a member of Quw'utsun Nation (QN) and signatory to the QN-BC government to government agreement (G2G).
- The relationship with CT is important and the replacement of the weir is one of many initiatives that the Province is currently engaged with the nation on. WLRS is also actively partnering with Cowichan Tribes on Xwulqw'selu (Koksilah) Watershed Planning (the first Water Sustainability Plan in BC) and the Cowichan Estuary Restoration Project (the largest estuarine restoration to ever occur on Vancouver Island).
- As a member of QN, CT is also an important partner for the ministry's work on private moorage in the Southern Gulf Islands and Southeast Vancouver Islands.
- Should the partnership apply for a water license under the WSA for the new weir, BC must consult other impacted First Nations as part of that process.

FINANCIAL IMPLICATIONS:

- BC announced a $14M grant as part of Budget 2024 to support Cowichan Tribes in their initiative to replace the Cowichan Lake weir.
- Advice/Recommendations; Government Financial Information

NEXT STEPS:

- WLRS will continue to engage with the partnership on technical matters.
- Over the course of the next 90 days, the ministry is likely to be re-engaged by the parnership on the results of their studies regarding construction, operating and maintenance costs, compensation options and costs to affected landowners, and liability/insurance issues and concerns.

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	Initials	Date
DM	LH	Oct 3, 2024
CFO/EFO (if required)	N/A	
ADM	DM	Sept 27, 2024
Program Dir/Mgr.	ML	Sept 25, 2024

Page 0279 of 1021

Withheld pursuant to/removed as

Government Financial Information ; Intergovernmental Communications

Page 0280 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Intergovernmental Communications

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Blueberry River First Nation / Treaty 8

KEY POINTS:

- The Blueberry River Implementation Agreement (BRFN IA) and the Consensus Document (collectively, the "Agreements") represent significant efforts to work collaboratively with BC Treaty 8 Nations to redefine the balance between the protection of treaty rights and responsible resource development.
- The commitments in these two agreements impact all ministries in the natural resource sector (NRS). The Ministry of Water, Land and Resource Stewardship (WLRS) is the lead for the land use planning, wildlife, and cumulative effects management aspects of the Agreements and plays a coordinating role in bringing together the Ministries of Energy, Mines and Low Carbon Innovation (EMLI), Forests (FOR), Environment and Climate Change Strategy (ENV), Indigenous Relations and Reconciliation (MIRR) and the BC Energy Regulator (BCER) to support implementation of the commitments in the Agreements.
- Despite success in implementing some of the commitments in the BRFN IA and Consensus Document, significant challenges remain. Government will need to consider:
    - Response to litigation filed by Blueberry River First Nation (BRFN) in relation to the approval of the Gundy HV 1 restoration and development plan;
    - Response to NorthRiver Midstream NEBC Connector GP Inc. notice of constitutional question with the Canadian Energy Regulator that provincial requirements (to obtain allocation of New Disturbance and relevant provincial approvals) are inapplicable, invalid or inoperative;
    - Intergovernmental Communications
    - The strategy for addressing restoration commitments in the Agreements.

BACKGROUND:

- In June 2021, the BC Supreme Court determined the Province has infringed BRFNs' Treaty 8 rights. The court declarations in Yahey were:
    - "…the Province's mechanisms for assessing and taking into account cumulative effects are lacking and have contributed to the breach of its obligations under Treaty 8,"
    - "…there are not sufficient and appropriate lands in the Blueberry Claim Area to allow for Blueberry's meaningful exercise of their treaty rights,"
    - "The Province may not continue to authorize activities that breach the promises included in the Treaty, …or that unjustifiably infringe Blueberry's exercise of its treaty rights,"
    - "the Province must…establish timely enforceable mechanisms to assess and manage the cumulative impact of industrial development…ensure these constitutional rights are respected."

- These court declarations prevented further resource activities in a large part of B.C (3.8 million hectares, or ~4%) without justification, and directed the Province and BRFN to negotiate a new path forward for resource development. The Province determined that the certain court findings (broader scope of Treaty 8 rights, deficiencies in the Province's assessment and management of the impacts of cumulative effects on Treaty 8 rights, criticisms of the Province's regulatory/legislative framework) would likely apply to all other Treaty 8 Nations.
- Following the Court's decision, BC entered into three Agreements as follows:
    - BRFN Interim Agreement (Oct 2021), which provided initial funding to support a new path forward, and provided confirmation that 195 previous authorizations could proceed in the Claim Area;
    - BRFN Implementation Agreement (Jan 2023); and,
    - Consensus Document (Jan – March 2023) enabled through letters of agreement with other Treaty 8 Nations.
- Collectively, these Agreements are intended to redefine the balance between the protection of treaty rights and responsible resource development. The commitments in these Agreements include:
    - Better recognition and respect for Treaty 8 rights, which improves First Nations' ability to practice their treaty rights;
    - Restoration investment to heal the land and people;
    - Collaborative stewardship and management approaches for wildlife, land and water, to ensure cumulative effects are considered, assessed and monitored;
    - New land use plans, and resource specific development plans, providing greater clarity for future conservation and development interests, and predictability for projects;
    - New protected areas, to support the meaningful practice of Treaty 8 rights;
    - New standards and criteria for natural resource management, that are co-developed by First Nations and the Province, and a greater sharing in the economic benefits of such activities; and,
    - A greater awareness for British Columbians that we are all treaty people.
- WLRS coordinates the BRFN IA through the Senior Officials Table consisting of BRFN Chief and Council and Deputy Ministers from WLRS, EMLI and MIRR. WLRS also provides coordination of the Consensus Document through the Northeast Executive Committee (Assistant Deputy Ministers for EMLI, FOR, ENV, MIRR and the BCER).

DISCUSSION:

BRFN IA

- Government direction is needed in relation to three main issues with the BRFN IA:

Restoration Strategy

- A key requirement of the BRFN IA is a $200M non-contingent BRFN driven restoration fund. This fund is intended to help restore the land so that BRFN can exercise their treaty rights, to return ecological integrity to the land and support a regional restoration economy through coordinated activities.
- Significant funding has been advanced to BRFN under this commitment however on the ground restoration activities are limited.
- Cabinet Confidences; Government Financial Information

Cabinet Confidences; Government Financial Information

- Legal Information

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- Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications

Litigation

- Two petitions for judicial review were filed in the BC Supreme Court by Treaty 8 nations: one by Halfway River First Nation (HRFN) and the other by Doig River First Nation (DRFN). Both Nations claimed that the Province failed to adequately consult and accommodate their respective Nation prior to signing the BRFN IA with BRFN. The October 2023 HRFN petition was resolved through a Settlement Agreement applicable within defined areas of the overlap of the BRFN IA with HRFN's territory and a Side Letter signed by Deputy Ministers committing to seeking a future mandate to negotiate a new government-to-government agreement. The October 2023 DRFN petition has not yet been resolved Intergovernmental Communications
  Intergovernmental Communications

-

- NorthRiver Midstream NEBC Connector GP Inc has filed a notice of constitutional question with the Canada Energy Regulator challenging the application of provincial requirements for projects that are federally regulated. NorthRiver is seeking approval from the Canada Energy Regulator to authorize the project without Provincial permits and outside of the disturbance requirements of the BRFN IA. Government direction will be needed to support the Provincial response due October 25, 2024.

BRFN Support for the Purpose and Goals of the BRFN IA

- BRFN IA includes a defined purpose to:
  a) initiate a new approach to resource management and the protection of Treaty Rights in the Claim Area through:
     - transitional measures (including limits on development, meaningful restoration investments and measures to protect culturally significant lands); and
     - permanent collaboratively established measures intended to address the cumulative effects of past and future resource disturbances on BRFN's exercise of its Treaty Rights (which shall be informed by the monitoring, assessment and evaluation of Treaty Rights and the manner in which such Treaty Rights are impacted by resource activities);
  b) balance Treaty Rights and the healing of the environment with a sustainable regional economy; and
  c) reduce and remove greenhouse gases from the atmosphere by limiting certain timber harvesting and other resource activities.
- The BRFN IA also includes a cumulative effects goals to enhance restoration to heal the land, create new areas protected from the impacts of industrial development in the Claim Area and support and constrain certain development activities while the Parties work jointly to implement the Cumulative Effects Management Regime.
- Advice/Recommendations; Intergovernmental Communications
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- Advice/Recommendations

Consensus Document

- The Consensus Document includes a commitment to issue legally effective direction to decision makers to consider cumulative effects. This led to the Cumulative Impacts Legal Order (Order in Council 255/2024) which came into effect September 1, 2024. The Order is effective until the end of December 2026 and applies only in the Northeast (NE) region. This Order is the first of its kind in the province and is expected to increase transparency on how consideration of cumulative impacts of commercial and industrial development on treaty rights is being applied to decision making.

- Land use planning initiatives have been initiated with all Treaty 8 Nations. One landscape plan has been completed with HRFN and Terms of Reference and work plans have been established with most Nations. Overall land use planning is an effective means to provide predictable conditions for resource development that respect treaty rights, however finalizing these plans depends on Nations coming to agreement on shared territories. In the Liard and North Peace there is good collaborations amongst Nations however in the South Peace ongoing disagreement between McLeod Lake Indian Band, Saulteau and West Moberly First Nations could delay the finalization of land use plans.
- The Consensus Document includes a commitment to establishing a restoration fund intended to "heal the land and the people and address the cumulative effects of development in Treaty 8 territory". Advice/Recommendations; Cabinet Confidences

Advice/Recommendations; Cabinet Confidences

INDIGENOUS PEOPLES:

- The BRFN IA and Consensus Document represent agreements with BC Treaty 8 First Nations to manage for cumulative effects and support the effective practice of treaty rights. Even with the challenges identified with the BRFN IA, both agreements have resulted in a significant shift in the way land and natural resources are managed in the Northeast to ensure protection of treaty rights.

FINANCIAL IMPLICATIONS (Confidential):

- Advice/Recommendations; Government Financial Information
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NEXT STEPS:

BRFN IA

- Advice/Recommendations

Consensus Document

- Advice/Recommendations; Cabinet Confidences

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 8, 2024
CFO/EFO (if required)	CY	Sept 27, 2024
ADM	DM	Oct 4, 2024
Program Dir/Mgr.		

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Blueberry River Restoration Society

KEY POINTS:

- As part of the Blueberry River Implementation Agreement, the Province and Blueberry River First Nations committed to establishing the Blueberry River Restoration Society (BRRS) as an independent Society under the Societies Act and outside of the government structures of the Province.
- The mission of BRRS is:

  "To heal the land and the people through impactful reciprocal restoration projects that strengthen the land, waters, culture, and wellbeing of Blueberry River First Nations people. We will pursue this mission through the responsible administration, investment, leverage, and allocation of the funds entrusted to us by the Province of British Columbia and through payments of disturbance fees by proponents operating within the Blueberry River First Nation (BRFN) Claim Area. The constating documents of BRRS are the Constitution and Bylaws. Our core governing documents also include the Blueberry River First Nations Implementation Agreement. To the extent that this Board Charter conflicts with the Constitution, Bylaws and the Implementation Agreement, the Constitution, Bylaws and the Implementation Agreement will govern."

BACKGROUND:

- The BRRS Board consists of seven individuals appointed by British Columbia and BRFN (the "Appointing Entities"). These seven Members are also appointed as the Directors of BRRS. Each of the Appointing Entities appoints individuals as follows: four (4) Persons appointed by BRFN ("BRFN Directors"); and three (3) Persons appointed by British Columbia; and appointments and cessation of membership and directorship will be in accordance with BRRS's Bylaws.
- Four members appointed by the Blueberry River First Nations
  - Sherry Dominic
  - Kashtin Apsassin
  - Greg McDade
  - Alicia Woods
- Three members appointed by the Province of BC
  - Brodie Guy, Vice-Chair and Chair (Interim) (Consultant)
  - Tom Ethier (Secretary-Treasurer) (former Deputy Minister)
  - Trish Balcaen (former Assistant Deputy Minister)

DISCUSSION:

- A key requirement of the BRFN Implementation Agreement (IA) is a $200M non-contingent BRFN driven restoration fund. Cabinet Confidences

Cabinet Confidences

- Government Financial Information

- Government Financial Information

- Advice/Recommendations; Cabinet Confidences

- Legal Information

- Advice/Recommendations

- Advice/Recommendations; Intergovernmental Communications

INDIGENOUS PEOPLES:

- The commitment to establishing the BRRS and the non contingent funding were key to government's response to the Yahey decision from the Supreme Court. Other measures that government has committed to can reset the balance to support treaty rights going forward (such as land use planning) however only restoration to heal the land, or outright compensation can address the historic cumulative impacts of past industrial and commercial development on treaty rights.

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Government Financial Information

- Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications

NEXT STEPS:

- Advice/Recommendations

Attachment: Intergovernmental Communications

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DM	LH	Oct 15, 2024
CFO/EFO (if required)		
ADM	DM	Oct 2, 2024
Program Dir/Mgr.		

Page 0289 of 1021

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Intergovernmental Communications

Page 0290 of 1021

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Intergovernmental Communications

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Blueberry River First Nation/Treaty 8 Wildlife Working Group

KEY POINTS:

- The Treaty 8 Wildlife Working Group (T8WWG) and Blueberry River First Nations Wildlife Working Group (BRFN WWG) are commitments stemming from the Treaty 8 Consensus Document and Blueberry River Implementation Agreement (BRFN IA). Both groups are highly effective and receive consistent positive feedback from participating members.
- The BRFN WWG is currently on pause at the request of Councillor Yahey. This pause is contrary to the commitment that BRFN has made to Deputy Ministers at the Senior Officials Table to continue advancing the work of the BRFN IA in spite of Intergovernmental Communications Intergovernmental . This matter will be discussed at the next Senior Officials table meeting in November.

BACKGROUND:

- The T8WWG is a highly collaborative Wildlife Working Group comprised of representatives from six Treaty 8 Nations, as well as representation from Ministry of Water, Land and Resource Stewardship (WLRS), Ministry of Indigenous Relations and Reconciliation (MIRR), and the Ministry of Environment and Climate Change Strategy (ENV). West Moberly First Nations has chosen to not participate in the T8WWG; however, they are engaged bilaterally on all wildlife matters discussed. The T8WWG uses a consensus-based decision-making process to develop and execute on the ground initiatives to manage wildlife for the benefit of all.
- The BRFN WWG is comprised of representatives from Blueberry River First Nation (BRFN) and WLRS. The BRFN WWG has been working well; however, Advice/Recommendations; Advice/Recommendations; Intergovernmental Communications

- Government Financial Information; Intergovernmental Communications

DISCUSSION:

- The current focus of both wildlife working groups includes gathering data on the status of wildlife in the northeast as well as traditional knowledge. The groups strive to identify and implement substantive, concrete changes to wildlife management in Treaty 8 territory, focusing on the shared priorities of Treaty 8 Nations and the Province of BC, with a view to having healthy and abundant wildlife populations and habitat, and protecting treaty rights.
- The participants of the WWG's work to advance shared decision-making between the Province and Treaty 8 Nations and the co-management of ungulates other wildlife and their habitat, based on information that is inclusive of Indigenous and western knowledge, the perspectives of Treaty 8 Nations, and data.

- Since these working groups were established, they have completed 10 moose surveys and are on track to complete a total of 20 by the end of this fiscal, in contrast to the typical six that would be completed over a three-year period in the northeast region in the past. These groups have also completed and or approved surveys for bison, sheep, furbearers and goats.
- The T8WWG is also working on three collaborative species management plans for the northeast region, a mineral lick study to inform a wildlife habitat feature order for the northeast, and a moose tick study to inform a wildlife health approach for moose management. There are also numerous studies and initiatives exploring barriers to practicing treaty rights.

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Government Financial Information

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SUMMARY:

- Both the T8WWG and the BRFN WWG have proven to be effective space to advance co-management of wildlife. The restart of the BRFN WWG will be discussed with BRFN at the next Senior Officials Table meeting.
- Advice/Recommendations

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 9, 2024
CFO/EFO (if required)		Oct 3, 2024
ADM	DM	Oct 3, 2024
Program Dir/Mgr.		

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: shíshálh Nation Dock Management Plan

KEY POINTS:

- Dock management has been at the core of BC's relationship and reconciliation with shíshálh Nation (shíshálh) for over 20 years. Collaborative work on the Pender Harbour Dock Management Plan (DMP) and the initiation of shared decision-making through the Foundation Agreement, in 2018, enabled BC to resume decision-making on dock tenures in the Sunshine Coast after several years of moratoriums (*Land Act* s10.1s were in place).
- In late 2023 and early 2024, public engagement on proposed minor changes to the DMP drew in over 1700 comments and brought forward several outstanding concerns with the existing DMP. The public engagement also set off an anti-reconciliation discourse across the province and led to actions aimed at shíshálh community members.
- In response, in 2024, BC and shíshálh worked with local stakeholders to establish a Dock Management Plan Advisory Committee (DMPAG) tasked with reviewing and considering further BC and shíshálh proposed changes to the DMP. These changes focused on addressing the concerns raised by existing dock and boathouse owners, BC and shishalh publicly announced these changes in August 2024.

BACKGROUND:

- The DMP, first shared with the public in 2015, aims to manage the foreshore to protect culturally significant and environmentally sensitive resources from future degradation.
- In response to public backlash in 2015, BC commissioned an independent review (the Penner Report) of the DMP and independent environmental and archaeological studies of the impacts of docks in the kalpilin (Pender Harbour) to provide science-based information to support completion of the DMP. The environmental study found that critical Eelgrass habitats, marine algal cover and diversity, and fish abundance were adversely impacted and were associated with increased dock construction and density.
- In 2018, BC and shíshálh signed the shíshálh-BC Foundation Agreement and committed to transforming how BC and shíshálh work together to advance reconciliation. The comprehensive reconciliation agreement had several commitments including a robust shared decision-making process and collaborative land use planning for the shíshálh swiya ('territory').
- In 2021, BC and shíshálh released an update to the DMP that addressed some of the concerns brought forward by the Pender Harbour Area Residents Association. BC and shíshálh also agreed to use the DMP's best management practices across the whole of the shíshálh swiya.
- The overarching themes of the public feedback BC and shíshálh received in 2023/24 included: the desire for clarity and certainty for existing dock and boathouse owners; interest in increased flexibility with best management practices along with greater understanding of the impact of docks on foreshore values; and an interest in different requirements for docks in marine and freshwater environments.

- There are over 1000 docks in the shíshálh swiya, approximately 700 of which are tenured under the *Land Act* (an estimated 300 docks do not have authorization). Through shared decision-making processes with shíshálh between 2018 and 2023, over 200 docks were given an interim tenure, and 25 new tenures were issued for docks that are compliant with the requirements of the DMP.
- In September 2024, BC and shíshálh initiated a dock and boathouse inventory of the shíshálh swiya, ensuring an accurate count of the number of docks and boathouses and an assessment of the current condition of the docks. DMPAG members are volunteering in the inventory field work.

DISCUSSION:

- Concurrent with BC and shíshálh collaborating on a solution that addressed the public feedback on dock management, BC and shíshálh negotiated an addendum to the 2018 shíshálh-BC Foundation Agreement. The negotiated solution to dock management is outlined in the Foundation Agreement Addendum.
- The commitments BC and shíshálh agreed to for dock management fit within seven categories of work:
    1. **Dock Management Updates and General Engagement**: The DMP needs to be updated to align with the changes announced for existing dock and boathouse owners; BC and shíshálh also need to contemplate further changes for freshwater existing dock and boathouse owners; new marine dock applicants and commercial moorage tenure holders. Engagement with interested parties and the public will be required. This work has not been initiated.
    2. **Self-Registration for Short-Term Authorizations**: An online self-registration form was developed to create a simple process for existing dock and boathouse owners (authorized or unauthorized) to register their dock with BC. A short-term shíshálh swiya-specific general permission is issued as part of the self-registration process. This work has been initiated.
    3. **Transition Plan for Long-Term Authorizations**: A 3-year transition period to review the self-registered docks and move them to decision-making on long-term (20-year) authorizations was announced as part of the approach for docks in the shíshálh swiya. Critical work is needed to evaluate and determine the best suited *Land Act* authorization prior to initiating the transition plan. This work has not been initiated.
    4. **Inventory and Annual Monitoring Program**: The inventory of docks and boathouses initiated in 2024 will evolve into a 60-day annual monitoring program with BC and shíshálh staff out in the shíshálh swiya monitoring compliance with *Land Act* tenures. The first year of work has been initiated.
    5. **Archeological Studies**: A three-year workplan to complete archeological assessments along the foreshore throughout the shíshálh swiya is needed; funding for the first year is partially secured.
    6. **Environmental Studies in freshwater and throughout the shíshálh swiya**: A literature review of dock and boathouse impacts in freshwater with mapping of critical habitat needs to be undertaken. Additionally, a five-year workplan to complete environmental studies along the foreshore throughout the swiya is needed; funding for some of the studies have been provided to shíshálh to lead.
    7. **Collaborative Review of DMP**: BC and shíshálh committed to evaluating the effectiveness of the DMP in 10 years.

INDIGENOUS PEOPLES:

- The Foundation Agreement recognizes shishalh's Title and Rights exist in their swiya.

- The shishalh swiya has very limited overlap with other First Nations, and shishalh has protocol arrangements with some of the overlapping First Nations.

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Government Financial Information; Intergovernmental Communications
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NEXT STEPS:

- WLRS will work to implement the BC-shíshálh commitments related to dock management, shifting exsisting resources to the maximum degree possible.
- WLRS will undertake policy work to evaluate and recommend the best suited *Land Act* tenure type for long-term authorizations; the level of decision required will be determined through the policy analysis.
- Advice/Recommendations; Cabinet Confidences

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DM	LH	Oct 15, 2024
CFO/EFO (if required)		
ADM	DM	Sept 26, 2024
Program Dir/Mgr.	ML	Sept 25, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Southern Gulf Islands Dock Management

KEY POINTS:

- In 2023, British Columbia (BC) signed a Memorandum of Understanding (MOU) with Quw'utsun Nation (QN) committing to the collaborative development of a strategic management plan for private moorage (PM) in the Southern Gulf Islands and Southeast Vancouver Island (SGI-SVI).
- *Land Act* decision making on PM in the SVI-SGI has stalled for the last decade due to concerns about the cumulative impacts on ecological values and infringement on First Nations' rights. This has caused frustration and uncertainty for applicants and property owners, whose expectations for a resolution are high. BC has committed to QN not to issue any PM *Land Act* decisions until after an approach is determined under the MOU.
- Under the MOU, the Ministry of Water, Land and Resource Stewardship (WLRS) is currently collaborating with QN to conduct a desktop analysis of the ecological impacts of PM and identify areas for protection. Results will inform the management planning which must also include a robust engagement process in Q1-2 2025.

BACKGROUND:

- To construct a private moorage facility in the marine foreshore, upland owners require provincial authorization from WLRS under the *Land Act* in the form of a tenure. In the SGI-SVI, PM is approved via a "Specific Permission" which is a tenure type with no rent and no expiry.
- The SGI-SVI foreshore is highly developed (approximately 470 authorized PMs and estimated over 600 in trespass). Concerns have grown about PM's cumulative impacts on marine values and First Nations' rights under Section 35 of the *Constitution Act* including, but not limited to, rights to access Crown land for harvesting and cultural purposes.
- In August 2021, BC imposed a *Land Act* section 10.1 moratorium on new PM applications in this area to provide time to assess concerns. The moratorium was replaced in 2023 and now expires in August 2025.
- Decision making on PM in the SGI-SVI has stalled due to the concerns and approximately 166 PM applications that pre-date the moratorium coming into force are being held in abeyance (suspended without a decision).
- Under an MOU signed by Ministry of Forests (FOR) and Ministry of Indigenous Relations and Reconciliation (MIRR) in September 2023 and inherited by WLRS in a ministry reorganization in December 2023, WLRS is now working with QN to develop a strategic management plan for PM in the SGI-SVI. The workplan currently focuses on:
  (1) Identifying areas for protection through *Land Act* section 17 withdrawals or other tools;
  (2) A desktop study to assess PM's cumulative impacts on ecological values; and,
  (3) Engaging with other impacted First Nations, the public, stakeholders and local governments after completion of the study, targeting Q1-2 2025.
- A public interest group, the Southern Gulf Islanders for Collaborative Partnerships and Reconciliation is advocating for progress on and participation in the strategic planning process prior to the August 2025 expiry of the *Land Act* section 10.1 prohibition. Public pressure to resolve delays is increasing.

- As of September 2024, an information update to applicants and public webpage provided information about work underway to assess PM impacts on ecological values, and to communicate to the public that engagement opportunities will be communicated once available.
- In August 2024, WLRS communicated to QN leadership the need to continue to move the applications held in abeyance to referrals with external agencies including, Department of Fisheries and Ocean, Transport Canada, and Island Trust. Intergovernmental Communications Intergovernmental Communications However, this internal work is needed to ensure that government is appropriately advised of next steps in advance of the expiry of the *Land Act* section 10.1 prohibition. The process of advancing referrals for these applications is now underway.

DISCUSSION:

- In addition to wanting progress on the collaborative exercise to assess the cumulative impacts of PM, QN will also be looking for the WLRS Minister to sign the existing MOU (in addition to FOR and MIRR's existing signatures) to demonstrate a commitment and to ensure cross-agency support for the work.
- This ongoing assessment work is currently being coordinated at a government-to-government level through an existing QN/BC board established under the terms of the 2021 BC agreement.
- It is important to note the unique nature of the marine ecosystems in the SGI/SVI, the significant number of First Nations with territory within the footprint area, and the connection to numerous local governments likely means the approach and management recommendations for PM will vary from those advanced in the recent swiya shíshálh dock management plan on the Sunshine Coast between BC and shíshálh Nation.
- Intergovernmental Communications

- As mentioned above, WLRS will be engaging with external agencies to advance the technical referrals for the PM applications currently in abeyance. While QN expressed concerns about this approach, the province has committed to re-engaging with the Nation on the results of that work and in advance of any decisions being made.
- The Southern Gulf Islanders for Collaborative Partnerships and Reconciliation resident group expectations are high. Previous early engagement with the group did not advance quickly enough from their perspective to assuage concerns. Consequently, the group issued a press release in August decrying the province's inaction on the file.
- It is very likely that additional resourcing will be required to support the inclusion of scientific and traditional knowledge into the planning process, to support FN capacity at the planning table, to provide for rigorous project management, and to meet ambitious timelines and engagement expectations.

INDIGENOUS PEOPLES:

- QN is a rights and title holding collective of 5 First Nations (Cowichan Tribes, Stz'uminus First Nation, Penelakut Tribe, Halalt First Nation, and Lyackson First Nation) whose traditional territories include the SGI-SVI and the lower Fraser River.
- BC and QN entered a Government-to-Government Agreement in 2021 and signed a MOU in 2023 committing to co-develop a strategic management plan for PM in the SGI-SVI.

- Ten other First Nations have overlapping territory in the SGI-SVI. BC has the duty to consult these Nations on PM *Land Act* decisions and the PM strategic planning process.

FINANCIAL IMPLICATIONS:

- Under the BC-QN MOU, BC is responsible for providing capacity funding to QN. Government Financial Information; Intergovernmental Communications
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- Completing a strategic management plan for PM in the SGI-SVI before the expiry August 2025 of the *Land Act* section 10.1 prohibition on PM will require incremental resources for government and First Nations.

NEXT STEPS:

- WLRS continues to work with QN toward the development of a strategic management plan for PM in the SGI-SVI including studying the cumulative impacts of PM and identifying areas for protection. In the meantime, applications are being held in abeyance while technical referrfals proceed, and a committment has been made to QN not to issue any PM *Land Act* decisions until after an approach is determined under the MOU.
- Efforts are also underway to improve communication with the public, stakeholders and applicants on the status of this work in order to reduce public pressure and improve the potential for a successful strategic management planning process.
- Advice/Recommendations; Cabinet Confidences

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Program Dir/Mgr.	ML	Sept 20, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water Land and Resource Stewardship

TOPIC: Strategic Overview Water Agenda

KEY POINTS:

- The Ministry of Water, Land and Resource Stewardship (WLRS) holds a key leadership role in ensuring the health of British Columbia's (BC) watersheds, foundational to the economic, social and environmental systems that are needed for a healthy province.
- Effective watershed stewardship is best realized through an integrated and collaborative cross-ministry and multi-government approach. No single agency is solely accountable for watershed stewardship: ensuring effective leadership, coordination and accountability is vital.
- WLRS led the co-development of a Watershed Security Strategy. Taking next steps with the Strategy can help ensure the BC's overall long-term health.

BACKGROUND:

- Water and healthy watersheds are a strategic resource for BC, supporting its social, economic and environmental systems. Long-term environmental trends (e.g., climate change, increasing drought), increased water demand from population and economic growth and fractured governance are leading challenges in a growing crisis that is now significant, long-term and province-wide. Shifts are needed to move from managing on a single issue by issue basis to stewardship of watersheds as integrated and complex systems.
- Water management in Canada is a shared responsibility across four orders of governments.
- Provinces have jurisdiction over the sustainable use and quality of water within their borders.
- BC's core statute for allocating and managing water use is the *Water Sustainability Act* (WSA). Statutory responsibilities for managing primarily water quality are also found in the *Environmental Management Act*, *Drinking Water Protection Act*, *Forest and Range Practices Act*, *Oil and Gas Activities Act*, *Mines Act* and *Local Government Act*.
- The federal government oversees water on federal lands and First Nations reserves and plays a primary role in managing transboundary waters. Federal water legislation includes the *Canada Waters Act*, *Fisheries Act*, *International Boundary Waters Treaty Act*, and *Navigable Waters Protection Act*.
- The federal and provincial governments collaborate on joint projects involving the regulation, apportionment and monitoring of water resources, and to develop water quality guidelines.
- The new federal Canada Water Agency is mandated to improve freshwater management through leadership and coordination, and in collaboration with provinces, territories, and Indigenous Peoples to proactively address national and transboundary freshwater challenges and opportunities. It is currently developing a National Freshwater Data Strategy and proposing federal legislation for First Nations' drinking water and wastewater.
- Local governments play a key role in managing water and watersheds. They are the primary purveyor of drinking water to residents and can provide water for agricultural irrigation. They support watershed restoration and local watershed groups taking action on watershed health.
- First Nations governments play a significant role in stewarding watersheds as the original occupants of watersheds and with their inherent rights to water. With a rich knowledge and history, they are exceptionally well placed to lead watershed stewardship.
- WLRS holds a leadership role for the province in watershed stewardship and security through: water and watershed policy and legislation; strategic and watershed planning and governance;

watershed, aquifer and source drinking water science and assessments, and establishing water quality guidelines; licensing use and allocation of water as the authorizing agency under the WSA; risk assessment and planning on drought and water scarcity under the *Emergency and Disaster Management Act*, and; drinking water protection supported by the Ministry of Health and other natural resource ministries playing a role.

- Many ministries contribute to the stewardship of BC's watersheds, including WLRS, Environment and Climate Change Strategy, Forests, Health, Municipal Affairs, Energy, Mines and Low Carbon Innovation and the BC Energy Regulator, and Indigenous Relations and Reconciliation. These ministries work together to align and coordinate through the Assistant Deputy Minister level Water Forum, and the BC Water Committee and Water Hazards Subcommittee (Executive Directors).
- Between 2020 and 2024, the ministry led the co-development of a Watershed Security Strategy with First Nations. The Strategy, not yet released, is intended to be long-term in scope and can help respond to the changes needed to ensure a healthy future for the province.

DISCUSSION:

- Healthy watersheds – including water in both streams and aquifers – are foundational to upholding the values of all people in BC, including Indigenous cultures, First Nations rights, resilient communities and water supplies, food security (including wild salmon) and strong local economies. Healthy watersheds are critical for supporting ecosystem biodiversity and long-term watershed resiliency. Resilient watersheds are needed to mitigate multiple crisis events (e.g., such as drought, flood and wildfire) affecting all people in BC
- BC faces significant watershed health challenges that require new approaches that build ecosystem resiliency:
  - Climate change is resulting in significant changes to watershed health across BC – including changes in water quantity, water quality and ecosystem health (e.g., increasing numbers of invasive species).
  - Change is eroding watershed and community resiliency:
    - Many watersheds are now unable to adapt to climate change, making all systems (i.e., social (including health), economic and environmental) more vulnerable.
    - Watershed changes are magnified by the effects of wildfire and drought events, ongoing losses such as glacier loss, the impact of developments (e.g., resource, housing), unsustainable land use practices and population growth. For example, working with water suppliers to understand water supply impacts of the current drought, of 282 water suppliers supplying water to 4,687,178 residents, 2.1% of water systems indicated a shortage in water supply and 8.8% indicated a potential for shortage in 2024.
  - Land development activities in watersheds with a shrinking water supply are at risk of increased impacts related to water supply shortage. For example, land zoned for new developments, including affordable housing units, can be hindered due to the lack of available water.
- BC's current watershed governance model also poses challenges:
  - The many governments, ministries and organizations with roles in using and stewarding watersheds creates complex systems requiring multiple, coordinated decision points across organizational lines. This is compounded by the need for local actors, such as First Nations and local governments, to have a clear role in how watersheds are stewarded.
  - Public acceptance of watershed stewardship principles and practices varies across the province, with northern and rural regions generally less receptive to conservation-based policies that could affect future interests, land uses and rights to water.

  - Industry continues to call on government to expedite the granting of water authorizations, claiming administrative delays are leading to financial insecurity, lowering certainty of access and eroding trust and credibility in government.
  - Reconciling competing interests in water requires government to make trade-offs across water use, in particular where the impacts of climate change (e.g., drought) and the impacts of human activities intersect (e.g., drinking water or electricity).
- The co-developed Watershed Security Strategy is an opportunity to transform how BC's watersheds are stewarded. For example, Government continues to implement land use and watershed planning initiatives and make strategic investments in watershed restoration, monitoring, and infrastructure. Opportunities exist to accelerate watershed planning, science and assessments, and objective setting to help further watershed health and security. If the Strategy is not pursued, Government may want to consider a different policy framework that sets out provincial role in face of long-term challenges and complex governance and the shifts that are needed.
- With the challenges facing BC's watersheds, WLRS is in a key position to lead the necessary cross-agency collaboration under a vision for watershed health and resiliency, shared with all people in BC, and long-term in view such as the Watershed Security Strategy. While the Strategy was approved by government early in 2024, it requires an implementation plan with clear early priorities and a financial mandate. The Strategy has not yet been made public.

INDIGENOUS PEOPLES:

- Water is foundational for the health and wellbeing of Indigenous communities and is increasingly highlighted as a jurisdictional interest by First Nations leaders.
- BC has a strategic interest in advancing watershed governance with First Nations as a means to achieve reconciliation and promote collaborative problem solving (rather than taking court-based approaches).
- First Nations seek greater recognition of their inherent rights to water and inclusion of their rich knowledge in shared stewardship of our watersheds. While BC has established co-governance frameworks with some First Nations, many call for equality in decision-making. Commitments under the Declaration Act to align the WSA with the UN Declaration will give a voice to First Nations in how the province's watersheds are governed.
- Watershed planning, science and assessment projects increasingly involve Indigenous partnerships and co-drafting of reports and policies together with BC.
- The BC-First Nations Water Table, established in 2022, supports co-governance and shared stewardship on watershed issues with First Nations, and addresses a need for enduring collaboration on shared province-scale issues. The Water Table is the first of its kind to work on watershed stewardship and security provincially. It is a key forum for implementation of the Watershed Security Strategy.
  - To implement the Strategy and align the WSA with the UN Declaration, work with the First Nations Leadership Council, Modern Treaty Nations and all First Nations is required.

FINANCIAL IMPLICATIONS:

- Resourcing across ministries is insufficient to adequately address the scope of complex action needed to respond to current and future watershed health challenges. Shifts are needed to move from single issue management to managing watersheds as complex systems: these shifts are not currently resourced.
  - The Ministry does not yet have a financial mandate to implement the Watershed Security Strategy which can help support these shifts. For example, where there is demand for water for energy, food production and drinking water in watersheds with declining water supply, decisions on trade-offs will be needed informed by data and information.

- The lack of a sufficient funding model for work with key partners (e.g., watershed planning and governance projects with local governments, First Nations, local interests), is a significant hindrance to progress in stewarding watersheds. New funding models are needed.
- In 2023 the Ministry endowed $100M for the Watershed Security Fund. Now external to the provincial government, the Fund is already supporting local watershed work. The demand for funding is high with a first call for proposals garnering 131 applications valued at $33M.
    - While the Fund supports watershed security work, it is not available to support provincial ministries in their work.

SUMMARY:

- WLRS has a key opportunity to lead BC in addressing the growing number of issues affecting its communitities, the economy and the health of its watersheds.
- The need for planning, policy and legislative reform is needed to help address the scope, scale and complexity of issues. Financial reforms are needed to support this work.
- All watershed interests call for Government to address the growing pressures on watersheds and place a high priority for resourcing and action on watershed health across ministries.
- Opportunities like the Watershed Security Strategy provide a path forward for BC towards healthy watersheds and a healthy future.

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ADM	JM	Sept 26, 2024
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BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water Land and Resource Stewardship

TOPIC: *Water Sustainability Act*

KEY POINTS:

- The *Water Sustainability Act* (WSA) was brought into force on February 29, 2016, replacing and modernizing the former *Water Act*, and introducing new tools to protect, manage and conserve water. The WSA continued licensing requirements for surface water and introduced licensing for groundwater diversions, protections for aquatic ecosystems, safety regulations for dam owners and watershed planning tools.
- In October 2023, authority for the WSA was consolidated under the Ministry of Water Land and Resource Stewardship (WLRS), to align accountability through the integration of strategic and operational teams. Ongoing collaboration across ministries and agencies enables a whole-of-government approach to water sustainability.
- Implementation of the WSA continues to be improved with the release of new regulatory and planning tools, investigations of how to expedite permitting processes, and implementation planning for a provincial Watershed Security Strategy (WSS) including legislative alignment with the *Declaration on the Rights of Indigenous Peoples Act*.

BACKGROUND:

- The WSA introduced the requirement for non-domestic users of groundwater to obtain a licence, establishing equity between surface water and groundwater users, and giving rights to groundwater users based on the existing “First in Time, First in Right” priority system. Licensing groundwater use also helps BC better understand how water is used throughout the province, leading to better management.
- The Permitting Transformation Branch is exploring options to expedite permitting and address the current backlog of ~4,800 groundwater licence applications that has accumulated since 2016.
- WLRS is responsible for tools under the WSA that manage the impacts of drought (an increasingly prevalent challenge in our province). The WSA grants the Minister powers to protect the needs of aquatic ecosystems and to protect fish populations and grants regional statutory decision makers powers to issue orders to protect the rights of water licensees and enforce compliance with WSA.
- In January 2024, WLRS introduced the Administrative Penalties (*Water Sustainability Act*) Regulation, allowing for stronger financial penalties for water-related violations. This gives the Comptroller of Water Rights powers to level $100,000 fines for general contraventions, or as much as $500,000 for high-penalty offences, following investigations by Compliance and Enforcement staff.
- Drinking water supply planning and source water protection are emerging issues in BC. WLRS plans to advance work in this area by exploring and comparing relevant legislative tools under the WSA and other statutes.

DISCUSSION:

- Implementation planning for the WSS will include a workstream for aligning the WSA with the UN Declaration on the Rights of Indigenous Peoples (UN Declaration). This supports s.3 of the *Declaration on the Rights of Indigenous Peoples Act,* which requires that the Province, "in consultation and cooperation with Indigenous Peoples", take "all measures necessary" to ensure consistency between the laws of BC and UNDRIP.
- The WSA enables several tools to support water planning and governance, including Water Sustainability Plans (WSP), water objectives, advisory boards, and the ability to delegate certain decisions to another legal entity. WLRS currently supports eight active water planning and governance projects in the province, including the Koksilah River Watershed which is the first area designated for the purpose of a WSP.
- Continued effective implementation of the WSA, led by WLRS, relies on inter-ministerial collaboration with Ministries of Agriculture and Food, Health, Emergency Management and Climate Readiness, Transportation and Infrastructure, Indigenous Relations and Reconciliation, Forests and Environment and Climate Change Strategy, among other key internal and external partners. Collaboration is facilitated by ongoing and active working groups and executive level committees such as the Water Hazards Sub-Committee, Water Policy and Legislation Committee and many others.

INDIGENOUS PEOPLES:

- Statutory decisions exercised under WSA require consultation with First Nations.
- The initial focus of WSA alignment with the Declaration Act will include the co-development of a consultation and cooperation plan and subsequently the development of a policy scope for this work.

FINANCIAL IMPLICATIONS:

- N/A

SUMMARY:

- The WSA is the province's primary law for managing and protecting freshwater use from streams and aquifers. Plans for continuous improvement for the Minister's consideration in near future include WSA amendments related to permitting reform, implementation planning for a provincial Watershed Security Strategy (WSS), and alignment with the *Declaration on the Rights of Indigenous Peoples Act*.

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Program Dir/Mgr.	JB	Sept 23, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water Land and Resource Stewardship

TOPIC: Groundwater (Licensing and Science)

KEY POINTS:

- The *Water Sustainability Act* (WSA) was brought into force in 2016 and introduced a licensing requirement for non-domestic groundwater users; existing groundwater users were able to apply prior to March 1, 2022, and received recognition of their Date of First Use (DOFU).
- A backlog of approximately 4,800 existing use groundwater (EUGW) applications remains to be processed and a dedicated task team has been established for this purpose.
- Sustainable management of groundwater relies on a strong understanding of groundwater science, including aquifer recharge characteristics, surface and groundwater interaction, the impacts of multiple users, and the cumulative effects of groundwater withdrawal on the environment.

BACKGROUND:

- An estimated 25% of BC residents rely on groundwater for drinking water, and groundwater accounts for approximately 9% of total water consumption in BC (based on available data).
- Groundwater can be hydraulically connected to surface water, contributing a component of stream flow that is critical for ecosystem health.
- Beginning in fiscal 2015-2016, BC introduced a dedicated Groundwater Science budget to improve groundwater knowledge.
- Projects supported by the Groundwater Science fund include:
    - Characterization of specific aquifers (i.e., Grand Forks, Mayne Island);
    - Surface and groundwater interaction studies;
    - Aquifer classification mapping;
    - Drought and groundwater studies;
    - Tools (i.e., the 'Aquifer' tab in GWELLS) to facilitate groundwater data interpretation;
    - Aquifer water budgets to assess availability and safe yield estimates;
    - Storage and dissemination of groundwater and well related information; and
    - Development of detailed models for priority aquifers.
- Licensing non-domestic groundwater use is a critical component of improving knowledge and management of groundwater resources.
- The WSA requires the licensing of non-domestic groundwater use; licence requirements improve groundwater knowledge and promote informed management decisions.
- Approximately 7,700 EUGW applications were submitted prior to the March 1, 2022 deadline. Applications submitted after that date are treated as new users.
- EUGW applicants were exempt from application fees and receive recognition of their DOFU when their application is considered. EUGW applicants are allowed to continue using water while they await a licence decision.
- DOFU is significant as water rights in BC are exercised according to a 'First in Time, First in Right' system, wherein during times of scarcity, licensees with earlier priority dates are entitled to take their water allocation ahead of junior licensees.
- A backlog of EUGW applications has emerged since 2016, with approximately 4,800 outstanding as of September 5, 2024.

- To address the backlog, the Permitting Solutions Branch established a dedicated task team, which began work in February 2024. As of September 5, 2024, the task team has processed 431 EUGW files, predominantly in the Northeast, Omineca, and Skeena regions.
- The task team is currently processing EUGW files 4.5 times faster than prior to the task team's formation, with a current average processing rate of 78 applications per month.

DISCUSSION:

- Licensing groundwater establishes rights to use groundwater based on the same priority system as surface water users. Equal standing between surface and ground water users helps lower the risk of conflict when action is taken to restrict water use during times of water scarcity.
- Groundwater licensing and science improve our understanding of water use, which helps WSA decision makers balance water supply with demand while protecting the environment.
- To move EUGW applications to decision, the EUGW Task Team developed a streamlined process that respects the principles of administrative law, statutory decision making, the *WSA* and the Province's commitment to reconciliation formalized through the 2019 *Declaration Act*.

INDIGENOUS PEOPLES:

- Consultation with First Nations is required to process EUGW applications.
- Some First Nations have challenged recognizing DOFU for EUGW applications, as BC does not currently recognize priority rights for First Nations.
- Implementation planning for the Watershed Security Strategy will include a workstream for aligning the WSA with the UN Declaration on the Rights of Indigenous Peoples. The initial focus of WSA alignment will include the co-development of a consultation and cooperation plan.

FINANCIAL IMPLICATIONS:

- The Groundwater Science fund was introduced in fiscal 2015-2016. This fund allocates a dedicated annual budget of $350,000 towards improving groundwater science and knowledge.
- This annual amount was reduced to $260,000 in fiscal 2018-2019, and further reduced to $130,000 in fiscal 2024-2025.

SUMMARY:

- Regulating groundwater use through licensing enables decision-makers to better respond to drought conditions and increasing water management pressures.
- Addressing the backlog of EUGW applications is essential to ensure sustainable management and equity between water users.
- Robust groundwater science and management tools are needed to address emerging challenges such as aquifer over-allocation.

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Ministry of
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BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Drinking Water

KEY POINTS:

- Clean, safe and secure drinking water is critical for the health of the residents of BC.
- The Ministry of Water, Land and Resource Stewardship (WLRS) is responsible for providing strategic leadership for drinking water across government and for leading the development of a new provincial strategic plan (Strategic Plan) for protecting drinking water, from source to tap.
- WLRS both leads actions and collaborates across ministries to fulfill the Office of the Auditor General's (OAG's) 2019 drinking water audit recommendations and to address the Provincial Health Officer's (PHO's) (2023) recommendations.
- Advice/Recommendations; Intergovernmental Communications

BACKGROUND:

- In 2019, the OAG audited the state of provincial work on drinking water and issued recommendations to address gaps in drinking water protection across the Province.
- WLRS was formed in 2022 and made accountable for providing the leadership and cross-ministry coordination necessary to improve outcomes for drinking water protection in fulfillment of the OAG's and PHO's recommendations. That leadership role involves coordinating and where appropriate leading policy and legislative changes and strategy development such as a new provincial Strategic Plan for drinking water.
- In Fall 2023, the previous government reorganized to further consolidate water functions under WLRS.
  Key accountabilities for drinking water across government were set out as follows:
  - WLRS leads and coordinates the Strategic Plan development and the annual progress report in response to the 2019 OAG audit, with support from The Ministry of Health (HLTH) and the PHO.
  - The Office of the Provincial Health Office (OPHO) ensures government's accountability for drinking water, including oversight and reporting on progress and trends in source to tap drinking water protection.
  - HLTH, the OPHO, and regional health authorities (RHAs) maintain accountabilities for the *Drinking Water Protection Act (DWPA)* and Regulation.
  - The Ministry of Municipal Affairs provides local governments with infrastructure funding through a variety of grant programs to help support water-related infrastructure.
- The *Drinking Water Protection Act* (DWPA) is the primary legislation to protect drinking water in BC and the WLRS Minister is responsible for sections 4.1, 4.2 and Part 5.
- In September 2024, the OPHO's completed the first annual report for drinking water activities under section 4.1 of the DWPA, which will be published following the provincial election.

- The February 2024 OPHO report 'Clean, Safe, and Reliable Drinking Water: An Update on Drinking Water Protection in BC' analysed data from 2017 to 2022 and made twenty recommendations to improve drinking water protections in BC.
- Federal Bill C-61 completed second reading in the House of Commons in June 2024 and is currently under consideration with the Standing Committee on Indigenous and Northern Affairs. Intergovernmental Communications
- The BC Water Committee (BCWC) facilitates cross-ministry collaboration on drinking water.

DISCUSSION:

- Drinking water remains a cornerstone of public health and a priority for Government to ensure the health and safety of British Columbians. Developing and implementing a provincial Strategic Plan to protect drinking water, from source to tap, will require collaboration between the multiple ministries that share the responsibilities for action on drinking water.
- The Province is well-positioned to respond to the OAG and PHO recommendations following consolidation of water program functions under a single ministry and the BCWC.
- The 2002 Action Plan for Safe Drinking Water in BC is currently the Province's cross-government, source to tap framework for drinking water. Refreshing this work as part of the new Strategic Plan is a priority for advancing work on drinking water in the Province.
- Components of Bill C-61, particularly sections affirming First Nations jurisdiction over all fresh water on and under reserve lands, appear to be incompatible with section 92 of the *Constitution Act, 1867* and section 5 of the *Water Sustainability Act* (WSA) through which BC holds jurisdiction over freshwater allocation and management within the province.
- BC is also concerned about the yet-to-be-defined source water protection zones and associated agreements that would extend onto lands and water resources under provincial authority and require significant resources to negotiate.
- Drinking water work is closely connected to other programs and strategies. The recently completed Watershed Security Strategy (WSS) is critical for shaping a resilient future. Implementation planning is underway for several work streams, including drinking water, which will include source water protection and drinking water action planning. WSA watershed planning is also integral for advancing longer term drinking water source protections.
- Discussions are underway with local government entities, such as Metro Vancouver, to address priorities for local empowerment for metering and other water conservation measures within municipal work as they relate to drinking water.

INDIGENOUS PEOPLES:

- Access to safe drinking water remains a top priority for Indigenous communities. Indigenous Services Canada is responsible for funding and providing drinking water on reserve.

FINANCIAL IMPLICATIONS: N/A

NEXT STEPS:

Subject to government direction, WLRS plans to:

- continue to provide leadership on drinking water policy, lead development of a new Strategic Plan on drinking water and collaborate across government to respond to the recommendations of the OPHO and the OAG,
- maintain dialogue on Bill C-61 with the federal government to resolve outstanding concerns, and

- continue discussions with local government entities on priorities for drinking water.

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	Initials	Date
DM	LH	Oct 3, 2024
ADM	JM	Sept 23, 2024
Program Dir/Mgr.	JB	Sept 20, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Dam Safety

KEY POINTS:

- BC is seeing an increased requirement for water storage solutions including dams to mitigate flood and drought.
- Increasing costs related to the safe operation, maintenance, management of dams and meeting regulatory requirements is creating financial stress for many dam owners.
- The office of the Auditor General undertook a review of the Dam Safety Program in 2021 and concluded that the "*ministry has not effectively overseen the safety of dams in B.C.*"
- The Dam Safety Section continues to work to address the OAG's recommendations to improve the program.

BACKGROUND:

- Dams offer significant benefits to all British Columbians including hydroelectricity, water supply, irrigation, flood control, industrial purposes, wildlife habitat and recreation.
- Dams must be properly maintained to minimize their risk of failure. The Dam Safety Program (DSP), administered by the Dam Safety Section (DSS), is tasked with the regulation of freshwater dams in BC through the implementation of the *Water Sustainability Act* (WSA) and the Dam Safety Regulation.
- Notable dam failures in BC include the Cannon Creek failure (1995), the Testalinden Lake dam failure (2010), the Mount Polley tailings dam failure (2014) and the Cleveland dam failure (2020) that resulted in two fatalities.
- The Dam Safety Regulation governs dam owners' responsibilities in safety management, with the objective of mitigating loss of life, and damage to property, infrastructure, the environment, and cultural values from a dam failure.
- The Dam Safety Program model is risk-based and aligns with the principle that dam owners strive to reduce risks to a level that is as low as reasonably practicable (ALARP).
- Regulated dams are characterized by their failure consequence classification. Dam failure consequence classifications are given to all dams based on the potential for loss of life, impacts to environmental and cultural values, and losses to the economy should the dam fail.
- The Dam Safety program has oversight of approximately 1,900 dams, of which 363 have a failure consequence classification of High, Very High, or Extreme.
- As one of only four provinces in Canada with a formalized Dam Safety Program, BC is seen as a leader in the regulation of dams and was recognized in 2023 by the Canadian Dam Association through the Corporate Award, the first time this was given to a regulatory body.
- Due to issues related to climate adaptation and watershed security BC is seeing an increasing demand on water storage solutions including the use of dams.
- Many dam owners (private, BC Cattlemen's Association, local government, Ducks Unlimited Canada, etc.) feel they bear the costs/liabilities for the operation and maintenance of dams which provide public benefit.

DISCUSSION:

- The Dam Safety Program plays an important role in ensuring dams in BC are constructed, operated, and maintained in a manner that protects the environment and public safety.

- The Dam Safety Program is founded on four pillars: Education, Prevention, Compliance & Enforcement, and Emergency Preparedness and Response.
- Dam Safety Officers (DSOs) audit dams on a schedule determined by its failure classification. The audit process involves the review of the failure consequence classification, Dam Emergency Plan (DEP), Operation, Maintenance and Surveillance Manual (OMS), Dam Safety Review (DSR), maintenance and surveillance reports, reservoir operations record as well as site visits.
- DSOs work closely with dam owners to ensure compliance with the Dam Safety Regulation and, where necessary, support owners with coming into compliance in a timely manner.
- The office of the Auditor General (OAG) undertook a review of the Dam Safety Program and its 2021 report concluded that the "*ministry has not effectively overseen the safety of dams in B.C.*"
- The OAG audit report gave nine recommendations to improve the oversight of dam safety in BC and the ministry accepted all the recommendations.
- The Dam Safety Section has been actively addressing these recommendations and has successfully completed several improvements including: restructuring of program to be delivered from central location; developed a process to better inform all dam owners of their regulatory responsibilities; and is continuing to make improvements to the dam registry.
- The Dam Safety Section continues to work to meet all OAG recommendations but challenges in retention and recruitment of staff have caused delays. Major outstanding items include retaining enough staffing to administer the dam safety audit program, completing improvements to the dam registry, creating risk management tools, implementing a compliance and enforcement plan (see attachment).

FINANCIAL IMPLICATIONS:

- Additional staffing is required to meet the OAG recommendations and to ensure the delivery of the Dam Safety Program.
- This will require both additional base staff budget as well as increased operating costs to ensure the *Water Sustainability Act* and Dam Safety Regulations are implemented.
- The cost / liability of the operation and maintenance of dams is the responsibility of the dam owner, and this is becoming increasingly expensive, with expectations that government will provide funding.
- The Ministry of Water, Land and Resource Stewardship (WLRS) is the owner of multiple dams, with two major dams on the Okanagan and Nicola rivers. Both dams require major upgrades/maintenance and have substantial annual operating costs for basic day to day operations.

SUMMARY:

- The BC Dam Safety Program works closely with all Dam Owners, including BC Hydro, Hydro power producers, agricultural producers and irrigators, local governments, and other dam owners to enforce the Dam Safety Regulation and minimise the risk of Dam failure.
- Most private dam operators and owners (the majority of dams in BC) do not have engineering expertise and have minimal resources to support the ongoing maintenance of their dams.
- Dam Safety staff are working with Ministry of Agriculture and Food to explore opportunities to address concerns from private dam owners (i.e., farmers, ranchers) that current requirements create obstacles that impact the public benefit of many historical dams.
- WLRS has an MOU with the Ministry of Agriculture and Food to deliver training services to agricultural dam owners.

- Costs of maintaining, operating a dam, while remaining in compliance is increasing, with many dam owners not having appropriate funds to manage the infrastructure, though dams provide public benefits, costs are the responsibility of the dam owners. Dam owners are looking to the province for funding opportunities as many can no longer afford the financial and legal responsibilities.
- WLRS has an MOU with the BC Energy Regulator to manage oil and gas related dams.
- The recent OAG audit identified the need for improvement with tangible recommendations to be implemented.
- The implementation of the OAG recommendations continues to strengthen, the already well-respected BC Dam Safety program.
- The program faces challenges through resourcing and staffing to be able to deliver the intended dam safety program and implement the OAG recommendations.
- It is anticipated that the Dam Safety Section will not be able to address all the OAG recommendation within the 5-year timeframe.

Attachment: Attachment 1 – OAGBC - Oversight of Dam Safety Final

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OFFICE OF THE
Auditor General
of British Columbia

OVERSIGHT OF DAM SAFETY IN BRITISH COLUMBIA

An independent audit report

September 2021

bcauditor.com

The Honourable Raj Chouhan
Speaker of the Legislative Assembly
Province of British Columbia
Parliament Buildings
Victoria, British Columbia
V8V 1X4

Dear Mr. Speaker:

I have the honour to transmit to the Speaker of the Legislative Assembly of British Columbia the report *Oversight of Dam Safety in British Columbia*.

We conducted this audit under the authority of section 11(8) of the *Auditor General Act*. All work in this audit was performed to a reasonable level of assurance in accordance with the Canadian Standard on Assurance Engagements (CSAE) 3001—Direct Engagements, set out by the Chartered Professional Accountants of Canada (CPA Canada) in the *CPA Canada Handbook—Assurance*.

Michael A. Pickup, FCPA, FCA
Auditor General of British Columbia
Victoria, B.C.
September 2021

CONTENTS

Audit at a glance 4

Background 6

Objective 8

Conclusion 9

Findings and recommendations 10

Promoting compliance 10

Ministry largely promoted dam owner compliance 10

Collecting dam information 12

Ministry information on dams had gaps and inaccuracies 12

Verifying compliance 14

Ministry did not adequately verify dam owner compliance 15

Enforcing compliance 22

Ministry did not consistently enforce dam owner compliance 24

Monitoring program performance 27

Ministry did not adequately assess if program improved dam safety 27

About the audit 29

Appendix A: Recommendations and auditee response 31

Appendix B: Audit criteria 34

Appendix C: Failure consequence classification categories 35

The Office of the Auditor General of British Columbia would like to acknowledge with respect that we conduct our work on Coast Salish territories. Primarily, this is on the Lkwungen-speaking people's (Esquimalt and Songhees) traditional lands, now known as Victoria, and the W̱SÁNEĆ people's (Pauquachin, Tsartlip, Tsawout, Tseycum) traditional lands, now known as Saanich.

AUDIT AT A GLANCE

Why we did this audit

- There are about 1,900 regulated dams that provide electricity, irrigation and flood control for the people of B.C.
- Dams are dangerous and must be properly maintained to minimize their risk of failing.
- Failures can be disastrous for people, the environment and property.
- Owners are responsible for the safety of their dams; the ministry oversees owner compliance.

Objective

To determine if the Ministry of Forests, Lands, Natural Resource Operations and Rural Development has effectively overseen the safety of dams in B.C.

Audit period: January 2019 to December 2020

Conclusion

The ministry has not effectively overseen the safety of dams in B.C. While it promoted dam owner compliance with regulatory requirements, it did not adequately verify or enforce compliance.

The ministry accepted our 9 recommendations to improve its oversight of dam safety, related to:

- informing all dam owners of their regulatory requirements
- improving processes to verify dam owner compliance
- improving monitoring of compliance and enforcement activities
- strengthening performance measures and targets

What we found

Promoting compliance

Ministry largely promoted dam owner compliance with regulatory safety requirements

- Information available to dam owners through website and workshops
- Annual mailouts to owners of higher-consequence dams
- Periodic audits of higher-consequence dams

Not all owners of lower-consequence dams understand responsibilities

- Ministry doesn't do outreach to low-consequence dam owners
- Training is voluntary so dam owners don't always understand their safety responsibilities

Recommendation 1

Verifying compliance

Ministry information on dams had gaps and inaccuracies

- At least 196 dams missing from records--ministry should have been regulating some of these dams
- No province-wide process to identify dams built without authorization
- 63% of dam records sampled lacked key information, such as emergency contact and dam height
- Information in records not always consistent with policies

Recommendation 2, Recommendation 3

What we found (continued)

Verifying compliance (continued)

Ministry did not fully verify dam owner compliance with all key regulatory requirements

- Some key safety documents not reviewed
- In audit sample, 33% of operating manuals and 27% of dam emergency plans submitted to ministry not reviewed 3 or more years after submission
- 4 of 10 dam safety officers had backlog of reports to review on whether high-consequence dams are safe. Average time to accept safety reports was 20 months; some took 8 years
- 45% of dams in sample not audited on schedule
- Downstream risk from low-consequence dams not periodically re-assessed
- Ministry expectations unclear on how and when staff should review safety documents from dam owners
- Regional staff priorities compete with dam safety oversight

Recommendation 4, Recommendation 5, Recommendation 6

Enforcing compliance

Ministry did not consistently enforce regulatory requirements

- Many dams didn't meet regulatory requirements, and dam owners didn't make improvements to become compliant
- 87 high-risk dams with significant deficiencies had not fixed their safety problems for 7.5 years, on average
- Inadequate ministry tracking and follow-up on deficiencies
- Ineffective mechanisms to deter non-compliance

Recommendation 7, Recommendation 8

Monitoring program performance

Ministry did not adequately assess if program improved dam safety

- Inadequate measures and targets for making dams safer overall
- Lack of targets for 12 of 15 performance indicators

Recommendation 9

After reading the report, you may want to ask the following questions of government:

1. *What can the ministry do to further inform dam owners and the public about the importance of dam safety in their communities?*
2. *Why haven't compliance and enforcement activities been more effective?*
3. *What risks exist given that compliance and enforcement activities were not effective?*

BACKGROUND

Dams that hold back water offer significant benefits, such as electricity, irrigation, flood control, wildlife habitat and recreation. But dams must be properly maintained to minimize their risk of failing.

Failures can be caused by a single catastrophic event, such as an earthquake, or, more often, by a series of cumulative causes or events.

In B.C. the Ministry of Forests, Lands, Natural Resource Operations and Rural Development is responsible for overseeing about 1,900 regulated dams, all of which are covered in this audit.

For 1,000 of these dams, failure can kill people and damage the environment and property. For the other 900 dams, the impact of failure is lower, only damaging the owner's property.

Dam-related fatalities can be caused by structural failure or by public activities at the dam, such as swimming. Since the early 1900s, there have been two recorded fatalities in B.C. from structural dam failures (1912 and 1948).

The most recent fatal dam incident in B.C. that was not from a structural dam failure occurred in October 2020 at the Cleveland Dam. An operational failure led to an uncontrolled release of a large volume of water through the dam's spillway, flooding the Capilano River canyon in North Vancouver. Two people fishing downstream of the dam were swept away. The BC Coroners Service classified one prior fatality at a dam that resulted from public activity around the dam.

Dam failures do not normally cause fatalities, but they can cause other damage. The ministry reported, on average, three structural dam failures each year over the past five years, most of them causing minimal damage; however, larger failures have occurred in the past. For example, in 2010 the Testalinden Dam failed, destroying or damaging five homes and causing significant damage to crops and farm equipment. The debris covered 200 metres of Highway 97 and blocked several secondary roads. The estimated cost of this dam failure was in the millions of dollars.

Safety regulation

The ministry regulates dam safety under the *Water Sustainability Act* and the Dam Safety Regulation, which aims to prevent loss of life and mitigate damage to property and the environment from a dam failure.

The ministry checks that dam owners are following the regulatory requirements and enforces the regulation, through the dam safety program and the Compliance and Enforcement Branch. Its oversight involves:

- promoting dam safety to owners
- verifying owner compliance with regulatory requirements
- enforcing compliance with requirements

Ten designated dam safety officers oversee the safety of dams across the province. However, seven of these officers have other duties and do not work full-time on dam safety. The number of dams each officer is responsible for ranges from 47 to 427.

Dams are grouped into five categories based on the significance of the losses that a dam failure could cause (see Exhibit 1). Dam owners must follow regulatory requirements based on the failure consequence classification assigned to their dam.

EXHIBIT 1: *Dams subject to the British Columbia Dam Safety Regulation by failure consequence classification as of December 2020*

Failure consequence classification	Number of dams*
Extreme	43
Very high	84
High	234
Significant	595
Low	842
Unclassified	102
Total	1,900

*Excludes dams that were not yet built or had been removed.

Source: Data from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development.

OBJECTIVE

The objective of the audit was to determine whether the Ministry of Forests, Lands, Natural Resource Operations and Rural Development has effectively overseen the safety of dams in B.C.

Scope

We examined the ministry's oversight of the 1,900 ground and surface water dams regulated under the *Water Sustainability Act* and Dam Safety Regulation.

We did not examine:

- dams being built, such as Site C
- dams owned by oil and gas permit holders overseen by the B.C. Oil and Gas Commission
- mining-related dams that don't store water or wastewater dams

The audit focused primarily on the period from January 1, 2019, to December 31, 2020. It included information from before 2019 as needed to assess the ministry's oversight.

Learn more about the audit criteria.

Learn more about how we did this audit.

Mark Creek Dam in the Kootenay Region (extreme-consequence dam).
Photo credit: Ministry of Forests, Lands, Natural Resource Operations and Rural Development

CONCLUSION

The ministry has not effectively overseen the safety of dams in B.C. While it promoted dam owner compliance with regulatory requirements, it did not adequately verify and enforce compliance.

Promoting compliance

The ministry promoted dam safety by providing information and voluntary training for dam owners to understand their regulatory responsibilities. In addition, it conducted outreach for owners of higher-consequence dams. However, it did not conduct regular outreach for owners of low-consequence dams to help them understand their responsibilities.

Verifying compliance

The ministry did not have complete and accurate information about dams that are subject to regulation. This means it did not have all the information it needed for effective oversight.

The ministry did not adequately verify dam owner compliance with regulatory requirements. This increased the risk that dam owners might not meet regulatory safety requirements. It also increased the risk that their dams could threaten public safety.

Enforcing compliance

The ministry did not promptly and effectively follow up with dam owners to enforce compliance with key regulatory requirements or to correct physical deficiencies. The ministry required dam owners to take steps when it identified dams that were an immediate threat to public safety. But it did not consistently follow up with dam owners so that they fixed all significant deficiencies to reduce the risk of dam problems.

Monitoring program performance

The ministry monitored and reported on dam safety activities for some of its program objectives, but it lacked indicators and targets to adequately monitor how well the program was doing at improving dam safety overall.

FINDINGS AND RECOMMENDATIONS

Promoting compliance

The Ministry of Forests, Lands, Natural Resource Operations and Rural Development, through the dam safety program, works with dam owners to educate them about the regulatory safety requirements for their dams. The ministry aims to promote voluntary compliance by educating dam owners about their responsibilities for keeping their dams safe.

Ministry largely promoted dam owner compliance

What we looked for

We examined if the ministry provided education to dam owners to help them understand their regulatory responsibilities.

Learn more about the audit criteria.

What we found

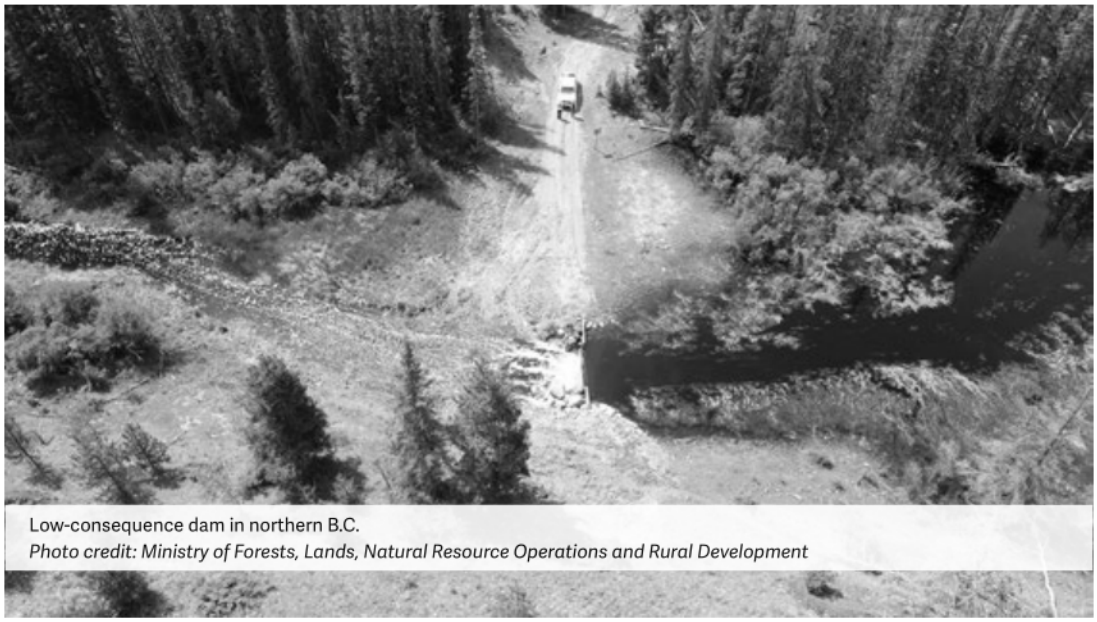
The ministry provided dam owners with education to understand their regulatory responsibilities. There were areas for improvement, such as:

- doing outreach to low-consequence dam owners
- making new dam owners aware they have a dam and providing information on what they need to do to keep it safe
- encouraging more dam owners to take training

The ministry gave dam owners information through its website and linked resources as well as training workshops. The ministry increased the number of workshops in 2019. It created a dedicated position focused on training and worked on developing online training in 2020 as a result of the COVID-19 pandemic. The information is available for all owners who seek it.

The ministry communicates annually with owners of dams classified as significant failure consequence and higher. When dam safety officers visit dams for audits and checks, they educate dam owners about regulatory safety requirements. They do not do annual mailings or regular visits to low-consequence dams; therefore, there is little outreach to these dam owners.

Although the ministry makes information available to all dam owners and does outreach to



Low-consequence dam in northern B.C.
Photo credit: Ministry of Forests, Lands, Natural Resource Operations and Rural Development

owners of higher-consequence dams, officers often find that dam owners—especially owners of low-consequence dams—don't fully understand their regulatory responsibilities. A reason for this lack of understanding is that safety training is voluntary. Anyone can own a dam if they buy land with a dam on it.

Also, officers find that new landowners sometimes don't know their property has a dam on it for a year or more after becoming owners, until they receive a bill for the water licence. This is because dams are not on the land title, and smaller dams can look like a natural body of water.

Why this matters

If they don't know their responsibilities, the owners of low-consequence dams may not meet requirements for keeping their dams safe.

Recommendation

We recommend that the ministry:

1 **inform all dam owners of their regulatory responsibilities and encourage them to take dam safety training**

See the response from the auditee.

Collecting dam information

Dam safety officers need a complete inventory of, and reliable information about, dams to verify compliance with the Dam Safety Regulation. Reliable information on dams is important if officers are to:

- manage their portfolio of dams
- quickly access information during emergencies

Information on dams is also important for management to:

- monitor program performance
- report on the state of dams, such as dam risk levels and dam owner compliance

When people or businesses build a dam in B.C., they must apply for a water licence. Records for water licences with dams are kept separately from the dam safety database.[1]

Ministry information on dams had gaps and inaccuracies

What we looked for

We examined if the ministry had complete and accurate information to oversee dam safety. Specifically, we assessed if the ministry had:

- a complete inventory of dams that require regulation
- complete and accurate information needed to oversee the dams it regulates

Learn more about the audit criteria.

What we found

The ministry did not have a complete inventory of dams, and the information on the dams it regulates was not always complete or accurate.

Dam inventory not complete

The ministry's inventory of dams was not complete because:

- water licences were issued with dams that were not entered into the dam safety database
- the ministry doesn't have a process to identify unauthorized dams

1 The centralized database used by dam safety officers that houses data records for each dam is called E-Licensing.

Water licences with dam works: Comparing water licences with dams to the ministry's dam inventory, we found 196 dams missing from the program's records. The ministry reviewed 62 of these missing dams and found that at least 14 (23%) are significant enough to require ministry oversight of their safety. There may be even more than 196 missing; for example, because water licences could be issued with other works, such as "dugouts" or "weirs," that could qualify as dams under the regulation.

The records are missing from the inventory because the ministry's water licensing staff granted water licences without informing the dam safety program of the licence. In turn, the ministry lacked a process to compare its records with water licences issued for dams to identify these gaps.

Unauthorized dams: The ministry did not have a province-wide process to identify dams built without a water licence, which are therefore unauthorized. The ministry discovered, by chance, up to 24 unauthorized dams per year, depending on the region. For example, an unauthorized dam may be reported by a neighbour or a government employee who spots the dam while doing another task.

Dam information not always complete or accurate

Because water licences and dam records have existed for more than 50 years, some dam information is only kept in paper and electronic files and has not been updated to the database. We looked at paper, electronic and database files to assess whether the ministry had complete information on regulated dams. We examined a statistical sample of 24 dams to check the completeness and accuracy of the information.[2] Fifteen of 24 (63%) dams in the sample were missing information in at least one key field.

> Key fields in the database included information about the dam owner (such as name and contact information), information about the dam structure (such as height, function and consequence classification), and information about regulatory compliance (such as safety plans).

The ministry's information on dams was not always accurate or consistent with policies. For example, 13 of 24 (54%) dams in the sample had information in key fields in the database that did not match the paper or electronic files, such as when the dam was last audited or whether

2 Details on the statistical sample of dams we reviewed can be found in About the audit. We used the same sample for each area we examined.

the owner was required to submit an operating manual. Also, dams were listed as not requiring audits when they should have been listed as requiring audits according to the policy for their consequence classification. Information quality was worse for the low-consequence dams, but higher-consequence dams also had quality problems.

Information about dams was not always complete or accurate because:

- the current database was introduced in 2010 and has expanded to include more information, but officers have not prioritized updating the database records within their already heavy workload
- officers stated the database doesn't meet their workflow needs and is inefficient to use; not all officers fully use it

Why this matters

The ministry can't properly oversee dam owner compliance with the regulation without reliable information, nor can it adequately monitor dam safety or prioritize program resources.

Recommendations

We recommend that the ministry:

2 **implement risk-based processes to identify unauthorized dams and dams missing from the dam safety database**

See the response from the auditee.

3 **improve the quality of information in the dam safety database so the ministry can efficiently monitor and enforce compliance with the regulation**

See the response from the auditee.

Verifying compliance

A key aspect of the ministry's oversight of dam safety is checking if dam owners are following the Dam Safety Regulation. The ministry verifies dam owner compliance in two main ways:

- reviewing regulatory documents that owners submit
- visiting dam sites to carry out safety audits

All dam owners must:

- assess the consequence of dam failure and submit it to the ministry (this must be reassessed every year)
- inspect, maintain and repair their dam to keep it operating well
- exercise reasonable care to prevent the dam causing harm (to people, environment, property)

Owners of dams of significant consequence and higher must meet more regulatory requirements. For example, they must:

- prepare an operating manual and emergency plan and submit them to the ministry for acceptance
- seek permission from the ministry for any changes to the dam (for example, fix, expand or remove)

Owners of dams of high, very high, and extreme consequence must also:

- periodically submit a Dam Safety Review report

Ministry did not adequately verify dam owner compliance

What we looked for

We examined if the ministry had verified dam owner compliance with key requirements in the Dam Safety Regulation—specifically, if the ministry had:

- reviewed all key dam owner regulatory documents, including Dam Safety Reviews
- performed dam safety audits according to the expected schedule and procedures
- verified dam owner compliance with all key regulatory requirements
- assessed quality and consistency of officers' activities to verify dam owner compliance

Learn more about the audit criteria.

What we found

The ministry had not adequately verified dam owner compliance with key regulatory requirements. The ministry:

- had reviewed some, but not all, key regulatory documents
- had not conducted dam safety audits following the expected schedule and procedures
- did not have a process to verify compliance with some regulatory requirements
- had not assessed quality and consistency of officers' activities to verify dam owner compliance

Not all dam safety documents were reviewed

We expected that the ministry would have reviewed all regulatory documents submitted by dam owners. For significant and higher-consequence dams, officers prioritized review of dam owners' plans for repair and removal,[3] and owners' initial consequence assessment. They reviewed some but not all documents, such as operations, maintenance and surveillance manuals (operating manuals); dam emergency plans; and Dam Safety Review reports.

We examined the sample to check for evidence of the ministry's review of the documents required by regulation. Not all dam owners had to submit all documents. What they submitted depended on the dam consequence classification and whether the owner planned to repair or remove their dam.

Repair or removal plans: Officers prioritized their review of dam owner plans for repair or removal. In the sample, officers promptly reviewed plans for repair or removal submitted by dam owners. In some cases, officers visited the dams during the repair or removal work for additional checks.

Initial dam consequence classification assessment: The dam owner or a dam safety officer had done an initial consequence assessment for most dams. Twenty of the 24 dams in the sample (83%) had documentation of the initial consequence classification.

Operating manuals and emergency plans: Operating manuals and emergency plans were not always reviewed and accepted. In the sample, 6 of 13 dam owners submitted the required operating manual, and 11 of 13 dam owners submitted the required emergency plan. Officers had not completed their review of some of these documents three or more years after submission:

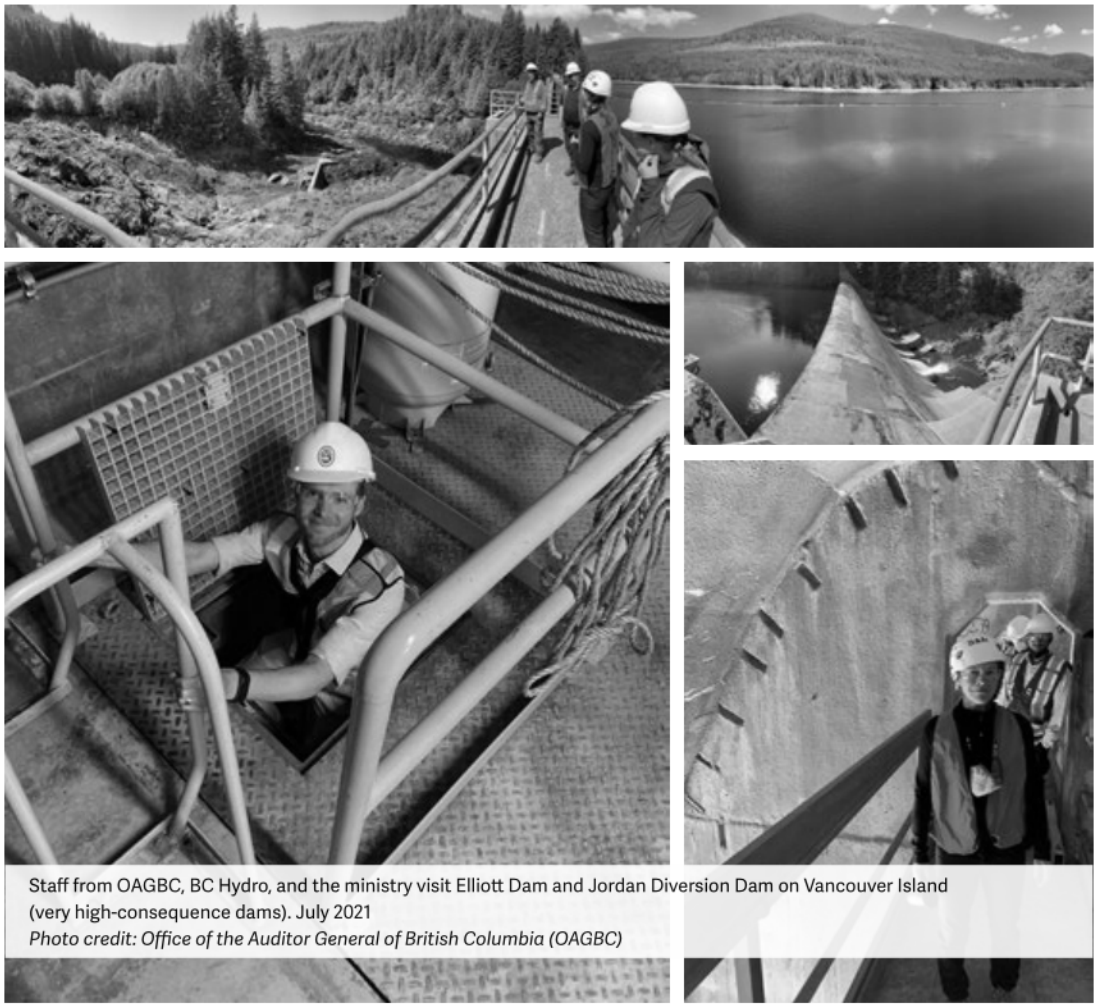
- 2 of 6 (33%) operating manuals had not been reviewed
- 3 of 11 (27%) emergency plans had not been reviewed

3 The technical term for removal of a dam is "decommissioning."

We expected that the ministry would have defined how quickly the regulatory documents should be reviewed once dam owners submitted them. We found there were no formal expectations in ministry policy or guidance. Officers considered these documents important but found their workload required them to prioritize other more urgent aspects of their dam safety work. Estimates from program staff, and a business case, stated that they would need another five central and five regional staff to meet all aspects of the program's mandate.

Dam Safety Review reports (DSRs) were not always reviewed for compliance with ministry policy and guidelines.

We expected the ministry would have defined how—and how quickly—the reports should be reviewed, and that its reviews would include all elements in the legislated guidelines.



Staff from OAGBC, BC Hydro, and the ministry visit Elliott Dam and Jordan Diversion Dam on Vancouver Island (very high-consequence dams). July 2021
Photo credit: Office of the Auditor General of British Columbia (OAGBC)

The ministry did not have a defined benchmark for how quickly DSRs should be reviewed. Officers stated that an ideal turnaround time would be one to two months. The ministry did not have a DSR template that included all the elements in the legislated guidelines for professional engineers to follow. In addition, there was insufficient guidance and training for officers on how to review the reports, including gaps and lack of clarity in the DSR checklist the officers use to review whether the reports meet the guidelines.

Four of 10 officers[4] reported a backlog of reports to review. The average time between reports being submitted and the ministry accepting them was 20 months; some had taken 8 years.

The backlog was a result of officer workload. The officers told us their schedules rarely allowed for the uninterrupted stretch of time they needed to review these complex technical reports.

Our subject matter expert assessed three DSR reports that the ministry had accepted for compliance with guidelines for legislated dam safety reviews in B.C. Two of the reports were missing elements required by the legislated guidelines. Most importantly, they didn't contain adequate recommendations to guide dam owners on key safety issues. The third report was more complete, but it lacked a summary and recommendations to guide the dam owner.

Dam safety audits didn't consistently follow schedule or procedures

We found the ministry had not performed dam safety audits according to the expected schedule and procedures. Ministry policy requires officers to audit significant-consequence dams once every 10 years, and high-, very high- and extreme-consequence dams every 5 years. While officers aimed to conduct their scheduled audits each year, we found:

- audits were not always completed on schedule
- audits did not consistently follow procedures

This led to inconsistencies in the ministry's oversight of dam owners' compliance with regulatory safety requirements.

Audit schedule: The ministry did not consistently conduct dam safety audits according to the expected schedule. Overall, 28% of dams in the database were past their next audit date; they were overdue by 3.5 years, on average. In the sample, 5 of 11 (45%) dam audits had not been completed on time. While officers considered audits a priority, they were not always able to complete them on schedule because of their workloads and competing priorities.

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4 There were 13 designated dam safety officers, but only 10 officers were assigned specific dams for oversight. We interviewed the 10 officers who were assigned dams for oversight.

The minimum audit frequency was set based on staff resources, not on a risk assessment. Several officers were concerned that auditing significant-consequence dams every 10 years, as required by the current policy, is not frequent enough. Without frequent contact, they found dam owners were less likely to fix problems with their dams, and the problems could become more serious over time. When officers have time, they will visit dams they consider higher risk more frequently than the minimum required under the audit policy.

Audit policy and procedure: The ministry did not consistently carry out dam safety audits according to policy and procedure.

According to the Dam Safety Audit Program policy, officers should:

- complete the inspection checklist while dam owners are present
- update the database upon return to the office
- send follow-up letters to dam owners summarizing audit findings

We found the ministry:

- was not completing the audit checklist when dam owners were not present to confirm their compliance with certain requirements
- was not always updating the database with information from the audits, and their assessments of dam owners' overall compliance with the regulation were inconsistent
- was not always sending follow-up letters to dam owners, including setting a timeline for the dam owner to fix the problems identified

These problems were caused, in part, by officers receiving insufficient guidance on program expectations for follow-up if dam owners are not present for the audit, as well as a lack of guidance on what to enter into the database and what content is required for follow-up letters.

No process to verify some key regulatory requirements

The ministry did not have a process to fully verify dam owner compliance with two key regulatory requirements:

- annual review of consequence classification
- public safety around dams

Annual review of consequence classification: For 15 of 22 dams (68%) in the sample, the ministry did not assess dam owner compliance with the requirement to reassess the consequence classification annually.[5]

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5 Two dams in the sample were recently discovered and therefore had not yet been through an audit cycle.

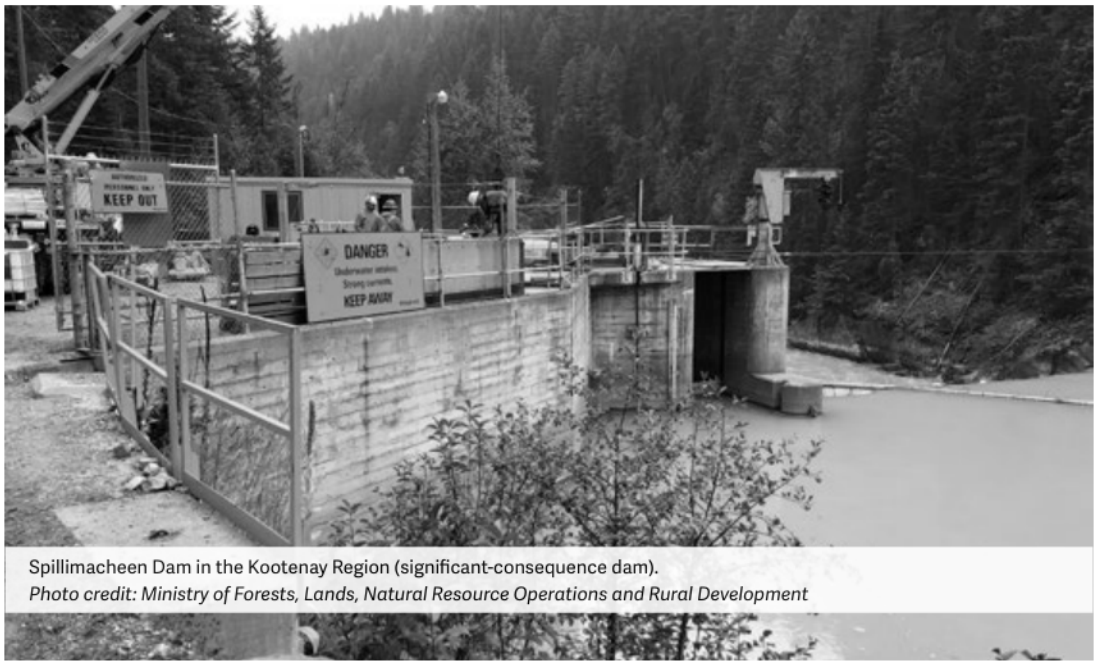
The audit checklist did not cover the requirement for dam owners to verify the consequence classification annually.

Owners of dams classified as high, very high and extreme consequence are required to submit an annual dam status report. However, this report is not designed to fully address the regulatory requirement. The report does not directly ask dam owners if they have verified the consequence classification annually, as required by the regulation.

The ministry did not have a process to assess compliance with the requirement to annually reassess consequence classification for low-consequence dams. It did not include low-consequence dams in its audit program and did not require the owners to submit an annual dam status report. The ministry's rationale was that it prioritized higher risk dams because it did not have the staff resources to systematically assess compliance by the owners of low-consequence dams.

Public safety around dams: The ministry also did not have a process by which officers could assess whether owners are, within the scope of the regulation, exercising reasonable care to avoid the risk of significant harm to the public around dams. Public safety around dams was not included as an item in the audit checklist. However, dam audit notes showed that officers sometimes raised the issue—for example, they would note the need for signs to warn the public not to swim at the dam.

Officers identified a lack of clarity and guidance from the ministry on how to approach verifying and enforcing dam owners' responsibility to protect public safety around dams, within the scope of the regulation.



Spillimacheen Dam in the Kootenay Region (significant-consequence dam).
Photo credit: Ministry of Forests, Lands, Natural Resource Operations and Rural Development

No process to verify quality and consistency of oversight practices

We expected that the ministry would have processes to assess the quality and consistency of officers' activities to verify dam owners' compliance with the regulation, such as reviewing regulatory documents and conducting audits. However, the ministry did not have a process that would allow management to assess the quality and consistency of officers' activities to verify dam owners' compliance with the regulation. Ministry management held regular meetings with dam safety officers to promote quality and consistency, but it did not verify that policies were implemented consistently, including the:

- Dam Safety Audit Program policy
- Dam Safety Review checksheet
- Dam Safety Compliance and Enforcement policy

We also found there was inconsistency in the practices officers followed for verifying compliance with the regulation. For example, there were significant differences in how officers approached the DSR review process. Some looked only at whether the reports had all items in the checklist, while others did an in-depth review, including redoing the engineer's modelling and calculations. Some checked the engineer's qualifications against the guideline requirements, while others did not.

The ministry reported that it did not carry out quality assurance reviews because it could not hold staff accountable to meet central program expectations. Only the three Victoria-based officers are directly accountable to program management. The other seven officers are accountable to regional managers for direction, priorities and performance management. Regional managers assign dam safety officers to other duties, such as flood safety, that can compete for their attention at key times of the year. Officers reported that these assignments affect their ability to complete their dam safety workload.

Why this matters

If the ministry does not always verify dam owners' compliance with regulatory safety requirements, it won't know if dam owners are keeping their dams safe. Nor will it know where to focus enforcement efforts.

Neither the ministry nor dam owners will know if dams are "safe," "reasonably safe" or "not safe" if the ministry does not verify that Dam Safety Review reports meet requirements and does not update the database with key information. Nor will the ministry know about problems that need attention to make dams safe. For example, an officer learned of a DSR report that had a "not safe" conclusion, but the previous officer had not flagged it for follow-up. It was two years before the officer learned the dam was not safe and took appropriate action.

The ministry's decision not to periodically assess whether owners of low-consequence dams are complying with requirements is a reasonable approach if the consequence classification is valid, because low-consequence dams should not cause significant damage if they fail. But because the ministry doesn't periodically check the classification or check that dam owners are verifying the classification each year, it does not know if the original consequence classification is still valid. For example, the classification could change if a housing development was built after the dam was built. This means some dams could have a lower classification than they should. As a result, dam owners may not be meeting the regulatory safety requirements for their dam. Officers have seen examples of this.

Recommendations

We recommend that the ministry:

4 **improve processes to promptly and consistently review dam owner compliance with the regulation**

See the response from the auditee.

5 **review risks and determine:**
- the appropriate frequency for dam safety audits
- an appropriate process to periodically verify classification for low-consequence dams

See the response from the auditee.

6 **strengthen accountability mechanisms for central staff to lead regional staff in achieving consistent and timely oversight of dam safety**

See the response from the auditee.

Enforcing compliance

The ministry's policy is to focus compliance and enforcement resources on dams with higher-consequence classifications. It expects dam safety officers will get dam owners to comply voluntarily. But if a dam owner does not comply, dam safety officers can seek enforcement help from natural resource officers in the Compliance and Enforcement Branch.

Natural resource officers can enforce the *Water Sustainability Act* and the Dam Safety Regulation. The ministry expects natural resource officers to work with the dam safety officer. Natural resource officers have the lead role in escalating enforcement options.

The ministry's compliance and enforcement policy promotes consistency across the province to ensure that all dam owners and operators face the same compliance, monitoring and enforcement actions.

Enforcement options are administrative and prosecutorial.

- Administrative options include advisories, warnings, directives (orders) and administrative sanctions such as cancelling an authorization.
- Prosecutorial options include tickets and court prosecutions.

To guide its compliance and enforcement actions, the ministry has defined risk levels to identify at-risk dams. Dam safety officers assess the probability of a dam failing when they audit the dam or when they receive new information about the dam. They combine this rating with the consequence classification to provide a risk-level rating, as shown in Exhibit 2. Only significant- and higher-consequence dams can have the highest risk-level ratings of 1 or 2.

EXHIBIT 2: *Dam risk-level descriptions and number of dams at each risk level as of December 2020*

Risk level	Description	No. of regulated dams*
1—Alert	Immediate attention is required by the dam owner.	1
2a—Caution (not cooperative)	The dam owner has considerable work to be compliant; however, owner is not actively working on correcting deficiencies.	24
2b—Caution (cooperative)	The dam owner has considerable work to be compliant and is actively working on correcting deficiencies.	62
3—Stable	Dam safety officer may require periodic evaluations by qualified engineers.	240
4—No concern	Dam still to be included in regular audit program.	636
5—Effectual	Limited auditing oversight needed.	568
6—None	Dam has not yet been audited to determine risk level.	10
Blank	No risk-level information entered in database.	359

*Excludes dams that were not yet built or had been removed.

Source: Data from Ministry of Forests, Lands, Natural Resource Operations and Rural Development database, analyzed by the Office of the Auditor General of British Columbia.

Ministry did not consistently enforce dam owner compliance

What we looked for

We examined if the ministry took consistent and prompt follow-up action with dam owners when they did not comply with regulatory requirements or fix dam deficiencies.

Learn more about the audit criteria.

What we found

The ministry:

- had not consistently enforced dam owner compliance with regulatory requirements
- had not taken sufficient steps to get dam owners to correct all significant physical dam deficiencies
- had not implemented an effective system to track problems that could cause dams to become hazardous

Compliance with regulatory requirements not adequately enforced

The ministry did not effectively follow up with dam owners who had not complied with key regulatory requirements.

Thirteen of the 24 dams in the sample had evidence of regulatory non-compliance that required the ministry to follow up with dam owners. Two of these were low-consequence dams, but the other 11 were significant consequence or higher.

- For 3 of these 13 dams, the ministry had not followed up on the non-compliance.
- For the other 10 dams, the ministry had taken the first step of asking dam owners to comply.

The ministry's follow-up achieved compliance for only 1 of the 13 dams, and partial compliance for two others. There was no evidence the dam owners had complied with requirements for the remaining 10 dams (77%). The time since dam owners were first non-compliant ranged from 3 to 11 years. The ministry did not take further steps, as recommended in its guidance. Those steps include visits from a natural resource officer to enforce compliance, writing a ticket or issuing an order.

Fixing physical dam deficiencies not adequately enforced

The ministry did not take sufficient steps to get dam owners to correct physical dam deficiencies. It also lacked an effective system to track and follow up on non-compliance.

As of December 2020, 87 dams were at the highest risk levels (1, 2a and 2b—see Exhibit 2). On average, the dams had been at that high risk level for 7.5 years.

The ministry's database allows officers to enter information about dam deficiencies, including a description of the deficiency, a deadline to resolve it and a conclusion on whether it has been resolved. Only 93 deficiencies had been entered into the database since this feature was enabled more than three years ago. Only 28 of these had a deadline for the owners to resolve the deficiency. Officers can set the system to remind them to follow up on deficiencies, but if an officer left their position, the reminders did not pass on to the next officer responsible for overseeing those dams.

We looked in more detail at the ministry's compliance and enforcement activities for 3 of the 24 dams assessed at Risk Level 2a, where the owners were not actively working to correct deficiencies.

- For one of the three dams, the ministry's follow-up actions aligned with the compliance and enforcement guidance.
- For the other two dams, the deficiencies had been identified around 2013, but there was no evidence of any follow-up action taken for the next six years.
- New dam safety officers took over responsibility for the two dams in 2019. In both cases, officers restarted their compliance activities because there wasn't enough information about their predecessors' actions and decisions to build on.
- The ministry had not yet escalated its compliance and enforcement actions as outlined in its guidance. Both dams still have the originally identified deficiencies that pose safety risks.

Eleven of the 24 dams in the sample had physical deficiencies identified through Dam Safety Reviews, inspections, audits or rapid dam assessment. For six of these dams (55%), there was no evidence of ministry follow-up after the initial deficiency was identified and the dam owner informed. And there was no evidence, over periods of between 4 and 13 years, that the dam owner had fixed the deficiency.

Some causes of the ministry's insufficient enforcement activities were similar to those in previous sections:

- Dam safety database—Problems with the use and functionality of the database led to officers not effectively tracking and following up on deficiencies.

- Staff workload and prioritization—As noted above, program staff estimated an additional five central and five regional staff were needed to meet the program's mandate.

Officers reported that they are not using the compliance and enforcement mechanisms available to them. Officers saw the fines for violations as too low to deter non-compliance.[6] If an officer issues an order to a dam owner to fix a deficiency and the owner does not comply, the ministry would need to forward the matter to Crown Counsel, who would decide whether to take it to court.[7] Officers were reluctant to take this step because of the time demands and the risk that the matter would not be resolved quickly. The *Water Sustainability Act* allows for administrative monetary penalties for non-compliance, but the regulation does not include any.

Why this matters

Dam owners are less likely to fix deficiencies that pose a risk to public safety if compliance is not enforced effectively. They are also less likely to have adequate dam management systems to prevent and respond to safety hazards. At the end of our audit period in December 2020, the ministry's database showed 557 of 926 dams (60%) of significant or higher consequence were not compliant with the regulation. They were missing one or more safety requirements, such as an operating manual, emergency plan or Dam Safety Review.

Effective enforcement is important to deter other potential violators.

Recommendations

We recommend that the ministry:

7 implement processes to efficiently monitor compliance and enforcement activities

See the response from the auditee.

8 evaluate staffing needs to meet oversight objectives, and staff accordingly

See the response from the auditee.

---

6 For example, fines for violations related to building a dam without authorization are $230, while the water licence application fee for a dam storing less than 30,000 cu. m is $250.

7 Crown Counsel are prosecutors who work for the BC Prosecution Service under the Ministry of Attorney General. The BC Prosecution Service operates independently of government and within the justice system. They do not represent the government, the police or the victim of an offence.

Monitoring program performance

Effective program management requires the establishment of measurable performance indicators and targets that show over time if a program is working or achieving objectives. Monitoring program effectiveness allows decision-makers to evaluate if a program is meeting its goals and objectives. This lets them effectively manage limited resources and change policy direction if needed.

The ministry publishes an annual report on the dam safety program's activities.

Ministry did not adequately assess if program improved dam safety

What we looked for

We examined if the ministry had performance measures and targets to monitor and report on the effectiveness of its dam safety activities.

Learn more about the audit criteria.

What we found

The ministry did not have adequate performance measures and targets to monitor and report on the effectiveness of its dam safety activities.

In the dam safety program annual reports for 2018–19 and 2019–20, the ministry had 6 objectives, 15 performance indicators and 3 targets to report on its dam safety activities; 12 of 15 performance indicators didn't have targets.

These 15 performance indicators let the ministry measure performance in meeting 3 of the program's 6 objectives:

- training dam owners
- reviewing dam project plans
- supporting emergency planning and response to incidents

A fourth program objective—monitoring dam owner compliance with the Dam Safety Regulation—can be partly measured with the 15 indicators.

However, the ministry did not have performance indicators to adequately measure the achievement of two objectives that represent the overarching desired program outcomes: making dams safer and mitigating losses from dam breaches. For example, there were no indicators to measure the following outcomes:

- the number of dam deficiencies and the proportion corrected over a year
- actions taken to achieve compliance and the improvement in compliance
- changes in dams' risk level from year to year

The ministry is revising its performance indicators and targets.

Why this matters

The ministry needs good performance monitoring to know how well the program is functioning. This would support decisions about where to focus future efforts and how to adjust activities to continue improving dam safety.

Recommendation

We recommend that the ministry:

9 **develop and report on performance measures and targets that adequately show the effectiveness of the ministry's oversight of dam safety**

See the response from the auditee.

Left: Falls River Dam in the Skeena Region (significant-consequence dam).
Right: Elko Dam in the Kootenay Region—dam spillway gate opening system (significant-consequence dam).
Photo credit: Ministry of Forests, Lands, Natural Resource Operations and Rural Development

ABOUT THE AUDIT

We conducted this audit under the authority of section 11(8) of the *Auditor General Act* and in accordance with the Canadian Standard on Assurance Engagements (CSAE) 3001—Direct Engagements, set out by the Chartered Professional Accountants of Canada (CPA Canada) in the *CPA Canada Handbook—Assurance*. These standards require that we comply with ethical requirements and conduct the audit to independently express a conclusion against the objective of the audit.

A direct audit involves understanding the subject matter to identify areas of significance and risk, and to identify relevant controls. This understanding is used as the basis for designing and performing audit procedures to obtain evidence on which to base the audit conclusion.

The audit procedures we conducted included analysis of data in the ministry's water licensing and dam safety databases, review of a statistical sample of dam files, review of selected files by an independent subject matter expert, analysis of key documentation, and interviews with:

- program staff and management
- dam safety officers across the province
- Compliance and Enforcement Branch management
- external stakeholders such as the BC Cattlemen's Association and Engineers and Geoscientists BC

We also consulted with our independent subject matter expert on the audit findings and report.

The statistical sample was drawn from the population of regulated dams, excluding dams that were not yet built or had been removed. The sample parameters were 90% confidence level and 10% error rate, which resulted in a sample of 24 dams. The composition of the sample by consequence classification was: Very high = 1; High = 3; Significant = 9; Low = 11.

We believe the audit evidence we have obtained is sufficient and appropriate to provide a basis for our conclusion.

Our office applies the Canadian Standard on Quality Control (CSQC 1), and we have complied with the independence and other requirements of the code of ethics issued by the Chartered Professional Accountants of British Columbia that are relevant to this audit.

Audit report date: August 8, 2021

Michael A. Pickup, FCPA, FCA
Auditor General of British Columbia
Victoria, B.C.

APPENDIX A: RECOMMENDATIONS AND AUDITEE RESPONSE

RECOMMENDATION 1: We recommend that the ministry inform all dam owners of their regulatory responsibilities and encourage them to take dam safety training.

RECOMMENDATION 1 RESPONSE: **The ministry agrees with this recommendation.** The Ministry annually provides information about regulatory responsibilities and dam safety training to High, Very High, and Extreme Consequence dam owners. Going forward, the Ministry will explore options to expand this correspondence to include Low and Significant Consequence dam owners.

RECOMMENDATION 2: We recommend that the ministry implement risk-based processes to identify unauthorized dams and dams missing from the dam safety database.

RECOMMENDATION 2 RESPONSE: **The ministry agrees with this recommendation.** The Ministry will update its procedures on how unauthorized dams are identified and review options for subsequent actions to ensure regulatory compliance.

The Ministry will develop processes to periodically review and update its dam safety database so that all regulated dams can be represented in the database.

RECOMMENDATION 3: We recommend that the ministry improve the quality of information in the dam safety database so the ministry can efficiently monitor and enforce compliance with the regulation.

RECOMMENDATION 3 RESPONSE: **The ministry agrees with this recommendation.** The Ministry will review data fields, develop procedures around what data fields need to be captured and review communications with dam owners to ensure that required information is provided.

RECOMMENDATION 4: We recommend that the ministry improve processes to promptly and consistently review dam owner compliance with the regulation.

RECOMMENDATION 4 RESPONSE: **The ministry agrees with this recommendation.** The Ministry will improve data quality and review our processes to ensure that regulatory document reviews and dam owner compliance matters are completed promptly and consistently.

RECOMMENDATION 5: We recommend that the ministry review risks and determine:

- the appropriate frequency for dam safety audits
- an appropriate process to periodically verify classification for low-consequence dams

RECOMMENDATION 5 RESPONSE: **The ministry agrees with this recommendation.** The Ministry will review the appropriate frequency for dam safety audits and develop processes to verify classification for Low Consequence dams.

RECOMMENDATION 6: We recommend that the ministry strengthen accountability mechanisms for central staff to lead regional staff in achieving consistent and timely oversight of dam safety.

RECOMMENDATION 6 RESPONSE: **The ministry agrees with this recommendation.** The Ministry will review the governance of its Dam Safety Program and develop options/measures to strengthen accountability mechanisms.

RECOMMENDATION 7: We recommend that the ministry implement processes to efficiently monitor compliance and enforcement activities.

RECOMMENDATION 7 RESPONSE: **The ministry agrees with this recommendation.** The Ministry will conduct a review of dam related compliance and enforcement activities to develop and implement processes to help ensure dam owners are complying with the regulation.

RECOMMENDATION 8: We recommend that the ministry evaluate staffing needs to meet oversight objectives, and staff accordingly.

RECOMMENDATION 8 RESPONSE: **The ministry agrees with this recommendation.** The Ministry will evaluate staffing needs to meet dam safety regulatory oversight objectives.

RECOMMENDATION 9: We recommend that the ministry develop and report on performance measures and targets that adequately show the effectiveness of the ministry's oversight of dam safety.

RECOMMENDATION 9 RESPONSE: **The ministry agrees with this recommendation.** The Ministry will determine effective performance measures and targets that show the effectiveness of the Ministry's Dam Safety Program.

APPENDIX B: AUDIT CRITERIA

1. Promoting compliance and dam information	
1.1	The ministry has complete and accurate information about dams that are subject to regulation.
1.2	The ministry has provided dam owners with education and awareness to understand their regulatory responsibilities.
2. Verifying compliance	
2.1	The ministry has assessed dam owner compliance with key regulatory and policy requirements: a) determine failure consequence classification within 60 days for newly constructed dams and reassess consequence classification annually b) submit an operational, maintenance and surveillance manual for significant-, high-, very high- or extreme-consequence dams within 60 days of dam construction c) prepare and submit a dam emergency plan within 60 days of dam construction for significant-, high-, very high- or extreme-consequence dams, or provide a record of emergency contact within 60 days of dam construction for low-consequence dams d) submit an annual dam status report for owners of high-, very high- and extreme-consequence classification dams that confirms compliance with requirements in Schedule 2 of the Dam Safety Regulation e) take steps when becoming aware of hazardous conditions with a dam f) exercise reasonable care to avoid the risk of significant harm to public safety resulting from other conditions at the dam or operations or actions at or in connection with the dam (e.g., signage, buoys, audible signals) g) gain authorization and provide reports for alterations, improvements to or replacement of all or part of a dam, and for removing, decommissioning, deactivating or stopping operation of a dam
2.2	The ministry has carried out dam safety audits according to the schedule and procedures set under policy.
2.3	The ministry has adequately reviewed Dam Safety Reviews for compliance with requirements set out in program policy and guidelines.
3. Enforcing compliance	
3.1	The ministry has followed up with dam owners to address regulatory non-compliance.
3.2	The ministry has ensured dam owners correct physical deficiencies identified in Dam Safety Reviews, audits or other inspections in a timely way.
4. Program and performance management	
4.1	The ministry has ensured the quality and consistency of its dam oversight practices across the province.
4.2	The ministry has monitored the program's performance using measures and targets that demonstrate achievement of the program's objectives.

APPENDIX C: FAILURE CONSEQUENCE CLASSIFICATION CATEGORIES

Classification	Definition
Extreme	Loss of life for over 100 people. Extremely high economic and critical property losses. Major damage to critical environments/species or cultural damage and impossible restoration/compensation.
Very high	Loss of life for up to 100 people. Very high economic and important property losses. Significant damage to critical environments/species or cultural damage and impractical restoration/compensation.
High	Loss of life for up to 10 people. High economic and property losses. Significant environmental or cultural damage and possible restoration/compensation.
Significant	Loss of life possible due to people passing through. Low economic and property losses. No significant environmental or cultural damage and possible restoration/compensation.
Low	No loss of life. Property damage to dam owner only. Short-term environmental or cultural damage.
Unclassified	Failure consequence has not yet been determined. Ministry stated that around half of these are newly built dams in the northeast that are currently being assessed, while the other half have not been assessed and may be of concern.

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Cover image:

Revelstoke Dam in the Kootenay Region (extreme-consequence dam).
Photo credit: Ministry of Forests, Lands, Natural Resource Operations and Rural Development

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BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land, and Resource Stewardship

TOPIC: Riparian Areas Protection Regulation

KEY POINTS:

- The Ministry of Water, Land and Resource Stewardship (WLRS) oversees the management of aquatic ecosystems and the ecological, social, cultural and economic benefits they provide.
- The dual goals of expanding land development and aquatic conservation causes tension.
- Aquatic ecosystems provide significant value to municipalities, including reduced stormwater treatment costs, flood mitigation, and improved water supply during drought.
- Following substantive complaints over provincial staff changing conservation requirements after development investment decisions were made, the *Riparian Areas Protection Regulation* (RAPR) was created to provide upfront, consistent and clear direction.
- The RAPR, under the *Riparian Areas Protection Act,* was enacted on November 1, 2019, replacing the earlier Riparian Areas Regulation of 2004.
- The 2019 update responded to a significant lack of compliance and shifted the provincial role from advisory to approval.
- RAPR approval is one of several factors a municipality considers; final decisions on development approvals are the purview of local government.
- RAPR currently applies to Vancouver Island, the Lower Mainland, the Southern Interior, and the municipalities and electoral areas within them.
- The Federal Government acknowledges that if a RAPR approval is in place, the landowner does not need to seek additional approvals under the *Fisheries Act*.

BACKGROUND:

- RAPR is administered through the Aquatic Ecosystems Branch within the Water, Fisheries and Coast division of WLRS.
- The RAPR establishes riparian setbacks for residential, commercial, and industrial development within 30 meters of freshwater fish habitats—streams, lakes, wetlands, and other watercourses—in regions experiencing rapid urban growth.
- The regulation is implemented through local government bylaws.
- By adhering to RAPR assessment procedures and methodologies, Qualified Environmental Professionals (QEPs) and developers ensure due diligence in avoiding violations of the federal *Fisheries Act*—specifically the harmful alteration, disruption, or destruction (HADD) of fish habitat.
- Submitted RAPR assessments are reviewed and approved by a provincial team of aquatic habitat specialists. Once a RAPR assessment is deemed compliant, the local government is notified and can then turn their mind to a final decision on their development permit.
- As of January 2023, WLRS prioritized RAPR for improvements. Recent Achievements:
    - **Backlog Reduction:** Due to increased development combined with flood and wildfire recovery, by February 2023 the timeline for RAPR reviews was between 9-12 months. To resolve this, WLRS implemented streamlined business process improvements and expanded the number of RAPR assessment reviewers from two (2) to five (5). As of June 1, 2023, the RAPR backlog was cleared, and 90% of applications receive their review within 30 business days.

- **Local Government Outreach:** Four in-person outreach sessions were held in early 2024 with ninety participants from forty-nine local governments. Feedback highlighted that the sessions fostered a greater understanding of the municipal benefits of RAPR and of the technical requirements while also improving collaboration between local and provincial governments.
- **Qualified Environmental Professional Accountability.** The College of Applied Biologists (CAB) received new powers to oversee QEPs. Given the ongoing challenge of QEPs not submitting reports that comply with RAPR, the program worked with CAB on the first official complaint from BC. This QEP was found negligent, and CAB is collaborating with the RAPR program to better ensure their members limit their practice to their scope of expertise.
- **Post Wildfire Recovery Pathway:** In collaboration with the Department of Fisheries and Oceans, WLRS has developed a streamlined processes for rebuilding homes and restoring riparian areas affected by the 2023 wildfires. Rather than a site-by-site application, riparian assessments were undertaken at the landscape level. These efforts aim to reduce the financial burden on homeowners and alleviate stress associated with rebuilding after such a devastating event.

DISCUSSION:

- With fewer and fewer parcels of land to develop, the pressure from development and economic interests is unlikely to go away. At the same time, in these RAPR communities, the net loss of functioning riparian ecosystems is so significant that many of those same development sites are being flooded or facing water restrictions (e.g. drinking water and agriculture) and resulting in extensive mitigation or recovery costs to the province. The Program is increasing outreach to the municipalities to improve the understanding of the connection between aquatic ecosystem conservation and municipal costs.

NEXT STEPS:

- Update and publish:
  - RAPR guidance documents for QEPs.
  - Amended Riparian Areas Regulation Technical Assessment Manual.
  - RAPR external website.
- Implement additional actions to improve processing timelines such as:
  - Streamlining decisions for as many of the low-risk applications as possible.
  - For consistently non-performing QEPs, work with the Professional Associations who license QEPs to increase accountability and reduce this source of delays to the queue.
- Continue outreach and education sessions for local governments and begin QEP outreach sessions.
- Regulatory Improvements: As part of the program improvements initiated in spring 2023, a suite of potential legislative changes is being compiled and will be advanced for consideration.

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 3, 2024
CFO/EFO (if required)	N/A	
ADM	JM	Sept 18, 2024
Program Dir/Mgr.	JD	Sept 13, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024 (updated as of November 13)

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Aquatic Invasive Species (Invasive Mussel Defence Program and Whirling Disease)

KEY POINTS:

- The Ministry of Water, Land and Resource Stewardship (WLRS) is responsible to lead and coordinate the provincial efforts on prevention of aquatic invasive species.
- Aquatic invasive species (AIS) are provincially and federally regulated but resourcing from Canada is a challenge.
- Invasives are globally the second biggest threat to biodiversity, after cumulative habitat loss.
- Zebra and quagga mussels prevention remains British Columbia's (BC) top priority for aquatic invasive animals.
    - WLRS leads the Invasive Mussel Defence Program (IMDP) in partnership with the Ministry of Environment and Climate Change Strategy (ENV).
    - The IMDP delivers watercraft inspection stations, lake monitoring, and education.
- Whirling Disease (WD) is the priority aquatic disease.
    - The first detection in BC was winter 2023 in Yoho National Park, and in May 2024 BC instituted new 'Pull the Plug' regulatory requirements.
- Other AIS include goldfish, western mosquitofish and smallmouth bass.
- Invasive species pose a significant economic threat: in BC, managing invasive mussels would cost $64 to $129 million annually and would impact hydro production.

BACKGROUND:

- BC's Inter-Ministry Invasive Species Working Group (IMISWG) brings together provincial ministries, agencies, and Crown corporations with invasive species responsibilities.
- WLRS delivers the IMDP in partnership with ENV's Conservation Officer Service (COS).
- For the 2024 season the IMDP hired 50 auxiliary conservation officers for six watercraft inspection stations and two roving inspection crews. The inspection stations are located at key border crossings along the Alberta and United States (US) border, and include Dawson Creek, Mt. Robson, Golden, Olsen, Yahk, and Osoyoos.
- Since the IMDP was launched in 2015, over 280,000 watercraft inspections were conducted of which over 6,600 were identified as high risk and 170 mussels fouled boats were intercepted.
- Invasive mussels continue to be a high-profile issue raised by local governments, including calls at the Union of BC Municipalities Convention for increased provincial and federal funding.
- WD is a disease affecting juvenile salmonid fish including pacific salmon and trout. It is caused by a microscopic parasite which infects fish. Although there is no risk to human health, the parasite can be lethal to salmonids and there is no treatment to eradicate WD.

DISCUSSION:

- High priority AIS are addressed on a project-by-project basis as funding can be secured, with the exception of the IMDP.

<u>IMDP</u>

- BC manages aquatic invasives by focussing on prevention. While early detection and rapid response are important program elements, proactive prevention is the resourcing priority.

- While AIS are provincially and federally regulated, the Canada-United States border is federal jurisdiction. Canada provided one-time funding to the IMDP. While Canada has provided limited funding for monitoring, BC has ongoing requests of the federal government to resume funding IMDP prevention, particularly for actions at the federal border.
- Invasive mussels are also a western Canada priority that has been raised repeatedly at Canadian Council of Federal Aquaculture and Fisheries Ministers meetings, numerous individual bilateral meetings, and other forums.
- Despite the border being federal jurisdiction, BC has provided IMDP services by working with the Canadian Border Services Agency to respond to notifications of watercraft entering Canada. BC has pulled funding from other BC stewardship priorities to offset these costs.
- Full implementation of the IMDP relies on an annual provincial budget along with substantial funding partnerships. The annual IMDP workplan incorporates feedback from partners and jurisdictions across Canada and the US to maximize program effectiveness.
- Annual budgets fluctuate. Current funding partners include BC Hydro, Columbia Power, Columbia Basin Trust and for the 2024 season a combined contribution from the BC Wildlife Federation, Habitat Conservation Trust Foundation, and the Pacific Salmon Foundation.

WD

- To control the spread of WD, BC works closely with Parks Canada, the Canadian Food Inspection Agency, and Indigenous Nations and partners. 2024 response actions focused on surveillance within the Columbia River watershed and outreach through Clean, Drain, Dry.
- The Chief Veterinarian issued a Pull the Plug emergency order, effective May 17, 2024, making it mandatory to remove the drain plug prior to transporting a boat or watercraft in BC.
- WLRS is working on a permanent regulatory solution for Pull the Plug through the existing legislative agenda process for *Wildlife Act* updates, planned for consideration in Spring 2026.

INDIGENOUS PEOPLES:

- First Nations strongly support protecting our natural ecosystems, and associated Rights, from AIS.

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Government Financial Information
-
-

SUMMARY:

- Mitigating the risk of aquatic invasive species is a joint responsibility across governments.
- Intergovernmental Communications
- Amendments to the *Wildlife Act* to include Pull the Plug requirements are being considered.
- Without additional funding, IMDP operations for 2025 will be reduced from 2024 levels. 2025 is the IMDP's 10-year anniversary, creating an opportunity to showcase successes.

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REVIEWED BY:

	Initials	Date
DM	LH	Nov 13, 2024
CFO/EFO (if required)		
ADM	JM	Nov 8, 2024
ED	LN	Nov 7, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024 (updated as of November 13)

PREPARED FOR: Minister of Water Land and Resource Stewardship

TOPIC: Watershed Security Strategy

KEY POINTS:

- BC's water crisis is now significant, long-term and province wide. Resilient watersheds mitigate crisis events (such as drought, flood and wildfire) and support healthy ecosystems for wild salmon, drinking water, food security and economic development.
- Co-developing the Watershed Security Strategy (Strategy) was a mandate commitment for the Minister of Water, Land and Resource Stewardship (WLRS) and a commitment under the Declaration Act Action Plan.
- Since 2021, the Province has worked with First Nations and engaged British Columbians on the long-term watershed security needs for BC. While not yet public released, the Strategy creates the shared vision and long-term road map for healthy watersheds in BC.
- Stakeholders have called on government to identify policy priorities and funding commitments to support Strategy implementation. Staff are currently developing options for government consideration.
- The BC-First Nations Water Table (Water Table) was created in 2022. It is the first and only table of its kind and focuses on watershed issues of shared concern. Co-development of the Strategy occurred predominantly through the Water Table.
- In 2023, the Province announced a $100 million (M) investment to create the Watershed Security Fund (Fund) to support work needed to improve outcomes for BC's watersheds.

BACKGROUND:

- The Strategy provides a common framework to address water crises impacting our water systems, including potentially compromising BC's housing growth, economic opportunities, food security and clean electricity.
- Since 2021, the Ministry has engaged British Columbians, sectors and other orders of government on what watershed security meant to them and actions the Province should take. WLRS also engaged with a broad range of ministries to obtain their perspectives on watershed security issues and solutions.
- While First Nations were engaged through multiple pathways, the primary venue for co-development was the Water Table. Ongoing relationships have been made with First Nations leadership, Modern Treaty Nations and through existing government-to-government tables.
- The Fund is being co-developed and co-managed by the Real Estate Foundation of BC and the First Nations Water Caucus, with the First Nations Fisheries Council.

DISCUSSION:

- The Strategy includes significant policy commitments, including:
  - Consideration of key values such as drinking water, and wild salmon in forestry, agriculture, transportation and infrastructure;
  - Legislative reform, such as the alignment of the *Water Sustainability Act* (WSA) with the United Nations Declaration on the Rights of Indigenous Peoples;
  - Increased focus on governance and planning to improve watershed stewardship;
  - Enhanced information systems to support decision-making; and
  - Exploration of the use of economic instruments and other tools in light of water scarcity.

- Advice/Recommendations; Cabinet Confidences
- Advice/Recommendations; Business Information

- Maa-nulth Treaty Society has expressed support for watershed security Interests of an Interests of an Indigenous People; Intergovernmental Communications
- Advice/Recommendations

INDIGENOUS PEOPLES:

- WLRS is working with Modern Treaty Nations, First Nations and Indigenous organizations to establish enduring processes that reflect their distinct rights, histories and interests.
- The Water Table has been working together since June 2022 and is comprised of First Nation delegates from communities across BC and several Ministries (WLRS, Ministry of Forests, Ministry of Environment and Climate Change Strategy, and Ministry of Indigenous Relations and Reconciliation). The Water Table is an important space for co-developing the Strategy, advancing reconciliation, implementing the Declaration Act and addressing provincial-scale watershed security issues of shared concern.
- Shared Strategy implementation with First Nations across BC is critical to success.
- A reduced scope of Strategy implementation may not meet the expectations of First Nations; however, early movement towards key priorities like governance, legislative reform and rights and recognition may be effective in addressing key concerns.

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Government Financial Information

- The Fund was established in 2023 with an initial $100M to seed a permanent endowment Fund. Generated earnings and dividends from the Fund are expected to provide a dependable flow of annual funding for grants and programs. IAdvice/Recommendations; Government Financial Information
- Advice/Recommendations; Government Financial Information
- Advice/Recommendations; Government Financial Information

- Advice/Recommendations; Government Financial Information

- Advice/Recommendations; Intergovernmental Communications

NEXT STEPS:

- Advice/Recommendations; Cabinet Confidences

PREPARED BY:

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BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Watershed Planning and Governance (Hullcar, Koksilah, Nicola)

KEY POINTS:

- *The Water Sustainability Act* (WSA) enables tools for water planning and governance which are under the authority of the Minister of Water, Land and Resource Stewardship (WLRS).
- The Province intends to co-develop these tools with First Nations. Other levels of government, provincial agencies, and interest holders will also be engaged.
- A provincial prioritization and resourcing framework is needed to respond effectively to the growing need for planning and governance conversations at the watershed scale.

BACKGROUND:

- The WSA has several regulatory tools that can be used to support water governance and planning, including water sustainability plans (WSP), water objectives, advisory boards, and the ability to delegate certain decisions to another legal entity.
- The WLRS Minister has the authority to make orders under the WSA and recommend the development of regulations to the Lieutenant Governor in Council.
- To meet our commitments in the Declaration Act Action Plan, water planning and governance tools must be co-developed with First Nations. Processes to develop these tools must also meaningfully engage local governments, industry, and interest holders in the watershed.
- BC and First Nations have co-developed a not yet released Watershed Security Strategy that seeks to improve watershed resiliency over the next 20-30 years. Collaborative water planning and governance projects support implementation of its priority goals and actions.
- At the 2024 Union of BC Municipalities Convention, numerous local governments requested provincial support for watershed protection and planning.
- Currently the Watershed Stewardship & Security Branch supports four water governance projects, three WSPs, and one water objectives project in collaboration with colleagues in WLRS, Ministry of Environment and Climate Change Strategy, Ministry of Agriculture and Food, Ministry of Health, Ministry of Forests, Interior Health Authority and the BC Energy Regulator.

DISCUSSION:

- The Minister of WLRS can designate an area for the purpose of developing a WSP if there are conflicts between water users, conflicts between the needs of water users and environmental flows, risks to water quality or risks to aquatic ecosystem health.
- Water sustainability planning provisions are augmented by regulation making authority. For example, 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.
    - Xwulqw'selu (Koksilah) Water Sustainability Plan is being co-developed with Cowichan Tribes and is focusing on managing water use during summer low flows and supporting the aquatic ecosystem. The watershed was designated in 2022 and the proposed WSP will be submitted to the Minister for acceptance in the Fall of 2026.
    - The Nicola Watershed Governance Partnership (Province and Indigenous Partners: Coldwater, Lower Nicola, Nooaitch, Shackan and Upper Nicola Bands) is

recommending a WSP to address low summer water availability and identify restoration measures as the watershed has been damaged by flooding. The decision to designate the watershed for a WSP will be brought forward in late 2024.
    - The Township of Langley (TOL) drafted a Water Management Plan under the Water Act to address local aquifer declines and nitrate contamination and it is being transitioned to a WSP under the WSA. It is on hold as TOL fills vacant positions.
- Water objectives are goals to sustain water quality, quantity or aquatic ecosystems and applied through regulations requiring their consideration in statutory and planning decisions.
    - The Widzin Kwah Water Sustainability Project will co-develop water objectives to protect watershed health in the Upper Bulkley and Morice watersheds from land use activities with the Office of the Wet'suwet'en.
- Water governance projects vary in scope but all are focused on working collaboratively to support water management in a defined area with First Nations or other jurisdictions.
    - Working with the Splastin in the Clcahl (Hullcar) aquifer area to support clean safe drinking water. An Agreement to support this work will be brought for decision in 2025.
    - Working with Fort Nelson First Nation in the Liard watershed on pathways to shared decision making for water.
    - Working with the governments of the Yukon, Northwest Territories, Alberta, and Saskatchewan on shared interests in the Mackenzie River Basin.
    - Working with the Tsleil-Waututh Nation on the implementation of the Burrard Inlet Water Quality Objectives.
- Local governments are requesting provincial support for water planning. For example, the Regional District of the Central Kootenay is interested in a WSP to address water management in the Creston area.
- Water governance interests are also raised in First Nations planning processes and Treaty negotiations, including First Nations in the Murray River Watershed, Nechako First Nations, and K'omox and T'mexw Treaty Association.
- Water is also often raised as a key value at forest landscape and modernized land use planning tables. The WSA tools described above could be used to support those efforts.
- Planning for water allows collaborative decision-making to resolve conflicts and can be used to ensure sufficient flows for fish, as well as other key uses (e.g. agriculture and domestic).
- Staff are developing policy and guidance to support the use of water planning and governance tools. Our current focus is developing and implementing a project prioritization framework to help us transparently decide which projects we can support.

INDIGENOUS PEOPLES:

- Current and future projects will be co-developed with First Nations.
- First Nations are expressing interest in, and asking for commitments to, water planning and governance in their government-to-government agreements and Treaties being developed by the Ministry of Indigenous Relations and Reconciliation.

FINANCIAL IMPLICATIONS:

- Currently there are no operational dollars to support watershed level projects. Projects rely on funds from the Indigenous Funding Program or funds from other agencies.

SUMMARY:

- The Province supports several water planning and governance projects and is developing a prioritization framework to manage a growing interest.
- Water planning and governance projects are pursuing WSP designations and regulatory tools such as water objectives within the WSA that are under the authority of the Minister of WLRS.

- Projects are co-developed with First Nations and include robust interest holder engagement resolving conflict through collaborative decision making.

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DM	LH	Oct 3, 2024
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ADM	JM	Sept 23, 2024
Program Dir/Mgr.	LM	Sept 11, 2024

Ministry of
Water, Land and
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BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Nechako Watershed 'Water Sustainability Plan'

KEY POINTS:

- The Saik'uz, Stellat'en and Nadleh Whut'en First Nations (Nechako First Nations; NFN) and the Cheslatta Carrier Nation are interested in using a water sustainability plan (WSP) regulations to alter Rio Tinto Alcan's (RTA) water licence to improve the Nechako River flows.
- Regulations developed by a WSP cannot impact any regulations made under the Industrial Development Act, including RTA's water licence. However, development of WSPs could be explored in other areas of the Nechako watershed in the future.
- Ministry of Water Land and Resource Stewardship (WLRS) staff continue to participate in the RTA-sponsored Water Engagement Initiative to seek opportunities for enhanced management of flows in the Nechako River, along with federal, provincial and municipal government participants, the general public and several regional First Nations. The NFNs have chosen not to participate in this process but engage with RTA bi-laterally in confidence.

BACKGROUND:

- The impacts from RTA's construction and operation of the Kenny Dam, the Nechako reservoir and Skin's Lake spillway have been the subject of ongoing litigation for almost 40 years. A BC Supreme Court ruling in 2022, and upheld in 2024, confirmed these works impacted aboriginal rights to fish and that BC has an obligation to uphold this right.
- The 2022 court decision found the regulation of flows in the Nechako River have directly contributed to the declines in Nechako White Sturgeon. This now endangered population is at risk of extirpation, with several ongoing mitigations in place including hatchery operations, habitat restoration and a variety of ongoing research to inform decision making.
- The Province, the federal government and RTA signed the 1987 Settlement Agreement that settled litigation and provided for a schedule of releases and cooling flows for the Nechako River to protect spawning Sockeye and Chinook salmon. Steering and Technical committees were established to implement the agreement.
- Cabinet Confidences; Interests of an Indigenous People; Intergovernmental Communications
- Omineca WLRS staff participate in the Nulki-Tachik Pilot project to investigate management opportunities in a subset of the Nechako watershed impacted by water extraction and cattle use (excluding the mainstem Nechako and RTA's water licence).
- Intergovernmental Communications

DISCUSSION:

- Water planning and governance tools in the Water Sustainability Act (WSA) will be collaboratively developed with First Nations and with other ministries and governments who have interests in watershed management.

- WSPs can be used 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.
- Legal Information
-
- Government Financial Information; Interests of an Indigenous People; Intergovernmental Communications
-

INDIGENOUS PEOPLES:

- The Nechako First Nations are comprised of the Saik'uz, Nadleh-Whut'en and the Stellat'en Nations. The Cheslatta First Nation's territory also overlaps the Nechako reservoir to the West. Only the Saik'uz and Stellat'en Nation were part of the litigation initiated in 2014.

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Business Information; Legal Information
- Business Information

CONCLUSION:

- As BC and Canada consider steps to advance reconciliation responsibilities to protect Aboriginal fishing rights in the Nechako River, it is crucial that they work together and with RTA and affected First Nations and local governments.
- WLRS staff continue to participate in the RTA-sponsored Water Engagement Initiative to seek opportunities for enhanced management of flows in the Nechako River. Interests of an Indigenous Interests of an Indigenous People; Intergovernmental Communications
- While WSPs cannot be developed for the mainstem of the Nechako River, they could be used in its sub-watersheds addressing concerns around water quality and quantity in those areas.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024 (updated as of November 13)

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Federal Provincial Intergovernmental Relations (Fisheries and Oceans)

KEY POINTS:

- Fisheries and aquaculture matters are often referred to as "mixed" jurisdiction in British Columbia (BC). As a result of this unique political landscape, a collaborative relationship between Fisheries and Oceans Canada (DFO) and BC is inextricably linked to healthy fish and sustainable coastal communities in the Province. BC specifically needs an effective relationship with the DFO Minister, DFO Pacific Region and DFO headquarters in Ottawa.
- The Province has jurisdictional authority over property and civil rights regarding fisheries and seafood (ownership of fish/plants once harvested etc.), and key legislation (water, land, forests oil/gas, agriculture, mines) that impact fish and their habitat.
- BC and Canada are currently aligned in their commitment to protect and restore wild Pacific salmon and advance Indigenous reconciliation. Intergovernmental Communications
  Intergovernmental Communications

- Files of current pressing provincial interest also include expiry of the federal Pacific Salmon Strategy Initiative (March 2026), renewal of the Pacific Salmon Treaty (2028) and the federal aquaculture Transition Plan.
- BC needs the funding and jurisdiction of DFO to meet our shared objectives around recovering salmon. Additionally, BC needs DFO's support for major projects in the Province (e.g., Massey Tunnel Replacement, etc.). Conversely, DFO needs BC's support and regulatory authorizations for a variety of activities that support salmon restoration (e.g., hatchery creation).

BACKGROUND:

- The federal *Fisheries Act* provides broad powers to the Minister of DFO, currently Honourable Diane Lebouthillier, for the management of commercial, Indigenous, and recreational fisheries, and aquaculture operations in BC, as well as being the lead jurisdiction over the protection and conservation of fish and fish habitat (marine and freshwater).
- The Province legislates activities that impact fish aquatic habitat and water, and has authority over property and civil rights, including seafood (ownership of fish and seafood once harvested).
- BC needs an effective relationship with DFO on both regional issues, and through national fora such as the Canadian Council of Fisheries and Aquaculture Ministers (CCFAM), to ensure that provincial interests can be advocated for both individually and with the support of other provincial and territorial partners.
- The 2024-2025 DFO Departmental Plan indicates they intend to increase Indigenous and partner capacity through BC Salmon Restoration and Innovation Fund (BCSRIF), modernize salmon hatchery management, identify potential new salmon harvest opportunities (i.e., terminal fisheries for Indigenous food-social-ceremonial harvesters and mark selective fisheries for recreational harvesters), continue the Pacific Salmon Commercial Licence Retirement Program, deliver on United Nations Declaration on the Rights of Indigenous Peoples Action Plan (UNDRIP), and modernize DFO's salmon data.

- Business Information

DISCUSSION:

- WLRS works as a partner with DFO at all staff levels on high-level joint initiatives such as BCSRIF (70% federal funding 30% provincial) and the wild salmon Trilateral Accord (BC/DFO/First Nations Fisheries Council), and on shared issues of importance including emergencies such as the lower Chilcotin River landslide, Marine Protected Areas (MPA), and on day-to-day operational fisheries and habitat management work.
- WLRS also works to influence DFO on issues of federal jurisdiction/responsibility that directly impact BC such as alien invasive species (border control), socioeconomic licensing policies, aquaculture (e.g., Aquaculture Transition Plan) and international fisheries treaties (Tuna, Salmon etc.). The Aquaculture Transition Plan file has recently been moved to the federal Department of Innovation, Science and Economic Development Canada. BC will need to determine how to coordinate internally on this file.
- BC and all of Canada's provinces and territories also engage with each other and DFO via CCFAM. However, for the first time since its inception in the 1990's, the 2024 CCFAM meeting did not release a Communique due to DFO not allowing any reference to Council of the Federation (COF) 2024 Communique, specifically "Premiers expressed significant concerns with some of the current management practices of the Department of Fisheries and Oceans. Greater engagement and collaboration are needed on the management of fisheries resources overseen by the federal government...".
- This perception of lack of engagement and collaboration on key files by DFO has impacted provinces and territories across Canada, and in BC on a number of issues including the Aquaculture Transition Plan, the International Mussels Defence Program (repeated provincial funding requests have not been met), and owner-operator provisions (to support coastal communities and to ensure potential money laundering mechanisms are addressed), and has resulted in letters being sent from the Premier of BC and the Minister of Water, Land and Resource Stewardship to Canada.
- An opportunity for increased collaboration between the federal government and BC may be in the next phase of their work to restore and protect wild salmon. Currently, DFO's focus has been on their 5-year Pacific Salmon Strategy Initiative (PSSI $647M) that was launched in 2021 which both BCSRIF and the Trilateral Accord contribute to. Stakeholders and First Nations have consistently requested that governments work together on this file and this feedback has been reflected in the goals and action items of BC's Coastal Marine Strategy which outlines a number of areas for potential federal provincial collaboration.
- DFO and the Province also engage with each other regarding the issuing of permits. DFO needs provincial permits for various activities including work under PSSI specifically hatcheries (three new or updated facilities were announced with First Nations this summer) and I Intergovernmental Communications
  Intergov
- A federal election is now anticipated to occur prior to October 2025, and this may impact the policy direction and budget of DFO.

INDIGENOUS PEOPLES:

- Both the Province and the federal government have committed to UNDRIP. This is reflected in both plans and work being undertaken, including BCSRIF and the Trilateral Accord, and is embedded in BC's Action Plan under the Declaration on the Rights of Indigenous Peoples Act (DRIPA).
- In April 2024 DFO announced $50 million in funding to support First Nations stewardship in the Salish Sea and waters along the west coast of Vancouver Island through the Indigenous Coastal Waters Stewardship Fund.

FINANCIAL IMPLICATIONS:

- N/A.

SUMMARY:

- The federal *Fisheries Act* provides broad powers to the DFO Minister for the management of commercial, Indigenous, and recreational fisheries, fish and fish habitat protection, as well as aquaculture operations in BC.
- Working well with DFO is critical for advancing BC's goals in reconciliation, healthy fish/ecosystems and the economic livelihoods of BC's coastal communities, as well as moving forward on wild salmon recovery.
- Due to the mixed jurisdiction in this space, DFO needs BC's support and permits to enable their goals, similar to how BC needs DFO's and federal support for major projects.
- Intergovernmental Communications

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BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024 (updated as of November 13)

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: BC Wild Salmon Strategy and Action Plan

KEY POINTS:

- Since 2018, BC has been increasing provincial efforts and resources to restore and protect wild salmon throughout their lifecycle from 2018 to the present.
- Actions have involved creating the Wild Salmon Advisory Committee in 2018, integrating actions/considerations for wild salmon into provincial strategies and initiatives, and funding programs to protect and restore wild salmon including the BC Salmon Restoration and Innovation Fund (BCSRIF) in partnership with Fisheries and Oceans Canada (DFO).
- The Trilateral Salmon Accord with the First Nations Fisheries Council and DFO is a key next step in advancing the commitments made in the Declaration on the Rights of Indigenous People Act (DRIPA) Action Plan.
- The management of wild salmon, specifically harvest, is within federal jurisdiction through DFO, and BC is responsible for aspects of freshwater usage and resource management activities that affect freshwater habitat (e.g., forestry, mining, transportation).

BACKGROUND:

- The Ministry of Water, Land and Resource Stewardship (WLRS) has a mandate to continue to implement BC's Wild Salmon Strategy in Action and work with the federal government to double the BCSRIF, this mandate builds on work completed since 2018 (see Attachment 1).
- In 2018, BC formed the Wild Salmon Advisory Council (WSAC) that released a report outlining possible actions for BC to protect wild salmon.
- In July 2020, BC released an update report on the WSAC that detailed the actions started and completed that addressed the recommendations within the WSAC report.
- In 2021, DFO announced the Pacific Salmon Strategy Initiative (PSSI) that is a 5-year, $647M program to guide a long-term response to the threats to wild salmon to stabilize and restore Pacific salmon and salmon habitat and includes opportunities for increased collaboration with other levels of government, Indigenous Nations and stakeholders.
- The PSSI was funded from 2021 to 2026, and the future of the federal approach to salmon recovery beyond that timeline is unknown.
- The Wild Salmon Strategy in Action builds on the WSAC recommendations through several actions including through the partnering with DFO's PSSI to deliver the BCSRIF.
- Through BCSRIF, BC has invested nearly $86M, making it the largest provincial financial commitment to protect wild salmon in the past 20 years.
- BC continues to work with partners from other governments and First Nations to ensure that wild salmon are restored and protected throughout their lifecycle.
- The Coastal Marine Strategy that was released in 2024 identifies a theme of Healthy Coastal Marine Ecosystems, with goal of Abundant Wild Pacific Salmon, and an activity identified to report on provincially led conservation actions and outcomes every five years.
- Since 2019, BC has recognized June 1 as BC Wild Salmon Day.
- In 2024, BC, DFO and the First Nations Fisheries Council (FNFC) announced the Trilateral Salmon Accord which represents a historic joint commitment between the Federal Government, Province of BC and the FNFC of BC to take urgent action to safeguard the species for future generations.

DISCUSSION:

- BC remains focused on implementing the Wild Salmon Strategy in Action and building on successes and partnerships in recent years, and collaboration with the PSSI is central to that work.
- Following the release of the 2018 WSAC report, the Deputy Minister to the Premier committed to addressing many of the recommendation through the creation of BCSRIF in partnership with DFO.
- The province has not released any further public documents related to the Wild Salmon Strategy in Action or WSAC since 2020.
- Advice/Recommendations

- With the creation of WLRS, BC created a "home for salmon" within the provincial government, which was a key recommendation of the WSAC report. While not an explicit team, the Aquatic Ecosystems Branch, and the Fisheries, Aquaculture and Wild Salmon Branch in the Water, Fisheries and Coast Division of WLRS, hold much of the wild salmon leadership for BC. However, other work and operational impacts to salmon are carried out through regional fish teams, and authorizations staff across the Province and ministries.
- The key focus for the Wild Salmon Strategy in Action is integrating wild salmon values in provincial initiatives such as the Coastal Marine Strategy and Watershed Security Strategy that each address different aspects of the wild salmon lifecycle within the Province.
- As the Wild Salmon Strategy in Action is a collection of actions rather than a stand-alone strategy document, BC runs the risk of being criticized for not meeting its commitments in DRIPA Action Plan.

INDIGENOUS PEOPLES:

- Wild salmon are of fundamental importance to First Nations throughout BC.
- The DRIPA Action Plan outlines an action for wild salmon and committed BC to developing a wild salmon strategy with Indigenous peoples. To fulfill this commitment, BC committed to a Trilateral Salmon Accord with First Nations Fisheries Council (FNFC) and DFO.
- Last year, BC granted an additional $15M to the Pacific Salmon Foundation and FNFC to help them continue their important salmon recovery work in communities across this province.

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Cabinet Confidences; Government Financial Information

SUMMARY:

- Since 2018, BC has been increasing provincial efforts and resources to restore and protect wild salmon throughout their lifecycle from 2018 to the present (see Attachment 1).
- Actions include investing in the BCSRIF, integrating wild salmon values into provincial initiatives, commitments within the DRIPA Action Plan, and creating a home for salmon within BC in WLRS.

- Given the federal jurisdiction over salmon, collaborating with DFO through the PSSI is a central component of the provincial approach to protecting wild salmon, and an opportunity for increased collaboration with the federal government.
- The Coastal Marine Strategy identified abundant wild Pacific Salmon as a goal within the theme of healthy coastal marine ecosystems.
- Work going forward will be focused on deepening partnerships with First Nations through the Trilateral Salmon Accord with FNFC and DFO and meeting the commitments of the Declaration on the Rights of Indigenous People Act Action Plan.

Attachment: Attachment 1 – Summary of provincial actions on wild salmon actions since 2018

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	Initials	Date
DM	LH	Nov 13, 2024
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Program Dir/Mgr.	DT	Nov 8, 2024

Attachment 1: Summary of Provincial Actions on Wild Salmon since 2018

- 2018:
  - Launched the Wild Salmon Advisory Council (WSAC) that developed recommendations to support healthy and abundant wild salmon and inform the approach to the Wild Salmon Strategy in Action.
- 2019:
  - Announced a $42.85M investment in the BCSRIF jointly with DFO (70 percent federal, 30 percent provincial funds).
  - Partnered with First Nations and the salmon farming industry to develop the Broughton Aquaculture Transition Plan.
  - Developed the Salmon Aquaculture Policy that recognized the role of First Nations decision-making (effective June 2022).
  - Provided $5M funding to the Pacific Salmon Foundation.
  - Signed a Memorandum of Understanding (MOU) with the FNFC.
- 2020:
  - Released an update on the progress implementing WSAC strategies.
  - Appointed the Parliamentary Secretary for Fisheries and Aquaculture.
  - Announced Healthy Watersheds Initiative $27M fund.
- 2021:
  - Started work on the Watershed Security Strategy and Coastal Marine Strategies.
  - Nominated a provincial commissioner to the Pacific Salmon Commission
- 2022:
  - Created the Ministry of Water, Land and Resource Stewardship.
  - Doubled the $142.85M BCSRIF in partnership with DFO.
  - Appointed the Parliamentary Secretary for Watershed Restoration.
  - Released the *Declaration Act* Action Plan 2022–2027 (action 2.9)
- 2023:
  - Approved a renewed MOU with the FNFC that includes salmon work.
  - $15M grant to PSF for collaboration with the FNFC.
  - Renewed the MOU with FNFC with capacity funding.
  - Restructured WLRS and Forests to put decision-making authorities under WRLS, completing the “home for salmon.”
  - Advancing *Declaration Ac*t Action Plan 2.9 through Trilateral Approach with First Nations and Fisheries and Oceans Canada.
- 2024:
  - Trilateral Wild Salmon Accord signed with FNFC and DFO.
  - BCSRIF was fully funded in March 2024.
  - Coastal Marine Strategy and Flood Strategy released and included a goal of Abundant Wild Pacific Salmon.

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Salmon Aquaculture Transition

KEY POINTS:

- Canada intends to cease licensing any open-net pen salmon aquaculture by June 30, 2029, after which time farms must be either marine or land-based closed containment systems.
- On September 20, 2024, Fisheries and Oceans Canada (DFO) publicly released their Open-Net Pen Draft Transition Plan outlining their four key themes of framework.
- The document is not a detailed plan, but rather a vision for further engagement and eventual implementation.
- The federal government has notified the Province that they intend to use the document as an engagment tool through the first half of 2025 to create a final plan expected in summer 2025.

BACKGROUND:

- On June 19, 2024, DFO, Minister Dianne Lebouthillier announced the long anticipated federal government direction towards a finalized 2025 Net-Pen Transition Plan. This is a continuation of a 2019 mandate letter commitment for then Minister Bernadette Jordan.
- Current license holders seeking reissuance (66 total) will be granted five-year license extension under more stringent license conditions. The five-year term is to allow for current production cycles to be completed (from hatchery to harvest).
- During this time, no new open-net pen licenses will be issued. However, operators who are successful in applying for closed-containment licenses will be granted nine-year license terms.
- After June 30, 2029, all open-net operations must be ceased. DFO states that they will then only consider both marine and land-based closed containment systems.
- The Draft Transition Plan was publicly released Friday September 20, 2024, and envisions a path forward in four key areas:
    - Support for First Nations, workers, and communities through this transition
    - Identifying economic support for the adoption of innovative and clean technologies
    - Developing clear milestones and criteria for a phasing out of open net-pen farms
    - Proper management of net-pens until the ban is fully implemented.
- MP Ryan Turnbull, Parliamentary Secretary to the Minister of Innovation, Science and Economic Development (ISED) has submitted a letter to WLRS ADM James Mack to inform Canada's intentions with respect to consultation and engagement.
- MP Turnbull has shared that he will lead the consultation and engagement process and will be supported by an interdepartmental task force which will contribute their expertise from across the Government of Canada in aid of reconciliation, economic and community development, green technology, innovation, and aquaculture management. This task force will serve as a Government of Canada secretariat, under the leadership of Deputy Minister Sony Perron.

DISCUSSION:

- In the announcement, DFO emphasized the shift to 'marine' and land-based closed production. This adds some clarity that the intent is not to move all production to land.
- The Minister also acknowledged the need to support communities affected by transition and the need to support the sector to see a successful transition.

- The Province has continually reiterated the need for the federal government to provide adequate supports, and in February 2024 this was again raised in a letter from Premier Eby addressed to Prime Minister Trudeau.
- There was no funding or supports committed as part of this announcement. However, DFO has shared that the final plan will be led by an agency external to DFO better suited towards community supports and transition. Additionally, DFO shared that they will seek engagement with BC on appropriate support as part of this work.
- A five-year renewal will allow for the sector to finish its current production cycle. As farms are at different stocking and production states, it is expected most farms will cease operations before the 5-year license ends. Operators may seek to close sites earlier and concentrate brood stock and staff to fewer sites for cost savings, and to decommission (remove infrastructure, and perform any site cleanup) with limited resources (i.e., ships and barges).
- As such, there will likely be a glut of tenure decommissioning as the 66 remaining licensed sites go offline. Therefore, it will be critical that BC adds staff capacity to allow for timely, fair, and thorough decommissioning.
- BC permitting staff are currently backlogged due to shellfish applications, as well as from recent finfish decommissioning in the Broughton Archipelago, Discovery Islands and Sechelt Inlet. Despite current resource constraints, the proposed Transition Plan timelines allow time for BC to assess and address its future capacity needs.
- Any move to land-based recirculating aquaculture systems (RAS) will take significant incentive and investment and is unlikely to occur in the same communities where current open-net farms operate and may in fact migrate out of the country to the United States.
- A successful RAS sector or marine-based closed-containment sector will likely need significant financial input, careful site selection as well as provincial actions around hydroelectric power access and freshwater permitting. There is no certainty on what type of technology DFO is planning to license in future.
- However, the current provincial regulatory system is equipped to handle land-based RAS systems, and BC's salmon aquaculture policy on Crown Land tenures would continue to apply for any new technologies on salmon farming in the marine environment as status quo.
- If the federal government seeks a shift to a viable land-based or marine RAS sector, they will likely seek Provincial commitments around hydroelectric infrastructure, water permitting, and a revisit and alignment on land-based aquaculture policy.

INDIGENOUS PEOPLES:

- Communities such as Klemtu and Ahousaht, among other First Nations, depend on the sector for a large portion of employment and benefits, and have organized their infrastructure and investment around it. For these Nations, many have formalized benefit and oversight agreements that will be obsolete given anticipated licensing decision.
- Many other First Nations and advocacy groups have sought the removal of farms due to concerns over risks to the environment and wild salmon.

FINANCIAL IMPLICATIONS:

- Farmed Atlantic salmon was recently BC's #1 food export, but export values decreased from 2022 to 2023 from $703M to $436M.[1]
- Industry reports estimates that the removal of currently operations would affect 4,700 direct and indirect jobs in BC, representing $267M in labour income and affecting $1.2B in provincial economic activity. This is in addition to estimated losses already incurred due to salmon farm closure decisions (Broughton, Discovery Islands, Shíshálh) which is estimated at 1,652 jobs, $238M in labour income, and $419M in provincial economic output.

CONCLUSION:

- The major policy direction of the Federal 2025 Net-Pen Transition Plan is now out and gives operators a 5-year extension to transition to marine or land-based closed containment systems.
- A federal task-force has been established to support consultations and engagement to determine much of the detail of the plan, its implementation, and any supports for communities, businesses and workers. This will increase pressure on Ministry of Water, Land and Resource Stewardship staff from both permitting and policy, and raise questions that will need more fulsome policy direction.
- There will also be an increased need to monitor for any potential liabiltiies within provincial jurisdictions (Crown Land tenures, effluent permits, water licensing, etc.)

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	Initials	Date
DM	LH	Oct 16, 2024
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ADM	JM	August 26, 2024
Program Dir/Mgr.	DT	October 15, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: First Nations Fisheries Council and Trilateral Accord

KEY POINTS:

- The First Nations Fisheries Council (FNFC) is a valued partner for the Province, with a focus on governance collaboration that support multiple strategic initiatives, such as the Watershed Security Strategy, Wild Salmon Strategy, and the Coastal Marine Strategy.
- BC is working with the FNFC and Fisheries and Oceans Canada (DFO) to implement the "Trilateral Accord to Address the Decline of Wild Pacific Salmon". This commitment on salmon is a foundational element of achieving DRIPA Action Plan, Action 2.9, by advancing current and future collaborative work between the three parties.
- BC has worked closely with FNFC to secure funding for priority projects and capacity building. The Province also provides roughly $1M in funding each year through the Indigenous Funding Envelope (IFE), administered by the Ministry of Indigenous Relations and Reconciliation (MIRR), for ongoing project implementation and support for the BC-FNFC Memorandum of Understanding (MOU) administration.

BACKGROUND:

- The FNFC was established in 2009, they are mandated to work with and on behalf of BC First Nations to protect, reconcile, and advance First Nations interests as they relate to fisheries and the health and protection of aquatic resources, including access for food, cultural, and economic purposes.
- It is one of the three resource councils in BC. The other two are the Forestry Council and the Energy and Mining Council. While FNFC has a strong relationship with the First Nations Leadership Council (FNLC), it has no formal reporting relationship and is a stand-alone organization with its own regional council representatives through BC, many of whom are both leaders in FNLC, and on Council with FNFC.
- FNFC is not a rights holder. It works with, and on behalf of, First Nations.
- BC and the FNFC signed an initial Memorandum of Understanding (MOU) in 2019 and then updated the MOU in January 2023.
- The Trilateral Salmon Accord was signed on June 21st, 2024, by representatives of the FNFC, DFO and BC.

DISCUSSION:

- Trilateral work is being undertaken to jointly co-develop and collaboratively address issues impacting wild Pacific salmon. This is a crucial evolution of our existing relationship with the FNFC. BC and DFO are expected to have representatives at upcoming Tier 1 First Nation meetings to hear the views of First Nation attendees firsthand.
- The Ministry of Water, Land and Resource Stewardship (WLRS) leads the cross-Ministry engagement with FNFC, including confirming annual priorities and budget. This work is done in close partnership with other operational Ministries (e.g., Ministries of Forests, Environment and Climate Change Strategy and MIRR).
- The success of FNFC and WLRS-led First Nations-BC Water Table has facilitated the creation of the $100M Watershed Security Fund. FNFC continues to work with the Real Estate Foundation of BC to co-develop the enduring nature of this fund.

- The MOU provides a framework for overcoming barriers, coordinating intergovernmental relations, and exploring innovative approaches to support First Nations involvement in the implementation and development of policy, management, and initiatives.
- A joint MOU work-plan and budget are determined annually and jointly signed off by Assistant Deputy Minister for the Water Fisheries and Coast Division and the FNFC Executive Director. Funding for the MOU work is not guaranteed and is subject to annual approval through the Indigenous Funding Program (IFP) process.

FINANCIAL IMPLICATIONS:

- BC has provided the FNFC with a capacity building grant of $2.250M to advance the following priorities: reconciliation on fisheries, aquaculture, freshwater and marine ecosystems, wild salmon recovery, and implementation of the Declaration Act Action Plan.
- Ministry staff in discussions with the Pacific Salmon Foundation (PSF) have arranged for the $15M grant the PSF received to be structured in a way that shares the funds with FNFC to prioritize collaboration on priority projects.
- The FNFC receives other funding through the IFP administered by the Ministry of Indigenous Relations and Reconciliation, for the 2023/24 fiscal year this amounted to just over $1.1M.

SUMMARY:

- The FNFC is an Indigenous organization established to coordinate BC First Nations' political and technical capacity and convene First Nations toward a united voice to decision makers. While it does not officially report to the FNLC, it does do extensive engagement with First Nation leadership organizations to secure their support.
- FNFC is a strong partner for the Province on priorities including the Watershed Security Strategy, the Coastal Marine Strategy, the Trialteral Salmon Accord, as well as overall efforts on wild salmon.

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ADM	JM	Sept 23, 2024
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BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024 (updated as of November 13)

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: BC Salmon Restoration and Innovation Fund

KEY POINTS:

- The protection of wild Pacific salmon is critically important to BC's environment, communities, First Nation cultures and rights, and economic security. BC has a key role in managing watersheds and restoring salmon stocks and the ecosystems that they rely on are a continuing priority within that.
- The BC Salmon Restoration and Innovation Fund (BCSRIF) is a shared federal (Fisheries and Oceans Canada (DFO)) (70%) and provincial (30%) program that aims to help restore the habitat of wild fish stocks in BC and protect Wild Pacific salmon species.
- BC's initial $42.85 million investment was the largest provincial financial contribution to protect wild salmon in the past 20 years. BC announced a second investment of $41.99M into BCSRIF on August 23, 2022. Government Financial Information

Government Financial Information

BACKGROUND:

- In 2019, BCSRIF was launched with $142.85M in funding (DFO $100M) based on former Premier Horgan's Wild Salmon Advisory Council recommendations. BCSRIF is a federal-provincial collaboration that helps to restore the habitat of our wild fish stocks in BC and protect our wild Pacific salmon species.
- Through Phase 1 of BCSRIF, 97 projects were funded with $128.5M. All 97 projects were completed by March 31, 2024, when this parcel of funding expired.
- BCSRIF Phase 2 extended the program until March 31, 2026, for DFO and March 31, 2028, for BC. DFO is working to match BC's timeline.
- The Phase 2 intake received 139 applications, requesting over $359M in funding. WLRS staff worked with DFO to identify and prioritize the top applications, and utilize partial funding, but a significant number of important projects could not be funded.
- Phase 2 has funded 73 projects worth $127M. These projects are underway, with completion required by March 31, 2026.

DISCUSSION:

- Salmon is a key priority for the Province and has been a key mandate letter item for the former Ministry of Agriculture, Food and Fisheries, since 2020, and then WLRS since the re-organization in 2022.
- Wild salmon are a critically important species to coastal and interior communities, First Nations, tourism operators, the seafood, commercial and recreational fishing industries, and for BC's ecological function. Wild salmon are impacted by almost every BC natural resource ministry and provincial responsibility. WLRS is the current lead on ensuring wild salmon are a strategic priority for the Province in natural resource management.
- WLRS is also the overall provincial lead on BCSRIF in collaboration with DFO. WLRS's role is focused on strategic oversight of the initiative; cross-Ministry collaboration; technical review and adjudication, and sector and industry engagement.

- The Ministries of Agriculture and Food, Forests, and Indigenous Relations and Reconciliation provide input on priority setting for funding and proposal review, making this a true cross-government initiative.
- Continuing WLRS' work on BCSRIF 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*.
- Funding is used to ensure the fish and seafood sector in BC is positioned for long-term environmental and economic sustainability and support the protection and restoration of wild Pacific salmon and other priority BC stocks.
- The projects focus on salmon, with 84% of Phase 1 projects and 85% of Phase 2 projects focused on salmon and salmon habitat. Other funding areas include aquatic plants, invasive species management and forage fish.
- Due the high demand for this program and for this type of funding, there has been strong feedback from stakeholders and First Nations for governments to fund a BCSRIF Phase 3.

INDIGENOUS PEOPLES:

- Indigenous leadership is a key principle of BCSRIF with 41 (42%) of the 97 Phase 1 projects and 29 (40%) Phase 2 projects led by Indigenous groups, with over $50M committed to these projects.

FINANCIAL IMPLICATIONS:

- Cabinet Confidences; Government Financial Information

- The 2023/24 and 2024/25 fiscal year payments of $12.855M have been provided to DFO, the final payment of $12.855M is due in the 2025/26 fiscal year.
- Advice/Recommendations; Government Financial Information

- During the 2024 election campaign, the NDP announced (MLA candidate Rick Glumac) in a news release that if elected, they would contribute $75M more to BCSRIF. Advice/Recommendations; Cabinet Confidences

SUMMARY:

- BCSRIF is a 70% federal and 30% provincial fund to support wild salmon in BC. It is a key avenue for collaboration on salmon between the federal and provincial governments.
- Throughout BCSRIF 170 projects have been funded, 97 of these projects are now complete; the other 73 projects are ongoing and will be completed by March 31, 2024.
- Priority areas for funding are salmon and salmon habitats, sustainable fisheries, and First Nation leadership and partnerships.

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	Initials	Date
DM	LH	Nov 13, 2024
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ADM	JM	Nov 8, 2024
Program Dir/Mgr.	DT	Nov 8, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Steelhead

KEY POINTS:

- There are over 400 wild steelhead populations in BC.
- Like other species of Pacific salmon, almost all are experiencing population declines.
- Collective action across the suite of mortality factors is required to recover these populations. These involve provincial and federal authorities, as well as international collaboration.
- Primary impacts to steelhead are from low ocean survival, predation, and bycatch in federally managed and international fisheries.
- Habitat impacts due to climate-based disasters (e.g., drought, landslides) are an increasing recovery concern.

BACKGROUND:

- BC and Washington State are in the centre of the native range of steelhead in North America, which stretches from California to Alaska.
- Historically, steelhead fishing in BC was internationally renowned and economically important.
- Populations that were in the thousands are now in the low hundreds or even tens of fish.
- Examples of conservation initiatives include:
    - Restriction and closure of BC regulated steelhead sport fisheries, 1980's to present.
    - BC reduces steelhead hatchery stocking due to poor survival, declining returns and risk to wild populations, 1990 to present.
    - The Marine Stewardship Council (MSC) rescinds eco-certification of the BC Sockeye, Pink and Salmon Commercial Fisheries, 2019, in part due to steelhead concerns.
    - The Committee on the Status of Endangered Wildlife in Canada declares Thompson and Chilcotin steelhead Endangered, 2018 and 2020.
    - BC pushed Canada to create the Interior Fraser Steelhead BC/Canada Emergency Action Plan in 2019.
    - Canada and BC create and co-fund the British Columbia Salmon Restoration and Innovation Fund (BCSRIF) in 2019. Steelhead was scoped in, and projects to address declines (e.g., selective terminal fisheries) were prioritized.
    - Canada implements in-season conservation measures in salmon harvesting based on annual returns of steelhead, and BC's official feedback into DFO's Integrated Fisheries Management Plans process for salmon fisheries.
    - BC implements additional recreational fishery closures based on in-season returns.
    - Some First Nations voluntarily forgo food, social, and ceremonial fisheries (including salmon) in deference to steelhead recovery priorities.
    - BC brings refreshed mandate and briefing materials to Canadian commissioners at the Pacific Salmon Commission process and Treaty renegotiation strategy.
- Citizens affected include:
    - Tourism-based communities. Fishing is a core economic driver to a significant number of smaller municipalities as it includes the angling guide industry, accommodation, restaurants, fishing supply and gear retail, and gas – angling is one of the top tourism drivers in BC, comparable to skiing and golf.
    - The commercial salmon fishing industry, affected by steelhead conservation measures.

- Indigenous people who fish for steelhead and salmon as an aboriginal right.
- The cross-generational public of BC who fish or get enjoyment from wild fish.
- Environmental non-government environmental organizations.

DISCUSSION:

- Scientists hypothesize that the recovery of steelhead predators, such as seals and sealions, may be having a critical impact on steelhead ocean and marine interface survival.
- Upon return to coastal areas of southern BC, bycatch of steelhead populations in salmon fisheries is controlled by other agencies, primarily Fisheries and Oceans Canada (DFO) and the Washington Department of Fish & Wildlife. In the North Coast it is DFO and the Alaska Department of Fish and Game. Coastwide, all Pacific salmon are subject to management under the Canada-United States Pacific Salmon Treaty.
- Due to several factors, including a life history that is more complex than other Pacific salmon, BC does not use hatchery production as part of steelhead conservation or recovery. Several hatcheries that were used to create angling opportunities have been closed due to impacts on the wild populations and there are currently only nine steelhead hatcheries operating on eight rivers in locations where they don't put wild steelhead at risk.
- BC continues to raise the profile of steelhead conservation and management in the context of the coming renegotiation of the Pacific Salmon Treaty, due to expire in 2028.

INDIGENOUS PEOPLES:

- Indigenous peoples in BC have an acute interest in recovering the abundance of steelhead due to culture, tradition, and spiritual linkages, often forgoing fishing rights for both steelhead and salmon in favour of recovery objectives.
- Several First Nations have lost significant economic revenues based on their local steelhead fishing opportunities which have been lost, notably, First Nations along the migratory route of the Thomspon-Chilcotin Steelhead (interior Fraser Steelhead).

FINANCIAL IMPLICATIONS:

- Steelhead sport fishing in BC was conservatively valued at $51M in 2022/23, which is a significant loss in value compared to the 1990's.
- Declining steelhead populations will continue to impact direct expenditures and indirect revenue associated with loss of tourism and opportunity.
- The overall freshwater sport fishing industry in BC generated $163 million in real gross domestic product in 2022.

SUMMARY:

- Pinnipeds, and their predatory action, have been increasing in abundance in southern BC and have been predicted to have impacted steelhead (and salmon) ocean survival.
- In response to declining survival the federal government has implemented some changes in how, where, and when federally managed salmon fisheries are conducted to conserve or restore stocks impacted by low ocean survivals. This transition is supported by BC.
- The management of freshwater habitat to benefit steelhead should be viewed as a long-term investment that will help steelhead populations persist during times of low abundance and rebuild when survival conditions at sea, and upon return from sea, improve.
- Recovering steelhead abundance in BC will likely require trade-offs and additional economic impacts to commercial salmon fisheries, most notably, international and Alaskan fisheries.

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	Initials	Date
DM	LH	Oct 7, 2024
CFO/EFO (if required)		
ADM	JM	Sept 23, 2024
ED	LN (A/ED)	Sept 19, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: White Sturgeon Recovery

KEY POINTS:

- White sturgeon are only found in North America; all six Canadian populations are in British Columbia (BC) and four are listed under the federal *Species at Risk Act* (SARA).
    - SARA Listed - The Columbia population – due to dam impacts
    - SARA Listed - The Kootenay population – due to dam impacts
    - SARA Listed - The Nechako population – due to dam impacts
    - SARA Listed - The Upper-Fraser population – due to a small natural population
    - The Mid-Fraser population – able to support a recreational fishery
    - The Lower-Fraser population – able to support a recreational fishery
- BC is the lead government responsible for sustainable management and recovery.
- Leading recovery is complicated due to the range of variables that impact white sturgeon health and the fact that Federal Government and First Nations hold separate authorities.
- Key threats to white sturgeon populations include habitat degradation, dams, incidental bycatch in net fisheries, poaching, and climate change.

BACKGROUND:

- The Ministry of Water, Land and Resource Stewardship (WLRS) co-chairs the Technical White Sturgeon National Recovery Team with Fisheries and Oceans Canada (DFO) to coordinate all recovery work in BC.
- For the three endangered populations impacted by hydroelectric facilities (Nechako, Columbia and Kootenay), recovery is two-pronged; the management and improvement of habitat and habitat conditions, and hatchery production as a stop-gap measure until natural recruitment is restored.
- The lower and middle Fraser River populations are healthy enough for WLRS to authorize a carefully monitored catch-and-release recreational fishery.
- Elevated mortality rates in the Nechako and lower Fraser Rivers have been observed in recent years. WLRS is leading research to identify causes and potential mitigation options.
- Climate change is having an increasing impact to White Sturgeon, predominantly with drought and heat domes which can increase water temperatures to lethal highs, reduce oxygenation in the water, and strand larger animals.

DISCUSSION:

- In 2021 BC initiated a management planning process for all white sturgeon within the Fraser River Basin. With four populations, two of which are SARA listed and two supporting recreational fisheries, there was a need to look at the overall management through the drainage. The process is guided by a collaborative steering committee comprised of First Nations from the three Fraser River areas, WLRS, and DFO.
    - The final plan will reflect input from First Nations, DFO, BC, and stakeholders.
    - The steering committee initiated work focused on the Lower Fraser River, which has led to increased alignment of priorities across the provincial, federal and indigenous governments, coordinated delivery of priority projects, and active collaborations during climate disasters (e.g. 2023 drought and the 2024 Chilcotin landslide).

- The Nechako River White Sturgeon recovery actions are being updated to reflect new directions coming out of the Saik'uz and Stellat'en court case (2022, Thomas and Saik'uz First Nation v. Rio Tinto Alcan Inc) affirmed including the Rio Tinto Water Engagement Initiative.
- There are no dedicated base budgets for white sturgeon management or recovery. Management is embedded into the suite of operational responsibilities and over the past decade the allocation to white sturgeon projects has declined and the provincial complement of more than five sturgeon biologists is now two. Advice/Recommendations

Advice/Recommendations

INDIGENOUS PEOPLES:

- First Nations have Rights related to sturgeon, which continues to be affirmed through case law. For example, the 2022 court case (Thomas and Saik'uz First Nation v. Rio Tinto Alcan Inc) affirmed an Aboriginal right to fish in the Nechako watershed, specifically including salmon and sturgeon.
- BC continues to strive towards collaborative management partnerships.
    - The BC Fraser River White Sturgeon Plan process is guided by BC and First Nations, in close partnership with the federal government and local interest groups.
    - First Nations are ongoing members of the SARA Recovery technical working groups (Nechako, Kootenay, Columbia).

FINANCIAL IMPLICATIONS:

- The budget for sturgeon management is a combination of:
    - Operational budgets augmented through project specific funding.
    - Species at Risk funds from DFO.
    - The BC Conservation Surcharge on sturgeon fishing licences, which flows to the Habitat Conservation Trust Foundation for allocation.
    - Partners, such as the Nechako Environmental Enhancement Fund.
- The mid and lower Fraser River catch-and-release fishery is valued at > $30M annually.
- Advice/Recommendations; Cabinet Confidences; Government Financial Information

- Advice/Recommendations; Government Financial Information

NEXT STEPS:

- Operational recovery actions for the four SARA listed species will continue, operational funding pressures will continue to be identified annually.
- Sustainable management actions will continue for the two non-SARA listed populations through operational budgets when available.
- A business case for the provincial management of BC White Sturgeon is being developed.

Attachment(s): Attachment 1 - Distribution map for white sturgeon in British Columbia

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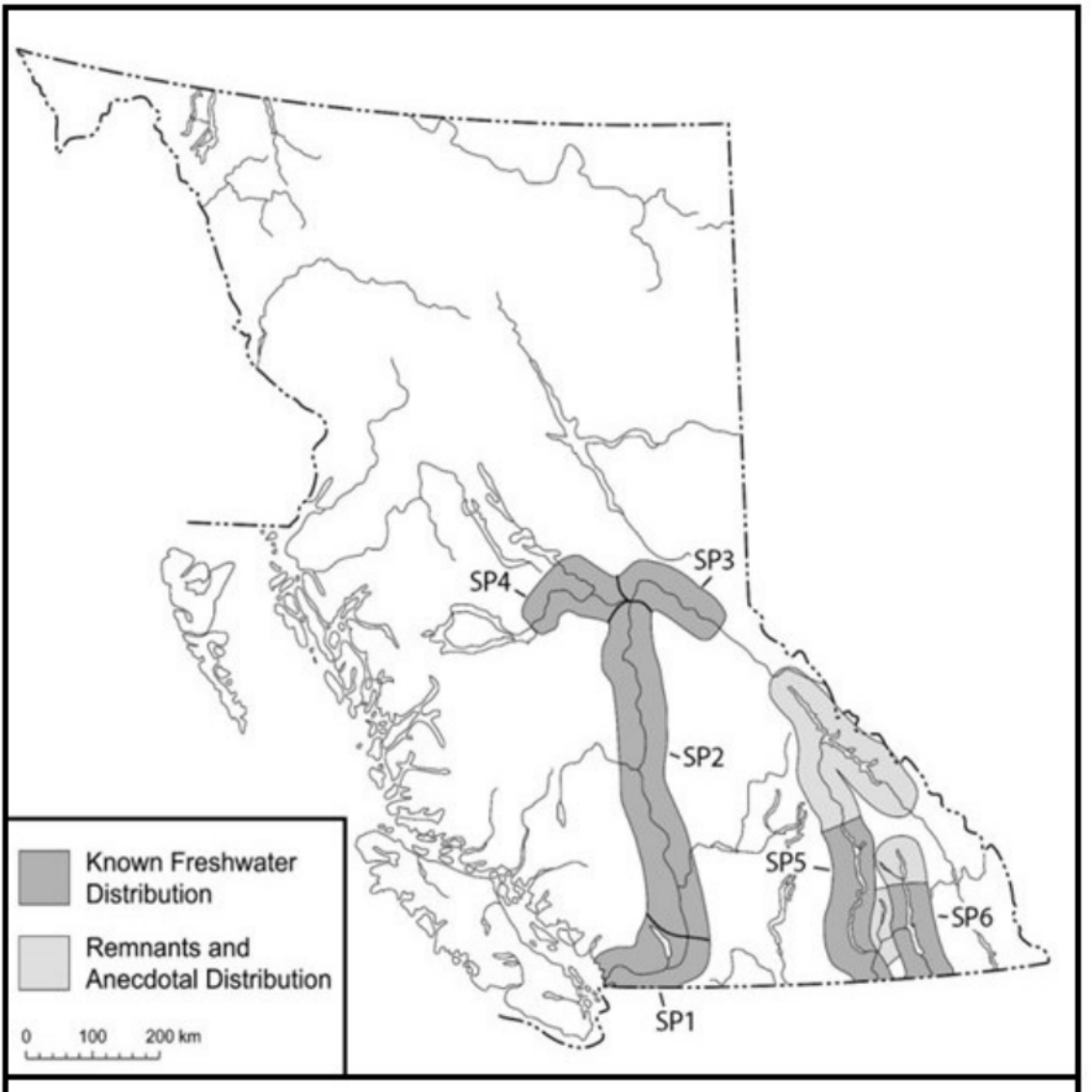
	Initials	Date
DM	LH	Oct 7, 2024
CFO/EFO (if required)		
ADM	JM	Sept 18, 2024
ED	JD	Sept 16, 2024



SP1: Lower Fraser River - downstream of Hell's Gate (km 0 to km 211),
SP2: Middle Fraser River - Hell's Gate to Prince George (km 211 to km 790),
SP3: Upper Fraser River - upstream of Prince George (km 790 to ~1100),
SP4: Nechako River (tributary of Fraser River, enters mainstem at Prince George),
SP5: Upper Columbia River, and
SP6: Kootenay River.

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Fish Habitat Restoration

KEY POINTS:

- Fish habitat restoration and restoration investment opportunities help to improve watershed health and mitigate cumulative impacts to fish and aquatic habitat.
- Fisheries and Oceans Canada (DFO) has a key role in protecting salmon and the management of fish habitat under the federal *Fisheries Act*.
- The Province of BC has a key role in fish habitat and watershed restoration under numerous Acts including the *Water Sustainability Act*.
- First Nations advocate for healthy aquatic ecosystems and rights associated with fish.
- The shared priorities of watershed and habitat restoration fosters collaborative relationships and projects between BC and First Nations.

BACKGROUND:

- Working to ensure BC aquatic ecosystems are healthy and sustainably managed falls under the Ministry of Water, Land and Resource Stewardship (WLRS).
- This mandate is delivered through the combination of provincial strategies such as the BC Watershed Security Strategy, on-the-ground restoration actions such as flood recovery works, the Fish Passage Remediation Program, and investments under the BC Salmon Restoration and Innovation Fund (BCSRIF).
- With multiple ministries and governments holding authorities that impact fish habitat remediation, WLRS also leads cross-ministry, cross-Government and tripartite collaboration (BC-Canada-First Nation) teams to develop collective solutions.
- Across BC, habitat is impacted/lost through direct destruction and fragmentation. Cumulative impacts are now a significant concern for our aquatic habitats. This loss has been accelerated by recent and more frequent natural disasters such as drought, flood, and wildfires.
- Aquatic habitat restoration helps us improve watershed health, mitigates cumulative impacts, and can enable sustainable development to resume in currently affected watersheds.
- Restoration benefits:
    - critical to maintain and recover fish populations.
    - critical to maintain and recover biodiversity.
    - improves water for human and livestock consumption.
    - offsets climate change impacts, such as keeping streams cooler during drought.
    - reduces impacts from natural disasters by increasing bank stability in floods and providing wildfire breaks.

DISCUSSION:

- Flood recovery actions in response to the 2021 Atmospheric River Event, including sediment/debris removal and fish habitat restoration projects, were developed and implemented by WLRS using a tripartite collaboration model (BC, First Nation, and Federal Government).
- This collaboration model is now being utilized for habitat restoration projects related to wildfire, flood, drought and landslides.

- Examples of projects WLRS leads or collaborates on include:
    - Nicola River Salmon Ecosystem Table
    - Chilcotin River Slide – Fish Response and Recovery
    - BC Fish Passage Remediation Program
    - The Thompson Shuswap Salmon Collaborative
    - The Riparian Area Protection Regulation Wildfire Rebuilding Direction
- WLRS has begun work to identify watersheds with high fish and species at risk values that overlap with highly impacted habitats from cumulative effects.
- The goal of identifying high value, impacted watersheds is to prioritize and implement short-, mid- and long-term solutions to restore these watersheds.
- Fish habitat restoration projects throughout BC are funded through various funding sources including the BCSRIF, Habitat Conservation Trust Foundation and others.

INDIGENOUS PEOPLES:

- First Nations have a significant interest in rights associated with fish.
- All fish, not just salmon, are central to historic and current wild food security, traditions, and medicines.
- 'Water for Fish' is a core element in the First Nation Fisheries Council Strategic Plan.

FINANCIAL IMPLICATIONS:

- The BCSRIF is a program funded jointly by the federal and provincial government. The Government of Canada is providing 70% of the funding, and the Province of BC is providing 30%. The fund will be available to support projects until March 31, 2026.
- The recently announced BC Watershed Security Fund will include future funding opportunities for fish habitat restoration projects.

NEXT STEPS:

- WLRS will continue to work with First Nations and Fisheries and Oceans Canada to identify and support habitat restoration projects.
- Ongoing improvements in the strategic management of watersheds and investments in fish habitat restoration projects will be developed through the BC Watershed Security Strategy, Flood Strategy, Wild Salmon Strategy, Fish Passage Remediation Program and other provincial initiatives.

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	Initials	Date
DM	LH	Oct 7, 2024
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ADM	JM	Sept 23, 2024
Program Dir/Mgr.	JD	Sept 23, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Fisheries Regulations

KEY POINTS:

- The Ministry of Water Land and Resource Stewardship (WLRS) holds the statutory responsibility for freshwater fisheries which is administered under the *Wildlife Act*.
- With declines in fish, notably salmon and steelhead, there are tensions between commercial, recreational, and First Nations' fisheries, as they rely on the same resource.
- British Columbia's (BC) freshwater fishery is a fully renewable sector that generates $11M - $12M in annual revenue to the province.
- Freshwater fishing directly contributes to $1B in annual direct and indirect revenue and is a central component of the BC tourism sector and marketed internationally through DestinationBC.
- Freshwater Fishing regulations are updated every two years, with the next scheduled changes taking effect as of April 1, 2025; all public engagement and statutory decisions will occur between January and the end of March.

BACKGROUND:

- The fishing sector in BC is made up of four components: the capture fishery (often called commercial), aquaculture, fish and seafood processing, and sport fishing (which includes both marine and freshwater).
- Total annual revenue to the four components is $3.3B. Sport fishing is the highest performer in terms of sector revenue and jobs as it generates $1.1B in revenue and supports approximately 9,000 of the total 15,000 jobs. The revenue and jobs are split equally between freshwater and saltwater.
- Access to fish follows a hierarchy: conservation first (a base amount of fish that can sustain a wild population), then First Nations access tied to constitutional rights, and then the combined commercial and sport fishing.
- Freshwater sport fishing in BC is a fully renewable resource, providing critical jobs and revenue to communities facing declines in their historic resource-extraction industries.
- WLRS oversee the provincial hatchery and stocking programs; this work is delivered under a 30-year contract to the Freshwater Fisheries Society of British Columbia (FFSBC).
- In addition to holding the regulatory authorities, WLRS also is the lead Ministry responsible for ensuring the sustainable management and recovery of freshwater fish.
- Recreational fisheries management is carried out via a small WLRS team and statutory decisions on freshwater regulations fall to the Director of BC's *Wildlife Act*.

DISCUSSION:

- Intergovernmental Communications

- When commercial fisheries are deemed to have an unacceptable impact on either the freshwater recreational fisheries or fish population recovery, the Minister may raise these issues at the Canadian Council of Fisheries and Aquaculture, or directly with Federal elected officials.

INDIGENOUS PEOPLES:

- All fish, not just salmon, play a central role to First Nations cultural, spiritual, food and medicinal traditions, both in historic practice and current.
- Of the Indigenous Rights, fish continue to be one of the top items formally recognized through court decisions.
- First Nations have demanded collaborative governance with both Federal Government and BC over decisions that can impact their fish rights. WLRS has successfully established many collaborative governances (e.g., the Memorandum of Understanding (MOU) with the First Nations Fisheries Council, Coast and Marine Agreements, MOU with the Lower Fraser Fisheries Alliance) which First Nations have pointed to as examples of meaningful steps towards reconciliation.

FINANCIAL IMPLICATIONS:

- Hatchery and Stocking services provided by FFSBC are funded through a flow-through mechanism – the approximately $11M - $12M generated through sales of fishing licenses are redirected to provide the FFSBC operational budget. FFSBC must adjust operations to balance.
- FFSBC operations are being impacted by both inflation and aging infrastructure; discussions are underway to evaluate the pros and cons of continued annual maintenance compared to rebuilding.

NEXT STEPS:

- The regulations are updated every two years. This work is underway, and the new regulations will take effect April 1, 2025.
- Ongoing engagement with the federal government (i.e., salmon and steelhead) is needed to ensure viability of the resource and to ensure management efficiencies.

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	Initials	Date
DM	LH	Oct 08, 2024
CFO/EFO (if required)		
a/ADM	CS	Oct 7, 2024
ED	JD	Oct 4, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Coastal Marine Strategy Implementation

KEY POINTS:

- BC released the Coastal Marine Strategy (the "Strategy"), its first comprehensive strategy for stewardship of coastal and marine environments, on July 11, 2024.
- The Strategy (Attachment #1) was co-developed with coastal First Nations and reflects the shared interests of local government, stakeholders, and the public across the province.
- It provides a 20-year vision for coastal marine management that balances environmental protection, economic development, and community well-being while addressing current and future challenges facing coastal areas.
- As an initial step toward implementation, the Strategy commits the Province, together with coastal First Nation partners, to "put processes and structures in place to complete a co-developed implementation plan".
- Cabinet Confidences; Government Financial Information

BACKGROUND:

- BC's ocean-based economy contributes approximately eight percent of the province's GDP ($21.5B annually) and directly employs 131,000 people full time. Three-quarters of BC's population lives in over 200 coastal communities.
- In 2020, for the first time in its history, the province committed to co-developing a comprehensive marine strategy with coastal First Nations to: improve the health and stewardship of coastal marine environments; build climate change resiliency; nurture a sustainable blue economy; support coastal community well-being; and advance reconciliation.
- Although the strategy concentrates on activities, uses, and values regulated by the province (i.e. submerged Crown land and the foreshore), it also addresses strategic issues under federal authority such as fisheries and anchorages.
- The strategy has four main themes: 1) healthy coastal marine ecosystems, 2) resilience to climate change, 3) thriving coastal economies and communities, and 4) informed governance. Under these themes, the strategy outlines nine goals and 24 supporting actions to achieve its vision.
- The strategy represents a significant shift in BC's approach to coastal management, aiming to address historical gaps and provide a unified framework for sustainable stewardship of the province's vital coastal resources.
- Significant input was provided by First Nation governments, federal and local governments, industry, organizations and nearly 1000 residents in the development of the strategy.

DISCUSSION:

- Based on substantial feedback during public engagement, the vision and policy direction of the strategy is broadly supported by the public, local governments, marine stakeholders and coastal communities. Our internal and external partners are eager to maintain momentum and see the strategy implemented.
- There are high expectations that the strategy will address longstanding coastal issues related to the previous patchwork approach to coastal management. Key public priorities include:

  - Addressing marine pollution; protection and restoration of coastal ecosystems; resilience to climate change; advancing Indigenous self-determination; enforcing meaningful legislation; working with the federal government to transform fisheries management approaches and addressing marine transportation issues; and supporting a thriving ocean economy.
- Over the next 20 years, the province will need to build and expand policies, programs and projects to meet these expectations, improve stewardship of marine resources, and support new economic opportunities for coastal communities.

INDIGENOUS PEOPLES:

- Several coastal First Nations collaborated on the Strategy's development and have expressed strong interest in future implementation.
- Ministry staff engaged First Nations leadership and technical-level staff throughout the coast with consideration of the *Declaration on the Rights of Indigenous Peoples Act* and associated action plan among other reconciliation commitments.
- As a result, Indigenous perspectives, values, knowledge and visions are weaved throughout the strategy and commitments to advance Indigenous self-determination in coastal management is considered.

FINANCIAL IMPLICATIONS:

- Cabinet Confidences; Government Financial Information

NEXT STEPS:

- Ministry staff are currently developing a near-term workplan to advance activities that can demonstrate early progress on implementation.
- In the short term, the emphasis will be on activities that are already underway through existing programs, and new activities that can be advanced with existing staff resources.
- By the end of fiscal 2024/25, the goal is to co-develop a draft implementation plan that includes options for co-governance of strategy implementation, a list of shared priority outcomes for years one-three, and performance measures to track progress.
- Cabinet Confidences; Government Financial Information; Intergovernmental Communications

Attachment(s): BC Coastal Marine Strategy

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	Initials	Date
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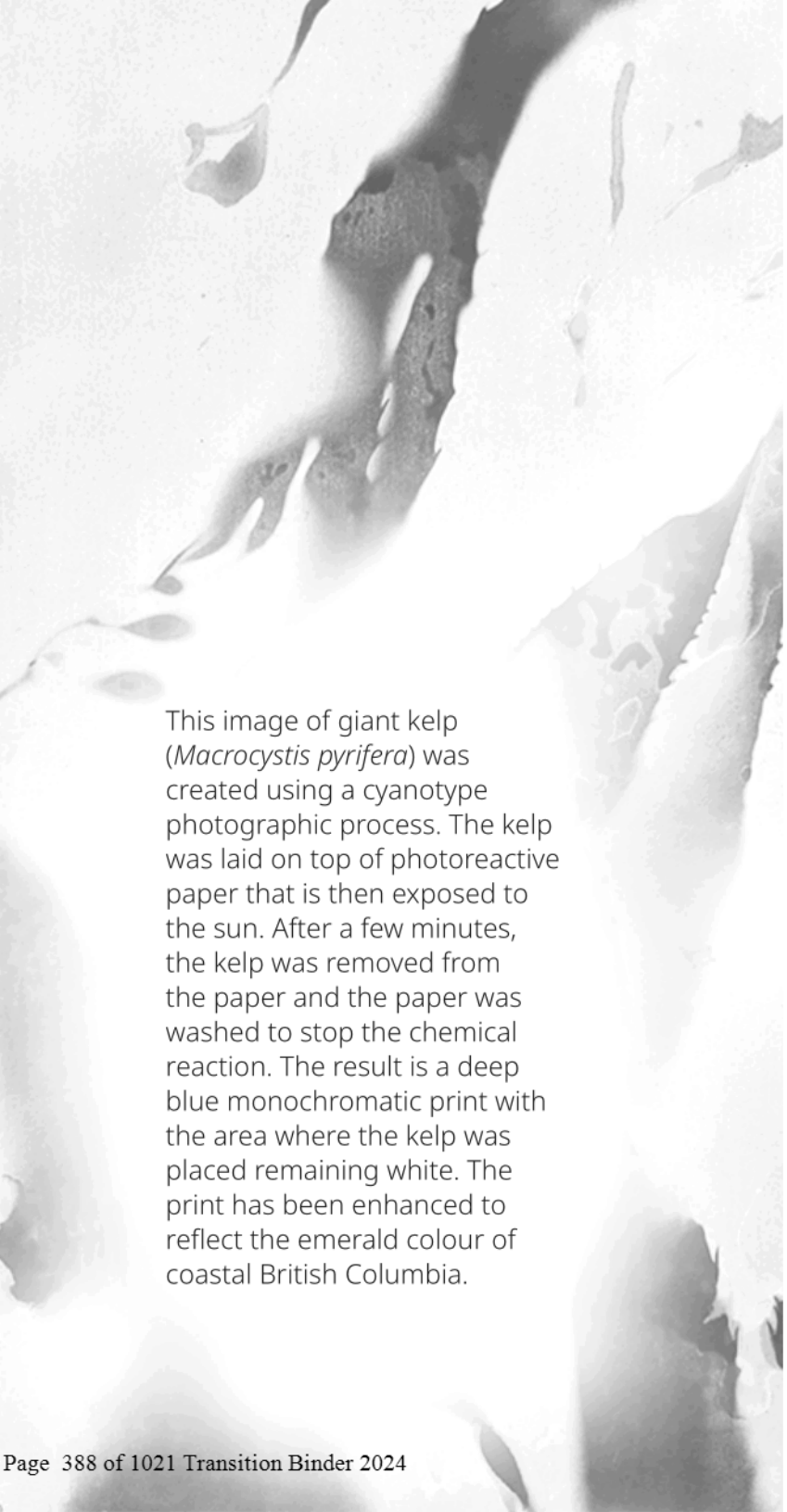
CFO/EFO (if required)	N/A	
ADM	JM	Sept 23, 2024
ED	CS	Sept 19, 2024
Program Dir/Mgr.	DA	Sept19, 2024

BRITISH COLUMBIA

B.C. Coastal Marine Strategy



This image of giant kelp (*Macrocystis pyrifera*) was created using a cyanotype photographic process. The kelp was laid on top of photoreactive paper that is then exposed to the sun. After a few minutes, the kelp was removed from the paper and the paper was washed to stop the chemical reaction. The result is a deep blue monochromatic print with the area where the kelp was placed remaining white. The print has been enhanced to reflect the emerald colour of coastal British Columbia.

ACKNOWLEDGEMENTS

The Province of British Columbia acknowledges the traditional custodians of these lands and waters, and pays respect to their Elders past, present and emerging. We pay respect to their continuing connection to land and sea, and the continuation of their cultural, spiritual and educational practices. In preparing for the future, we acknowledge the importance of looking beyond the immediate past to learn from First Nations unique history of land management, art, culture and society that began thousands of years ago.

The work to develop this strategy spanned many First Nations territories and treaty areas, and we are grateful for the knowledge, teachings and holistic worldviews contained within. Through strength and resiliency, the relationship between the ocean and coastal First Nations peoples remains unassailable. The B.C. Coastal Marine Strategy could not have been written without the participation of First Nations, and the Province looks forward to continuing collaboration and furtherance of government-to-government relationships in its implementation.

Appreciation is also expressed to all contributing authors, reviewers and those who supported the development of this work, including staff across the provincial government, federal departments and agencies, local governments, stakeholders, business owners and citizens.

SUMMARY

We live alongside thousands of marine species that dwell in some of the most biologically diverse habitats on the planet, including estuaries, kelp forests, rocky reefs, cold water coral colonies and hydrothermal vents. Some of these habitats protect us from extreme weather, build our resilience to climate change, and offer a place to collect and grow food, express culture, learn, seek adventure, find solace, move goods and people, and earn a living. Coastal marine-dependent industries – such as fishing, tourism, ports and shipping – make significant contributions to local and regional economies.

These benefits are only possible when the coastal marine environment is healthy. Climate change, pollution, habitat loss and the cumulative impacts of development bring significant challenges and responsibilities.

This B.C. Coastal Marine Strategy fulfils a commitment to develop a made in B.C., coast-wide, holistic vision for how to steward our use and enjoyment of the coast in balance with nature. It is the result of a close collaboration with many First Nations governments and it reflects the priority interests of coastal communities, governments, stakeholders and concerned citizens who shared their points of view during an extensive consultation process. It focuses on areas closer to shore and concentrates on activities, uses and values that the Province of British Columbia is responsible for, while recognizing that we need strong collaboration and co-operation with other governments who share responsibility.

> Our vision is for "a diverse, productive and resilient coastal marine environment that is valued in its own right and that supports the prosperity, health and well-being of coastal communities now and into the future."

First Nations values and teachings will help guide our way of thinking and decision-making. They remind us of the connections between land, water, wildlife and people, and our collective obligation and responsibility to care for and protect the ocean, and each other.

At a glance, the themes, goals and actions in the strategy are:

A HEALTHY COAST

GOAL 1: DIVERSE MARINE LIFE
- Action 1: Monitor coastal health
- Action 2: Protect and restore nearshore ecosystems
- Action 3: Help recover species at risk

GOAL 2: ABUNDANT WILD PACIFIC SALMON
- Action 4: Improve salmon survival

GOAL 3: CLEAN COAST
- Action 5: Prevent marine pollution
- Action 6: Clean up marine pollution

RESILIENCE TO CLIMATE CHANGE

GOAL 4: CLIMATE-READY COMMUNITIES
- Action 7: Improve understanding
- Action 8: Support First Nations climate action
- Action 9: Incorporate nature-based solutions

THRIVING COASTAL ECONOMIES AND COMMUNITIES

GOAL 5: A SUSTAINABLE COASTAL ECONOMY
- Action 10: Nurture coastal wealth and health
- Action 11: Build talent
- Action 12: Diversify the workforce
- Action 13: Support commercial harvests

GOAL 6: VIBRANT COASTAL COMMUNITIES
- Action 14: Help restore First Nations traditional (sea)food systems
- Action 15: Expand sustainable seafood production
- Action 16: Support recreation and adventure

INFORMED GOVERNANCE

GOAL 7: TRUSTING, RESPECTFUL RELATIONSHIPS
- Action 17: Advance First Nations self-determination
- Action 18: Advance collaborative stewardship

GOAL 8: A ROBUST TOOL KIT
- Action 19: Modernize policies and procedures
- Action 20: Improve compliance

GOAL 9: INTEGRATED AND BALANCED MANAGEMENT
- Action 21: Establish knowledge partnerships
- Action 22: Reflect the ocean's true value
- Action 23: Update and refresh spatial data
- Action 24: Plan for the future

Details concerning strategy implementation will be worked out in partnership with coastal First Nations and in collaboration with other governments and stakeholders. Our first tasks will be deciding on the structures and/or agreements to put in place, our shared priorities for near-term focus and our approach to engaging others in this important work.

MESSAGE FROM THE HONOURABLE NATHAN CULLEN AND KELLY GREENE

Minister of Water, Land and Resource Stewardship and Parliamentary Secretary for Fisheries and Aquaculture

British Columbia is blessed with more than 26,000 kilometres of coastline and our marine areas are home to an incredible diversity of species and habitats. As the foundation of the planet's life support system, we count on it every day for our physical, social, cultural, and economic well-being. All of this comes with an abiding responsibility.

Co-developed with several coastal First Nations and with significant input from federal and local governments, stakeholders and the public, the Coastal Marine Strategy marks fundamental progress in articulating and leading strong stewardship of our coastal and marine habitats. The Strategy expresses a cohesive forward-looking vision for coastal B.C. with a comprehensive suite of actions to support an ocean economy that is sustainable and inclusive and one that enables an intentional, coordinated and effective approach to taking care of the coastal marine environment in B.C.

Overwhelmingly, participants expressed support for the Province to take a more active role in stewardship—protecting coastal ecosystem health and wild salmon, addressing marine pollution, building resilience to climate change, supporting a blue economy, and creating good, sustainable jobs in our communities. The Strategy connects to the broader work government is doing for communities and ecosystems across the province.

Our thanks to many First Nations' governments, federal and local governments, industry and numerous organizations for engaging in this work and sharing your knowledge and perspectives to co-develop the province's first Coastal Marine Strategy. And thank you to everyone who participated in the public open houses and online engagement; your feedback helped us understand and consider a diversity of views that was critical to shaping this piece of work.

The Strategy positions British Columbia strongly in North America with well-envisioned coastal policy and governance for the ocean we cherish. We look forward to our collective implementation efforts and all the great work to come.

Sincerely,

Nathan Cullen

Minister of Water, Land and Resource Stewardship

Kelly Greene

Parliamentary Secretary for Fisheries and Aquaculture

CONTENTS

Acknowledgements 2
Summary 3
Message from the Honourable Nathan Cullen and Kelly Greene 5
Introduction 7
The coastal marine environment 8
Our shared opportunity 10
Reconciliation 13
Guiding values 15
How we got here 18
Future vision 21
Theme 1: Healthy coastal marine ecosystems 22
Goal 1: Diverse marine life 23
Action 1: Monitor coastal health 23
Action 2: Protect and restore nearshore ecosystems 25
Action 3: Help recover species at risk 27
Goal 2: Abundant wild Pacific salmon 28
Action 4: Improve salmon survival 28
Goal 3: Clean coast 30
Action 5: Prevent marine pollution 30
Action 6: Clean up marine pollution 31
Theme 2: Resilience to climate change 33
Goal 4: Climate-ready communities 34
Action 7: Improve understanding 34
Action 8: Support First Nations climate action 37
Action 9: Incorporate nature-based solutions 37
Theme 3: Thriving coastal economies and communities 39
Goal 5: A sustainable coastal economy 40
Action 10: Nurture coastal wealth and health 40
Action 11: Build talent 41
Action 12: Diversify the workforce 41
Action 13: Support commercial harvests 42
Goal 6: Vibrant coastal communities 44
Action 14: Help restore First Nations traditional (sea)food systems 44
Action 15: Expand sustainable seafood production 47
Action 16: Support recreation and adventure 49
Theme 4: Informed governance 50
Goal 7: Trusting, respectful relationships 51
Action 17: Advance First Nations self-determination 51
Action 18: Advance collaborative stewardship 52
Goal 8: A robust tool kit 53
Action 19: Modernize policies and procedures 53
Action 20: Improve compliance 54
Goal 9: Integrated and balanced management 55
Action 21: Establish knowledge partnerships 55
Action 22: Reflect the ocean's true value 56
Action 23: Update and refresh spatial data 58
Action 24: Plan for the future 59
Conclusion 61
Appendix A: First Nations contributors 62
Appendix B: Timeline for the development of the strategy 64

INTRODUCTION

In 2020, the B.C. government committed to developing a coast-wide vision that would improve the health and stewardship of coastal marine environments, build climate change resiliency, nurture a sustainable blue economy, support coastal community well-being and advance reconciliation with First Nations. This B.C. Coastal Marine Strategy fulfils that promise.

The strategy presents a long-term vision for the well-being of people and places in British Columbia. It is the product of close collaboration with many First Nations with deep ties to the ocean and it reflects the priority interests of other governments, stakeholders, local communities and concerned citizens across the province. To address the breadth and depth of the challenges and opportunities, and to bring governmental departments responsible for stewarding the coast together, input was sought from provincial ministries responsible for water and land stewardship, forests, agriculture and food, the environment and climate change, Indigenous relations and reconciliation, energy, economic development and transportation.

The policies, programs and projects developed over the next 20 years will create results that people can see in four key areas: the environment, climate change resilience, coastal economies and communities, and governance. Some of the actions outlined in the strategy, like new coastal zone legislation and gender inclusivity in the ocean economy, are long overdue. Others, like the cleanup of marine debris and implementation of marine plans developed under the Marine Plan Partnership for the North Pacific Coast, are a continuation of existing initiatives that have received broad support. A few, like the development of new metrics to account for the ocean's true contribution to our society and the economy, represent a new approach to managing resources. As a whole, the strategy reflects government's commitment to understanding and appreciating the coastal marine environment, finding a good balance between taking and giving, and nurturing respectful relationships so that current and future generations may thrive.

We can achieve much more when we work together. Implementation of the strategy will require strong co-operation and collaboration with many First Nations and other partners, since no single government, industry sector or organization can tackle the challenges and build on the opportunities alone.

THE COASTAL MARINE ENVIRONMENT

The rugged coastline of British Columbia stretches for more than 26,000 kilometres between Alaska and Washington. The coastal marine environment, shaded blue in Figure 1, is a place of abundance. It is full of nutrients that support ecosystems and species that can thrive at the margins between ocean and land or ocean and river. Kelp forests, seagrass meadows, rocky intertidal shores, sandy beaches, mudflats, salt marshes and glass sponge reefs provide homes to thousands of plant and animal species. Many, like barnacles and sponges, are stationary and don't move around freely, while others travel great distances. North Pacific humpback whales swim hundreds of kilometres to feed in the highly productive marine waters of B.C. These "filter feeders" eat massive amounts of zooplankton and small schooling fish. Some seabirds travel over 20,000 kilometres a year along the Pacific Flyway – a major corridor for millions of migratory birds travelling between breeding grounds in the Arctic to wintering grounds in southern South America. During fall and spring migrations, marine ecosystems along B.C. provide places to rest and refuel.

The coast connects life on land with life in the open ocean. For instance, marbled murrelets – perhaps the most mysterious seabird on the Pacific coast – nest on large, wide branches of coastal old growth trees and can travel over a hundred kilometres a day between their nest sites and marine foraging areas where they hunt for small fish. The Fraser, Skeena and Nass river watersheds – along with hundreds of other rivers in the province – bring fresh water and minerals into the Pacific Ocean.

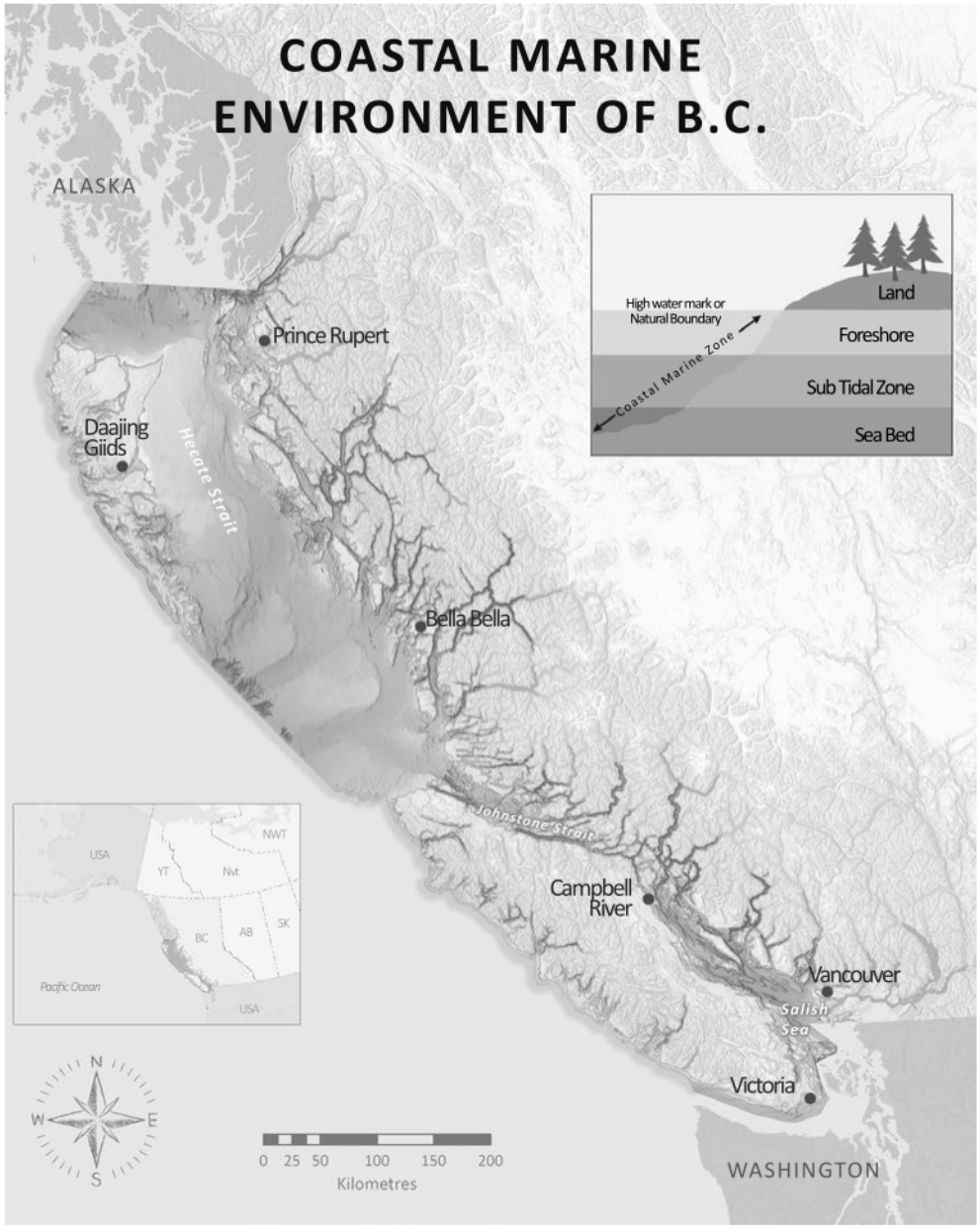


Figure 1. The strategy focuses on coastal marine waters between the borders of Alaska to the north and Washington to the south.

Coastal watersheds also receive nutrients from the sea when wild Pacific salmon return from the open ocean to spawn in rivers. Here they become food for bears and wolves that drag their catch into nearby forests, where trees are fertilized with ocean nutrients stored in the bodies of decaying salmon.

People also depend on the ocean and some coastal species, like wild Pacific salmon and orcas, are woven into cultures and histories. For millennia, Indigenous peoples have travelled up and down the coast fishing, harvesting and trading with one another. Marine animals, plants and ecosystems are vital to the identities, languages, communities, economies and knowledge systems of many First Nations in B.C. Almost half of their communities are located in coastal areas, and for these Nations, the ocean is often the primary source of healthy food for community members and the highway that keeps people in touch with relatives and neighbours.

Nearly three-quarters of the province's population lives in coastal areas where people benefit from the ocean's recreational, aesthetic, spiritual, nutritional and economic values. The ocean-based economy in British Columbia is valued at over $21 billion, representing about eight percent of the province's gross domestic product.[1] Thousands of people in British Columbia work in fishing and mariculture, shipping and shipbuilding, ports and harbours, tourism and technology – all of which rely on coastal resources.

Many of us spend time in nature to relax, recharge and reconnect. Beachcombers, divers, recreational fishers, wildlife viewers, boaters, kayakers, surfers and paddle boarders all derive positive physical and mental health benefits from a healthy ocean.

The coast also helps keep us safe. As allies against climate change, intact coastal habitats absorb energy from incoming waves and slow down storm surge, protecting coastal communities and infrastructure from the effects of erosion, flooding, storms and natural disasters. Nearshore habitats like estuaries also trap vast amounts of carbon in water-logged soils where it can stay stored for thousands of years.

This vital coastal marine environment is also vulnerable. Regional pressures to coastal health include commercial and residential development, increased shipping activity, fishing at various intensities, the spread of invasive species, pollution and upland resource use. Global pressures include warming ocean temperatures and sea rise, deoxygenation, ocean acidification and severe weather.

A single stressor, such as pollution or overfishing, can do considerable damage. Unfortunately, the harm to habitats, species and people is cumulative and interactive. We need to address the combined effects of a changing climate and our activities on the coastal values important to people living in British Columbia. And as the demand for natural resources continues to grow, we must find ways to reduce the pressures that threaten marine life, community well-being and economic stability, so that we can help restore resilience and return to a place of abundance.

1 Source: Big River Analytics. (2021). Economic Contribution Analysis for the Economic Contribution of the Oceans Sector in Coastal BC. Prepared for the governments of British Columbia and Canada.

What do we mean?

Ocean and sea: These terms are used interchangeably to refer to a huge body of salt water. There is one "world ocean" divided into five oceans: the Pacific (the largest), Atlantic, Indian, Southern and Arctic (the smallest). The ocean extends between the coasts of continents and is incredibly deep, with an average depth of almost four kilometres.

Coastline: Used interchangeably with shoreline, the coastline is the land along the sea. Waves, tides and currents help create coastlines.

Coastal marine: We use this term to describe the area where the coastline meets the open ocean. Water depths range from the high tide mark to thousands of metres deep. In B.C., the size of the coastal marine areas spans a few kilometres (such as the waters between Vancouver Island and the mainland) to hundreds of kilometres (such as the waters between Haida Gwaii and the Central Coast).

Stewardship: In its most basic definition, stewardship is the responsible use and protection of the environment. It is the recognition of our responsibility to care for and maintain the quality and natural function of ecosystems. Environmental stewardship includes restoration and protection, research and monitoring, community and civic action, and everyday choices.

OUR SHARED OPPORTUNITY

How we govern and interact with the environment influences how we generate benefits for society and how we can sustain these benefits. Good management begins with respect: for the natural environment, for the connections between people and place, and for responsible stewardship by all parties.

In British Columbia, coastal marine management is a complex undertaking, with many levels of government having responsibilities and interests in different ocean activities and values (Table 1). The provincial government manages and authorizes activities and uses that require access to the seabed and/or the coastline, such as aquaculture, clean energy, docks and wharves, log handling sites and underwater utilities. The provincial government is also accountable for land use planning and management (such as parks and protected areas), seafood development and aquatic plant culture and harvesting. Habitat conservation and restoration, monitoring, and emergency management are some of the ways the Province takes care of the coastal marine environment. Figure 2 illustrates a few of these provincial roles in coastal marine stewardship.

The connectivity of marine life means that we need to co-ordinate efforts and policies, share knowledge, expertise and resources, and build long-lasting and meaningful partnerships. Now, perhaps more than ever, we need to work together towards a common goal.

Table 1: Examples of the stewardship responsibilities across governments[2]

Federal Government	First Nations Governments	Provincial Government	Local Governments
• Fishing • Fish habitat • Finfish and shellfish aquaculture • Species at risk • Shipping • Navigation • Oil spill response • Search and rescue • Migratory birds • Environmental assessments • Protected areas	• Aboriginal and treaty rights and responsibilities as per individual First Nations • Coastal guardian and stewardship programs • Research and monitoring • Community planning • Protected Areas, including Indigenous Protected and Conserved Areas • Community management of harvesting for food, social and ceremonial use • Oil spill response • Restoration of marine habitats	• Tenures over seabed and foreshore (such as aquaculture) • Tourism and recreation licensing • (Sea)food safety • Marine spatial planning • Protected areas • Aquatic plants • Flood management • Environmental emergency management, such as oil spill response • Waste management and authorizations • Heritage and cultural protection • Cumulative effects management	• Zoning (such as regulating shoreline development) • Bylaws • Parks and trails • Public education

2 This table does not include an exhaustive list of responsibilities.

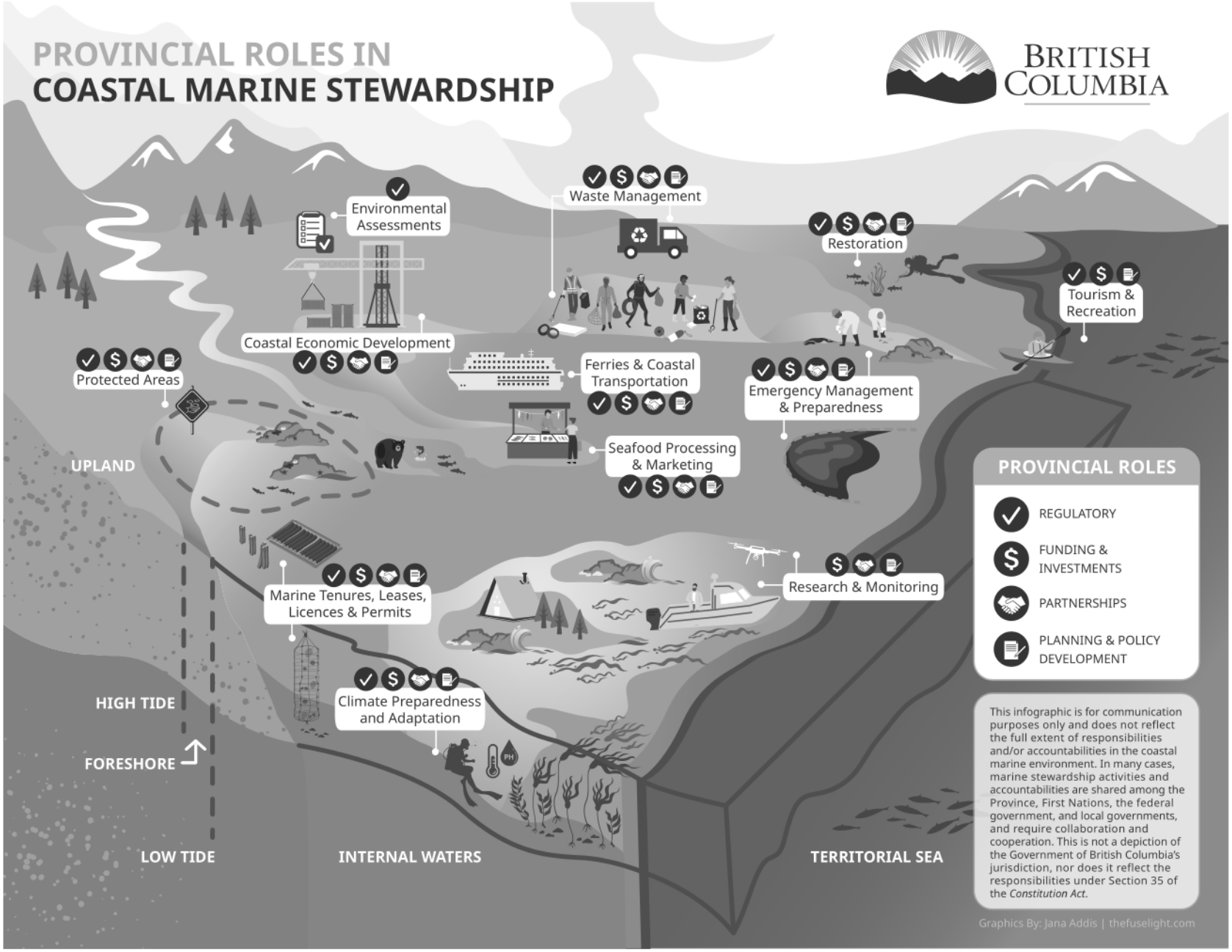


Figure 2. This illustration shows many different provincial roles in the stewardship of the coastal marine environment.

RECONCILIATION

Government policies that worked to suppress Indigenous cultures, languages, economies and systems of governance have had lasting effects on the health, well-being and wealth of Indigenous peoples in B.C. Despite this, Indigenous communities remain strong and resilient.

The Province of British Columbia recognizes that all relations with Indigenous peoples need to be based on the recognition and implementation of the right to self-determination, including the inherent right of self-government. As recognized in the Shared Priorities Framework between the Province and Modern Treaty Nations, Modern Treaties provide a blueprint for reconciliation and a foundation for government-to-government relationships based on mutual respect and established rights. The *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) establishes the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) as a framework for reconciliation, as called for by the Truth and Reconciliation Commission's Calls to Action. The Declaration Act aims to create a path forward that respects the human rights of Indigenous peoples while introducing better transparency and predictability in the work we do together.

Reconciliation is a cross-government priority and the Province is working in every sector, together with Indigenous peoples, to support healthy communities and create shared prosperity that benefits all British Columbians. As work continues, the provincial government is weaving Indigenous perspectives into all programs and supports it offers. This work is part of government's recognition that Indigenous peoples have unique constitutionally protected rights, interests and circumstances that must be considered when developing and implementing all government policies, including this strategy.

The Province has adopted a distinctions-based approach to advancing reconciliation and implementing the UN Declaration and the Shared Priorities Framework. A distinctions-based approach means that the Province's work with First Nations, Métis and Inuit people will be conducted in a manner that acknowledges the specific rights, interests, priorities and concerns of each, while respecting and acknowledging these distinct peoples with unique cultures, histories, rights, laws, treaties and governments. The distinctions between coastal First Nations have been recognized and respected in the work to develop this strategy, and the Province will continue to apply a distinctions-based approach to engage appropriate rights holders in its implementation.

GUIDING VALUES

Values play an integral role in how we understand the world around us, choose courses of action, set goals, measure success and work together.

First Nations ethics and values will help guide our way of thinking and decision-making, helping further our shared goals for stewardship and integrating First Nations concepts and sacred teachings into policy and practice.

Shared with permission from the Nuu-chah-nulth-, Haida- and Tsimshian-speaking Nations, the following values remind us of the connections between land, water, animals and people, and our collective obligation and responsibility to care for and protect mother earth and each other.[3] Adopting a values-based approach to our work will make it easier to navigate complexity and achieve balance and harmony. Ethical thinking leads to ethical practice, and the following values and teachings are at the foundation of this strategy.

3 Values are embedded in First Nations worldviews and philosophies and cannot be considered in isolation from one another. While First Nations in British Columbia have distinct knowledge systems and traditions, these values – expressed in First Nations distinct languages – resonate in many of their cultures. There are 34 First Nations languages in B.C.; we have not included them all here.

hišukiš ċawaak[4] (everything is one): Everything is connected, everything is one, everything depends on everything else. The well-being of communities is intricately tied to the well-being of the land and sea.

ʔiisaak[4] (utmost respect): Respect for mother earth, for people, living things, the ocean. We take only what we need, we give thanks. Everything has a purpose, and that purpose must be respected.

Gin ‘laa hl isdaa.uu[5] (responsibility): We accept the responsibility passed on by our ancestors to manage and care for our sea and land. We will ensure that our heritage is passed on to future generations.

ʔuuʔałuk[4] (taking care of): Looking after, caring for the sea, the seabed, marine life, the land, our communities and our people.

Giid tlljuus[6] (balance): Balance is needed in our interactions with the natural world. If we aren’t careful in everything we do, we can easily reach a point of no return. Our practices and those of others must be sustainable.

Isda ad dii gii isda[6] (giving and receiving): Reciprocity is essential in our interactions with each other and the natural world. We continually give thanks to the natural world for the gifts received.

syt güülm goot[7] (being of one heart): Community-based sharing and distribution of resources from different areas of the territory, between families and lineages, ensures survival and nutritional balance, and sustainable harvests.

4 Nuu-chah-nulth language.
5 Haida language, X̲aad Kil dialect.
6 Haida language, X̲aayda Kil dialect.
7 Tsimshian language.

Quw’utsun snuw’uy’ulh (Cowichan Tribes’ teachings)

For the Quw’utsun – which in addition to Cowichan Tribes includes the other Quw’utsun Nation communities of Lyackson First Nation, Stz’uminus First Nation, Halalt First Nation and Penelakut Tribe – ways of being are firmly grounded in the Hul’q’umi’num’ language and the Quw’utsun snuw’uy’ulh (teachings). Hul’q’umi’num’ is a language spoken on Vancouver Island from Malahat in the south to Nanoose Bay in the north, with some differences in dialect. Quw’utsun snuw’uy’ulh are central to learning from the natural world and understanding our place within it, and our responsibility to, the wider universe. These teachings have been shared by the Quw’utsun and will help guide our work together.

Mukw’ stem ‘o’ slhihukw’tul: All things are connected.

Hwial’asmut tu Tumuhw: Take care of the earth – the air, the water, the land.

Stl’atl’um stuhw tun kwunmun: Take only what you need.

Hiiye’yutul tst ‘u to’ mukw’ stem ‘I’u tun’a tumuhw: Everything in nature is part of our family; we are all relatives.

HOW WE GOT HERE

British Columbians care deeply – and are concerned about – the health of the ocean. They want to ensure coastal ecosystems are healthy and resilient and they want to see their family, friends and neighbours prosper and succeed. These are the values that we heard expressed by participants during our in-person and online engagement sessions held in 2022 and 2023.

In keeping with government's commitment to the Shared Priorities Framework, the UN Declaration and the Calls to Action of the Truth and Reconciliation Commission, the Province worked closely with First Nations governments and organizations to frame a meaningful, respectful and inclusive process for developing this strategy, together (Appendix A). This co-development approach acknowledged the thousands of years of First Nations economic activity, knowledge (contemporary and traditional), traditions and cultures that have evolved with the ocean. It also helped ensure that First Nations needs and priorities flow throughout this strategy.

In December 2022, the Province released a co-developed Intentions Paper for public feedback (see the timeline for development of the strategy in Appendix B). We heard from individuals, including Indigenous youth and young professionals (Figure 3), environmental non-governmental organizations, local and regional governments, First Nations governments, industry associations, unions and businesses. Hundreds of people joined the conversation and shared their ideas, personal experiences and stories of their present day and historical connections to the people and places of the coast.

There are many areas where more provincial support could make a real difference in the health of coastal ecosystems and communities. Through engagement, we learned that the top areas of interest include, in no particular order:

- Prioritizing the environment and protecting coastal ecosystems and their biodiversity
- Protecting wild Pacific salmon
- Tackling pollution in coastal and marine environments
- Addressing climate change and prioritizing climate change mitigation and resilience
- Minimizing the impacts of shipping and vessel traffic in coastal waters
- Consulting and engaging with all partners
- Respecting the importance of non-economic values in decision-making
- Supporting the economy and industry
- Assessing and managing the cumulative effects of human activities and climate change on the environment and human well-being of coastal communities
- Improving Indigenous peoples access to coastal resources and the coastal economy
- Developing and enforcing meaningful legislation
- Stepping up monitoring, information gathering and data sharing
- Advancing reconciliation with Indigenous peoples
- Including Indigenous knowledge in decision-making

These priorities, summarized in a What We Heard Report, serve as a roadmap for this strategy, which brings together activities being taken across government, combines them with new initiatives, and complements other government policies and programs. When they're all added together, they will help to achieve a shared vision for the coast.

Figure 3. Youth and young professionals are the future of coastal marine stewardship, and it is essential that their voices are heard. In March 2023, 18 Indigenous youth from across the coast came together to share their perspectives on what a Coastal Marine Strategy should address. Their discussions, recorded graphically by Michelle Buchholz, have informed this strategy.

FUTURE VISION

Our vision is for a diverse, productive, and resilient coastal marine environment that is valued in its own right and that supports the prosperity, health and well-being of coastal communities now and into the future.

This strategy sets out nine goals organized under four themes. The 24 supporting actions work together to achieve the strategy's vision and goals.

Theme 1: Healthy coastal marine ecosystems

- Goal 1: Diverse marine life
- Goal 2: Abundant wild Pacific salmon
- Goal 3: Clean coast

Theme 2: Resilience to climate change

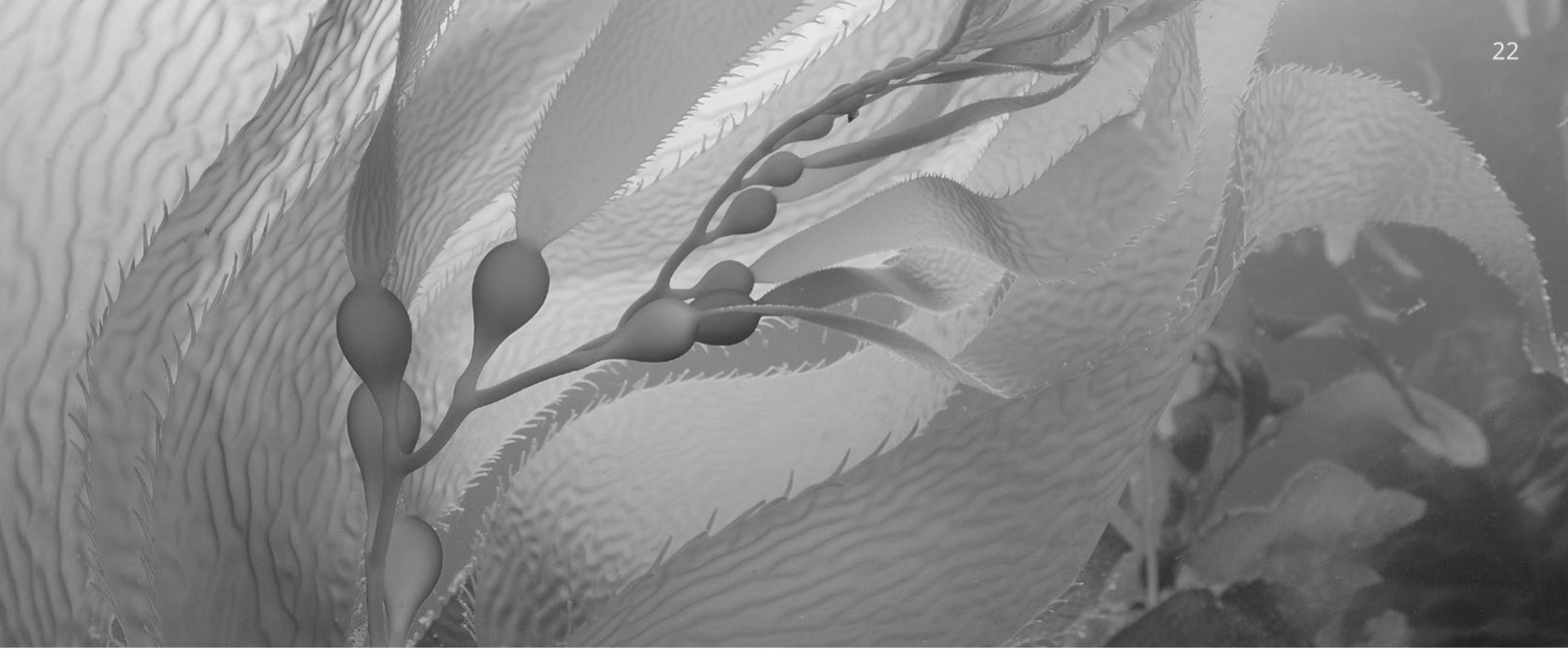
- Goal 4: Climate-ready communities

Theme 3: Thriving coastal economies and communities

- Goal 5: A sustainable coastal economy
- Goal 6: Vibrant coastal communities

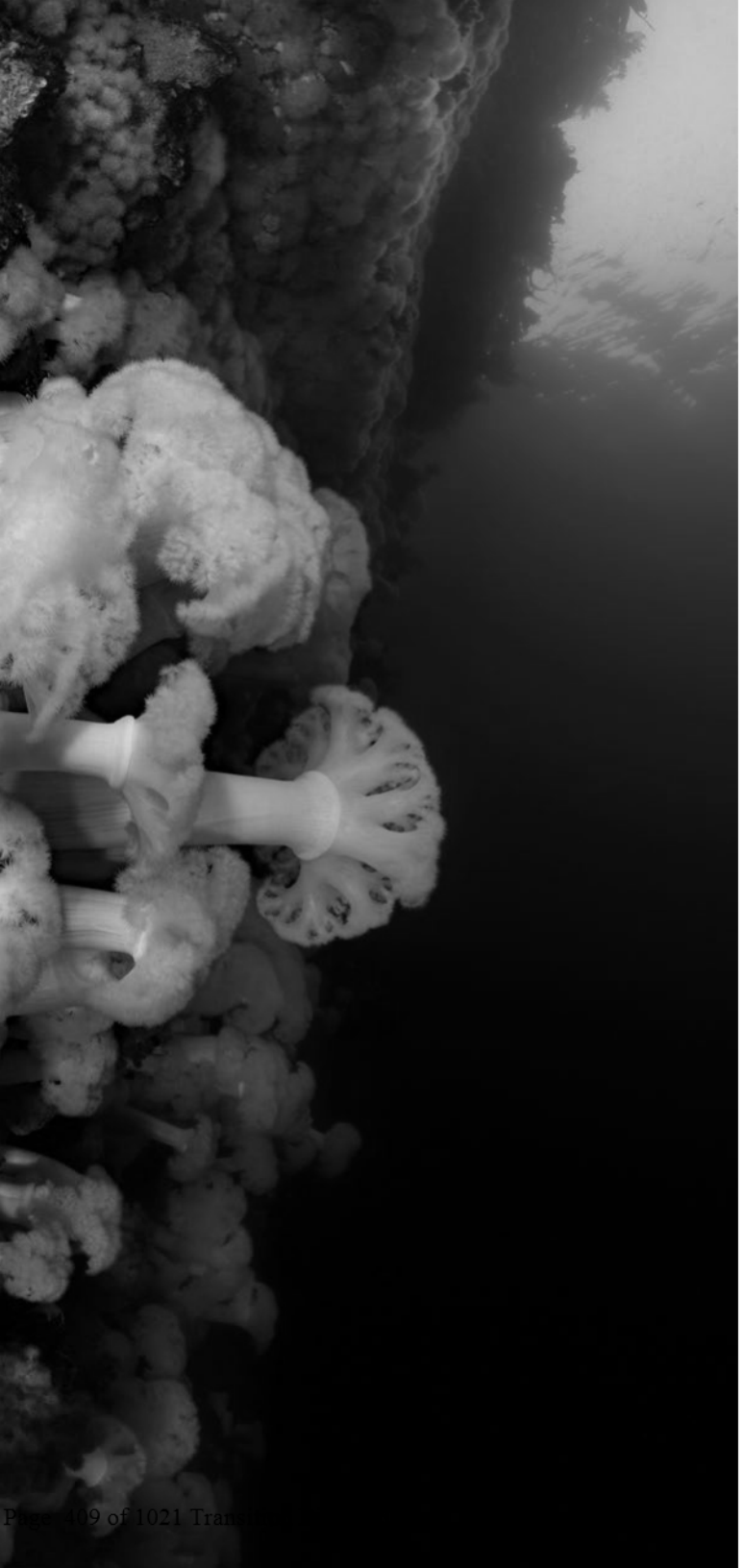
Theme 4: Informed governance

- Goal 7: Trusting, respectful relationships
- Goal 8: A robust tool kit
- Goal 9: Integrated and balanced management



THEME 1: HEALTHY COASTAL MARINE ECOSYSTEMS

A healthy and productive coast that sustains abundant marine wildlife is the foundation from which our other aspirations evolve. Healthy and biodiverse coastal marine ecosystems are stable, vibrant and full of life; generate a range of benefits for people; and are resilient to change.



Goal 1: Diverse marine life

Action 1: Monitor coastal health

Responsible stewardship of the coastal marine environment requires careful and consistent monitoring. From tracking contaminants in the water and the spread of alien invasive species, to monitoring sea level rise and surveying the coastline, monitoring helps inform decisions in the best interests of coastal communities and the environment.

Governments, organizations and research institutions all play a role in ocean and coastal monitoring. Across many parts of the coast, First Nations are the eyes and ears on the water. First Nation-led initiatives such as Guardians, Watchmen and stewardship programs document changes in coastal habitats and the species that rely on them, such as crab, herring, eulachon and wild Pacific salmon. Their contemporary observations, combined with an intricate knowledge of the natural world, have greatly improved understanding of the health of nearshore habitats and their resilience to climate change, stress and disturbance.

Activities:

- Further develop or establish water quality objectives and monitoring programs in coastal areas of concern, starting with areas where pollution is impacting the growing and harvesting of food. Link monitoring results to coastal watershed planning and protection and other strategic planning processes (such as estuary management plans and stormwater management plans).

- Scale up the monitoring of coastal habitats that are critical for maintaining biodiversity, such as kelp beds, eelgrass beds, estuaries, salt marshes, and forage fish habitat and use this information to guide management decisions and planning initiatives.
    - Assess the rate of coastal habitat loss or degradation.
    - Continue to support First Nations-led programs and monitoring systems.
    - Maintain and expand partnerships with other governments, research centres and academic institutions.
    - Develop and implement a coast-wide aquatic plant research and monitoring network.
    - Expand efforts for preventing, detecting, monitoring and managing invasive aquatic plant species (such as *Spartina spp.*, *Mazzaella japonica* and *Sargassum muticum*).
- Work with partners to establish a robust ecological and socioeconomic monitoring program for the Northern Shelf Bioregion Marine Protected Area Network, and report on performance assessments.

Action 2: Protect and restore nearshore ecosystems

Kelp forests, eelgrass beds, sandy beaches, mud flats, salt marshes and rocky intertidal areas are critical migrating, feeding, breeding and sheltering grounds for hundreds of unique species. In addition to being sites of great biodiversity, coastal ecosystems play a vital role in enhancing climate change resiliency.

The carbon stored in coastal ecosystems is often referred to as blue carbon. Salt marshes, like the large one in Boundary Bay, are blue carbon ecosystems, as are eelgrass beds in estuaries. Blue carbon ecosystems can capture and store up to five times more carbon than trees and plants in a similar-sized area on land. When a blue carbon ecosystem is degraded or lost, stored carbon is released, contributing to climate change. Conserving and restoring blue carbon ecosystems are therefore important actions we can take to mitigate and adapt to climate change and support biodiversity.

Representative examples of nearshore habitat types are included in the Canada-B.C.-First Nations plan for a marine protected area network in the Northern Shelf bioregion. The Province is committed to collaboratively implementing this plan to protect biodiversity and maintain these vital ecosystems.

Activities:

- Collate information on the status of estuaries across B.C. and support initiatives to increase the number and scope of estuary protection and restoration projects.
- Protect nearshore habitats from the impacts of small vessel anchoring and mooring buoys, in collaboration with First Nations, federal and local governments.
- Explore establishing innovative protected area models for the coastal marine environment in collaboration with interested First Nations and the federal government, including the use of Indigenous Protected and Conserved Areas, to help realize shared objectives for marine and coastal areas.
- Assist in the collation of information on the location and status of intertidal spawning habitat for forage fish (sand lance and surf smelt), support additional forage fish habitat spawning surveys and help to encourage citizen involvement in habitat conservation.
- Co-develop and implement climate-informed management plans for marine parks and protected areas established under provincial legislation, beginning with sites identified in the marine protected area network action plan in the Northern Shelf bioregion.

Taking Care of Lands and Waters

The health of coastal habitats and the species that rely upon them are influenced by both terrestrial and marine conditions. The steps we're taking with others to improve the stewardship of forests, fresh water and watersheds will benefit the ocean and the communities that are closely tied to it. Here are a few of the initiatives underway.

- The Watershed Security Strategy will lead the changes needed to create a future where our watersheds are better cared for and stewarded together.
- The B.C. Flood Strategy provides a unifying vision on priorities to improve resilience to coastal, riverine, local stormwater and groundwater flood events.
- The B.C. Biodiversity Ecosystem Health Framework sets the stage for a transformational shift in resource management. Under the framework, conservation and management of ecosystem health and biodiversity will be prioritized.
- The Conservation Financing Mechanism, a partnership launched by the Province and the BC Parks Foundation, aims to address biodiversity loss and improve climate security through activities related to the conservation and protection of lands, ongoing stewardship and guardianship measures led or supported by First Nations, and support for low-carbon economic opportunities.
- The Tripartite Framework Agreement on Nature Conservation is a first-of-its-kind agreement between B.C., Canada and the First Nations Leadership Council to protect and conserve biodiversity, habitats and species at risk in the province. With $1 billion in joint federal and provincial funding, the agreement enables action rooted in recognition of First Nations title and rights to reach B.C.'s and Canada's goal of protecting 30 percent of lands and waters in B.C. by 2030.
- The 2016 *Great Bear Rainforest Land Use Order and Great Bear Rainforest (Forest Management) Act* will conserve 85 percent of the forest and 70 percent of old growth over time, achieving a high level of ecological integrity.
- In 2019, the governments of B.C. and Canada launched the five-year, $142.85-million B.C. Salmon Restoration and Innovation Fund. In response to the program's success, the fund doubled in size in 2022 and was extended to 2026. Projects across the province have brought tangible benefits to wild salmon and their freshwater and marine habitats, the fishing and seafood sectors, and coastal communities.
- Shared stewardship agreements between B.C. and First Nations accomplish many goals that benefit all British Columbians. For example, modern treaties include provisions to monitor lands and waters under long-standing cultural laws, restore watersheds, and protect fish and aquatic plant habitat. Collaborative stewardship forums in the North Coast support land use planning, compliance and enforcement, and monitoring of watershed and wildlife (such as caribou, moose, stone sheep and mountain goat).

Action 3: Help recover species at risk

Many marine species found in the coastal marine waters of British Columbia are endangered, threatened or of special concern, including resident killer whales, some Pacific salmon populations, basking sharks, sixgill sharks, great blue herons, Olympia oysters, northern abalones, several rockfish species and marbled murrelets.

The federal *Species at Risk Act* (SARA) provides protection to species in danger of disappearing. Recovery plans for SARA-listed species can include interventions meant to improve the survival of individuals (such as fisheries restrictions) and the protection of some habitat critical to a population (such as establishing sanctuary zones).

Responsibility for the conservation of wildlife is shared among the governments, and the Province will do its part to help in the recovery of coastal marine species at risk.

Activities:

- Continue to work with partners to improve outcomes for species listed under the *Species at Risk Act* (such as continued participation in the Southern Resident Killer Whale Task Force).
- Contribute to status assessments of coastal marine species in decline and the development and implementation of appropriate measures to conserve and protect marine species at risk.

Goal 2: Abundant wild Pacific salmon

Action 4: Improve salmon survival

The overall abundance and diversity of wild Pacific salmon has declined since the 1950s, and many populations are at an all-time low. The causes are complex and are thought to include water quality and quantity, harvesting, predation, availability of prey, industrial use in nearshore environments, forestry operations and land use decisions in salmon-spawning watersheds. Changing hydrologic and ocean conditions as a result of climate change are also stressing maturing and adult salmon.

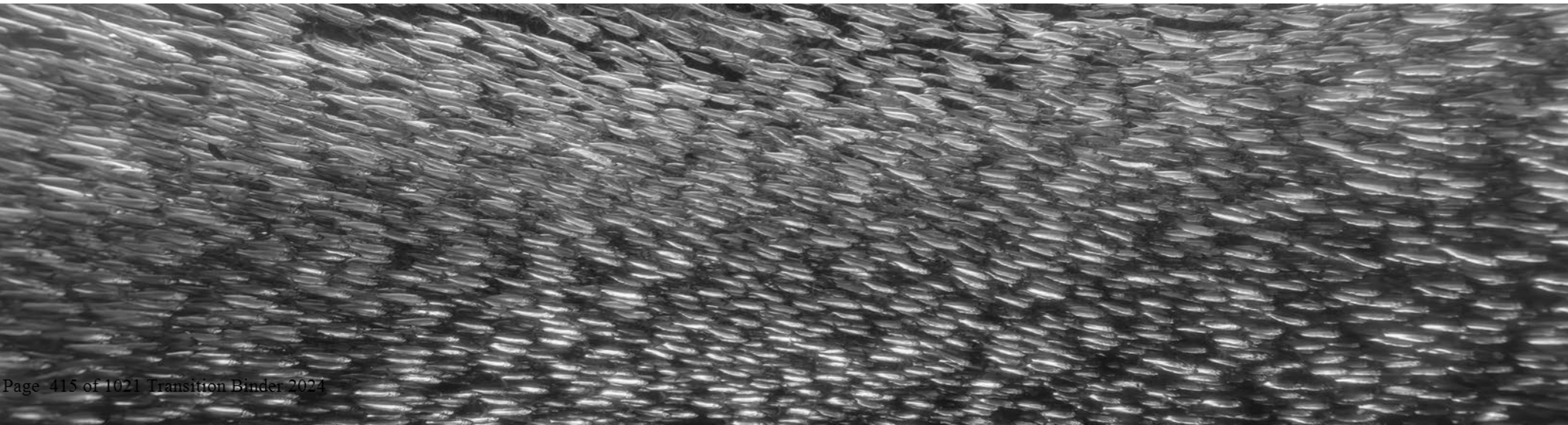
Salmon can spend anywhere between one to seven years of their lives feeding and growing in the ocean. Their ocean phase is one of the least understood parts of their lives, but we do know that some salmon species, like chinook and pink, are sparsely distributed throughout the ocean and migrate vast distances as they feed and mature. Others, like coho and chum, prefer to stay in coastal waters.

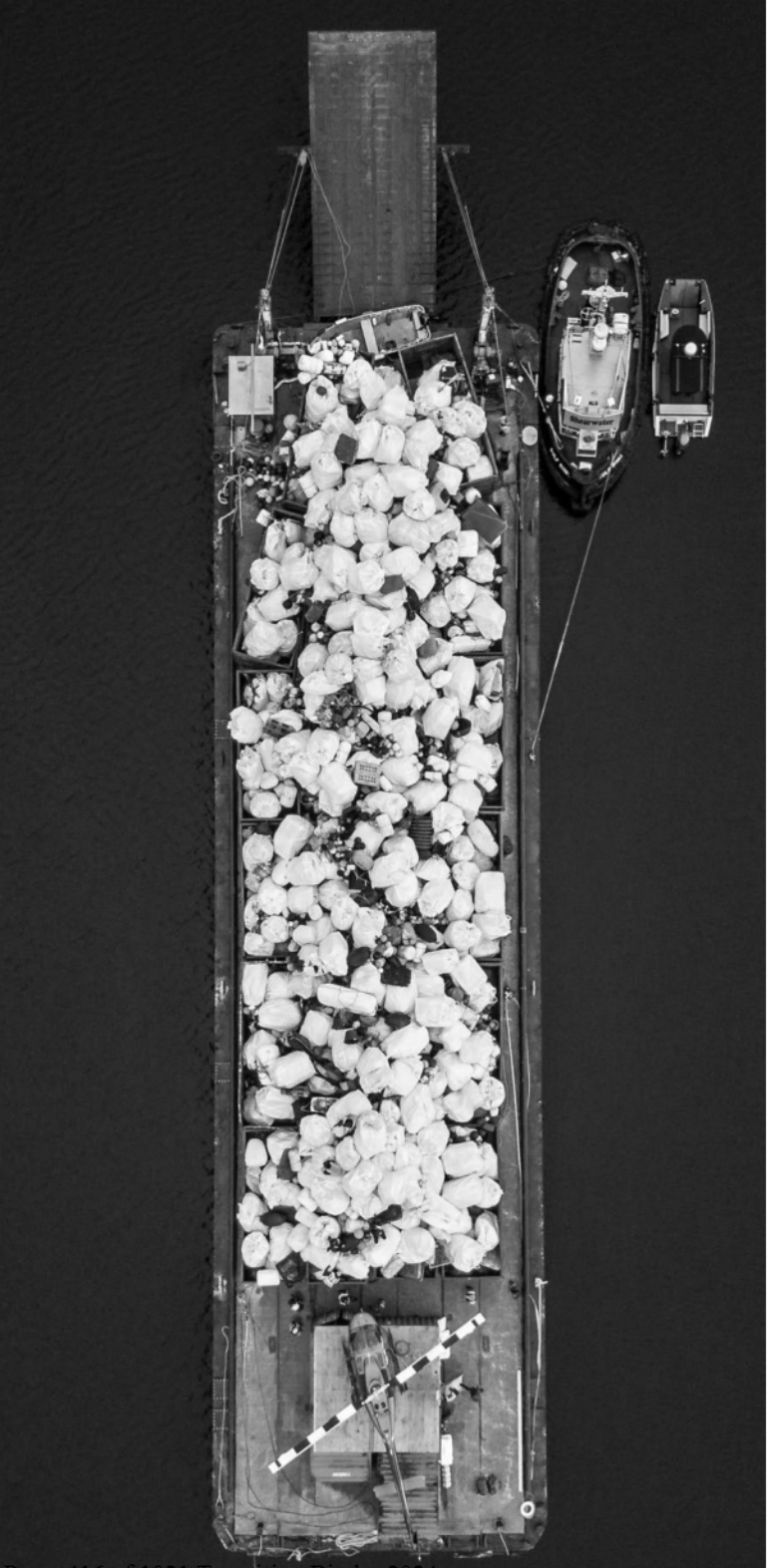
Adult salmon accumulate almost all their weight in the ocean, where they prey on plankton, copepods, herring, smelt, sand lance, shrimp, krill, squid and other species. Estuaries and coastal wetlands are crucial to the survival of young smolts. While allowing their bodies to adjust to new saltier conditions, salmon take shelter in shallower estuarine waters and feed heavily to boost their chances of survival in the ocean.

Extensive conservation and fisheries management measures have helped slow the decline of salmon populations, although some are responding better than others. Sustained, transformative action building on previous and ongoing initiatives is needed to protect wild salmon populations. A collaborative approach that weaves together the work of First Nations, the federal government, citizens, industry, stewardship groups and stakeholders is our best chance for addressing the complex and cumulative threats facing wild salmon populations.

Activities:

- Develop and implement management plans for salmon habitat in estuaries that include designated conservation areas, robust monitoring, and recovery and restoration.
- Connect habitat protection and restoration in the coastal marine environment with salmon habitat protection and restoration in upland aquatic and terrestrial habitats, following holistic principles that value all forms of knowledge and ways of knowing.
- Sponsor research and monitoring that elevates our understanding of marine survival rates for salmon, focusing on the:
    - Distribution of maturing and adult salmon.
    - Availability of suitable prey (such as zooplankton, shrimp, krill, sand lance, herring and squid).
    - Threats to survival (such as invasive species, pinniped predation, loss of critical habitat and pollution).
    - Impacts of climate change to salmon and salmon prey.
- Recognize wild Pacific salmon as a priority marine feature when licensing marine activity. Develop a consistent framework for prioritizing consideration of the potential ecological and sociocultural impacts of an activity or use on wild salmon when making decisions on provincial Crown land in the coastal marine environment.
- Assess the feasibility of establishing First Nations-led "salmon sanctuaries at sea" under provincial legislation and connect these at-sea sanctuaries with First Nations-led salmon parks in watersheds.
- Report on provincially led conservation actions and outcomes every five years.
- Continue working through international treaty processes with other governments to advocate for better harvest data from Alaska and reduced bycatch of B.C.-origin fish in Alaska's wild salmon fishery.
- Maintain support for Canada's Pacific Salmon Strategy Initiative, which is leading transformative change in how wild salmon are managed.





Goal 3: Clean coast

Action 5: Prevent marine pollution

Marine debris is a long-standing and growing problem, and while it appears in many forms, most marine debris is plastic. Plastic can be produced in a wide variety of forms and used in different ways, from water bottles and disposable medical supplies to food packaging, clothing and fishing gear. Globally, it's thought that more than 20 million tonnes of plastic waste end up in the ocean every year. About 80 percent of this plastic is estimated to come from land-based sources, with the remaining 20 percent coming from boats and other marine sources. Marine debris also includes polystyrene foam (such as Styrofoam), cigarette stubs and filters, rope, nets, glass, metal and rubber.

There are other forms of pollution that impact human and ecosystem health. These include fertilizer from our yards, runoff from farmland and city streets, waste from industry, poorly treated or untreated wastewater, and failing septic systems. Human-caused noise pollution is a problem for marine mammals, seabirds and fish, disrupting their ability to navigate, mate, feed and escape predators. Vessel discharge and oil spills are a significant concern and given that B.C. is part of a major shipping corridor between Asia and North America, response preparedness is crucial to protecting the province's complex coastline.

Marine pollution degrades the beauty of our shorelines, contaminates our seafood, creates navigation hazards, injures or kills wildlife, and damages marine habitat. It can impact the exercise of Aboriginal and treaty rights, and can threaten the health and safety, well-being, economic livelihood, and food security of coastal First Nations and other coastal communities reliant on a healthy ocean. Pollution is everyone's problem, and we all have a role to play in preventing it.

Activities:

- Address gaps in provincial policy and legislation around point and non-point sources of pollution.
- Develop changes to marine tenure licence application requirements and adopt best management practices to prevent pollution, in collaboration with the federal government where required.
- Make targeted investments in research and technology to speed up the adoption of greener practices that reduce plastic pollution, improve wastewater and stormwater treatment and decrease reliance on polystyrene.
- Prohibit the use of polystyrene in future marine infrastructure construction and collaborate with the federal government to promote replacing existing polystyrene marine floats with environmentally friendly alternatives.
- Boost support for projects that prevent marine debris through outreach and education experiences that deepen understanding of the issue and encourage and support changes in behaviour.
- Continue to examine the life cycle of boats to identify waste prevention, reduction and end-of-life opportunities.
- Engage with First Nations and the federal government to develop a framework for marine incident preparedness, response and recovery for the south coast of B.C., modelled after the framework developed in the north.
- Develop and implement post-spill environmental monitoring and clean-up standards for coastal shorelines and areas under provincial jurisdiction. Provide more support to First Nations for shoreline cleanup and assessment technique training.

Action 6: Clean up marine pollution

Pollution is persistent. Plastics do not easily degrade in the ocean, and they can accumulate in the environment for centuries. Similarly, persistent synthetic chemical pollutants (known as “forever chemicals”) have very long half-lives and can stick around for decades after they enter aquatic environments. Both microplastics and chemical pollutants are now commonly found in orcas and other marine mammals in B.C.

Another type of marine debris commonly found in our coastal waters is abandoned or derelict vessels, which are aground, broken apart, sunken or in dilapidated condition. They can damage infrastructure; disrupt First Nations cultural uses, interfere with navigation and recreation, pose safety concerns, become eyesores to look at, smother valuable habitat and impact water quality. More than 1,400 abandoned or derelict vessels are awaiting cleanup in the coastal marine waters of B.C.

Since pollution is persistent, we must continue our efforts to clean it up. B.C. is building a circular economy focused on sharing, reusing, repairing and recycling materials to eliminate waste, pollution and emissions. Everyone needs to be a part of the solution, and small actions can make a big difference. Every bottle, tire, barrel, piece of foam and derelict vessel removed and sorted can help “close the loop” and minimize waste.

Activities:

- Develop a long-term vision for the Clean Coast, Clean Waters initiative that supports the prevention, cleanup, monitoring, removal, recycling and disposal of polluting marine debris and derelict vessels while providing employment opportunities in coastal communities.
- Support additional coastal cleanups of plastics and debris, including actions to address abandoned and derelict trespass structures and derelict vessels in the intertidal zone.
- Inventory degraded sites along the coast and prioritize remediation of sites to address local concerns around contaminants from residential and industrial uses (such as leaky septic fields, abandoned mines and historic log handling sites).

Clean Coast, Clean Waters

In 2020, B.C. coastal First Nations, local governments, non-profits, organizations and businesses tackled marine debris cleanup projects under B.C.'s Clean Coast, Clean Waters initiative. In just three years, 1,500 tonnes of plastics pollution were removed from over 4,600 kilometres of coastline, while creating job opportunities in rural communities. Long before this initiative was launched, volunteers have sponsored coastal cleanups across the province, collecting valuable data as they bring communities together to make a positive difference.

THEME 2: RESILIENCE TO CLIMATE CHANGE

Climate change is altering the temperature, chemistry and circulation of ocean water. It is shifting how and where ice is formed and distributed and leading to rising sea levels. These systemic changes have critical impacts on biodiversity and the lives and livelihoods of people, and the impacts are expected to become more severe over the coming decades. To withstand the challenges of climate change – and to thrive – we need climate resilience. Resilience is about preparing, recovering from and adapting to the impacts of climate change.

Goal 4: Climate-ready communities

Action 7: Improve understanding

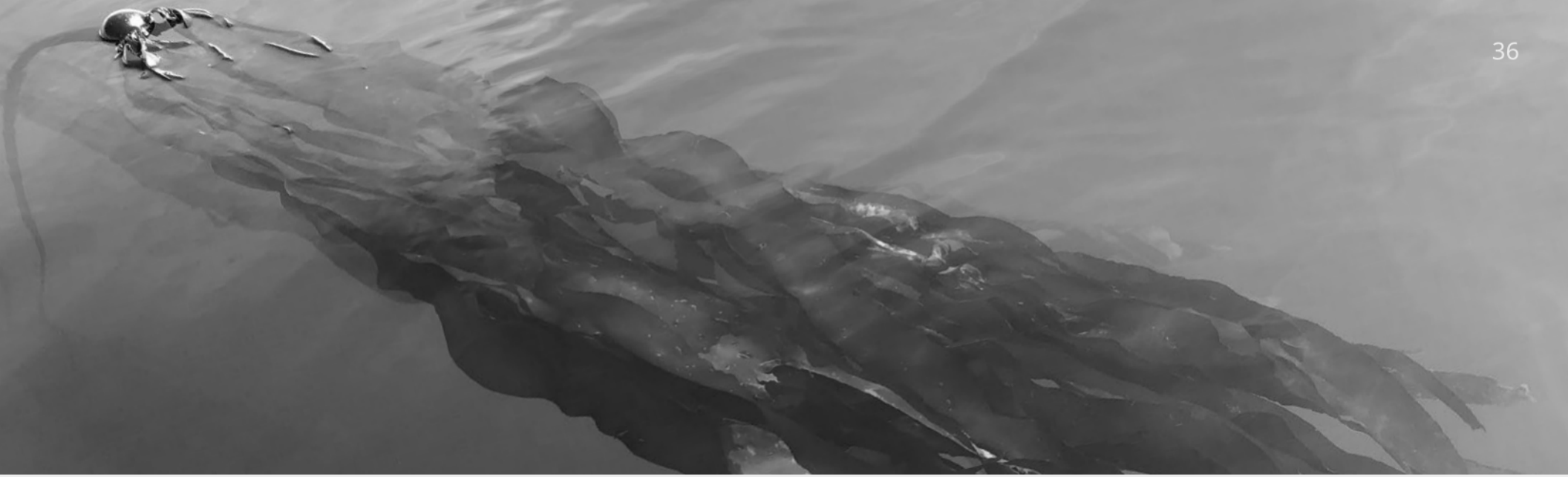
The climate is changing. Wind and precipitation patterns are more variable, and fires, droughts, floods and other extreme weather events are occurring more frequently. Sea levels are changing around the globe as ice caps melt, causing fluctuations along the coast of B.C. Sea surface temperatures are rising and ocean waters are becoming more acidic and carrying less oxygen. Warmer temperatures are altering the geographic distribution of some species and opening new pathways for marine invasive species. These changes ripple through the entire ocean ecosystem, impacting marine life and people.

Communities and businesses across B.C. will experience the effects of climate change in the ocean differently. First Nations and coastal communities are disproportionally affected since their cultures, livelihoods and food security are intertwined with the ocean. Damage to, disappearance of, or loss of access to sacred and cultural sites, harvesting areas and coastal routes due to extreme weather events and flooding are matters of deep concern, as are changes in the quantity, quality and timing of harvested species. Traditionally harvested seafood is fundamental to the diet, nutritional health and overall well-being of First Nations. Seafood connects many First Nations to their landscape, ancestors and very existence as peoples.

Communities are the first line of response to severe weather events and disasters and play a critical role in applying policies and strategies to help prevent and manage climate risks. While some impacts of climate change will affect all communities, other changes pose different levels of risk based on where we live. At the same time, the needs and capacities of rural, remote communities are different from those of urban centres.

Activities:

- Expand our collective understanding of climate risks to coastal communities, ecosystems and economies through monitoring, research, data acquisition, modelling and vulnerability studies. Work with government partners to enhance and support the climate resilience of coastal communities.
- Identify and help to address the disparities among coastal communities in their capacity to respond to changing ocean conditions in partnership with First Nations, federal and local governments.
- Continue to investigate the role of aquatic vegetation in mitigating ocean acidification, buffering against storm surge, storing carbon and contributing to carbon sequestration.
- Help provide the information needed to develop or update regional climate action plans.
- Assess climate risks to seafood and the marine species that serve as bioindicators of abundance and health (such as phytoplankton and top predators).
- Commission a report that examines the ability of provincial marine protected areas to enhance ecosystem resilience to climate change impacts.
- Work with partners to improve rapid response capabilities to unanticipated biodiversity/fisheries emergencies, such as sea star wasting disease, harmful algal blooms, sudden rapid population growth of invasive species and kelp forest collapse.
- Map the current and projected future habitat space for seagrass meadows, salt marshes and kelp forests along the coast, and address data needs in current distribution mapping and future habitat suitability models. Set appropriate targets for restoration.
- Identify coastal tourism areas at risk from sea level rise, land subsidence, sediment deficit and coastal flooding.
- Continue to implement the actions in the BC Ocean Acidification and Hypoxia Action Plan.



Vital signs of the ocean: Temperature, pH and oxygen

Rising temperatures and falling pH and oxygen levels are having a significant impact on the ocean and the life it supports.

The average sea surface temperature has increased by 0.7°C since 1880, putting stress on species that depend on colder water, such as kelp and salmon. In 2023, surface temperatures in a warm water mass off the coast of B.C. were up to five degrees higher than usual. This extreme heat can cause extreme weather, contribute to faster-melting ice caps and threaten all marine life – from tiny plankton to whales.

Ocean acidification is a global problem with local impacts. Ocean acidity, measured on a pH scale, has increased by an estimated 25 percent since the Industrial Revolution. For marine species that build shells and skeletons, this increased acidity has "osteoporosis-like" effects. Under severe conditions, skeletons and shells can dissolve faster than they can form. Marine ecosystems will likely become less vibrant and diverse.

Hypoxia refers to low or depleted dissolved oxygen conditions that can cause die-offs of fish, shellfish and aquatic plants. It is often associated with the overgrowth of certain species of algae arising from nutrient pollution. While the amount of oxygen in water fluctuates naturally, changes in global and regional climates have the potential to make coastal and marine ecosystems even more vulnerable to hypoxic conditions.

In 2023, the Province completed the British Columbia Ocean Acidification and Hypoxia Plan. In 2024, the Province provided funding to begin implementing high-priority actions identified in the plan, such as research to improve the scientific understanding of acidification and hypoxia, advancing marine carbon removal technologies, and developing and testing acidification and hypoxia mitigation and adaptation strategies.

Action 8: Support First Nations climate action

First Nations are global leaders in climate action. Supporting First Nations climate leadership is central to advancing reconciliation and self-determination. Many First Nations governments and organizations have climate action strategies that align with provincial initiatives and policy directives. The Province will continue to collaborate with First Nations to develop innovative, long-term climate action solutions that improve our collective ability to adapt to changing coastal conditions.

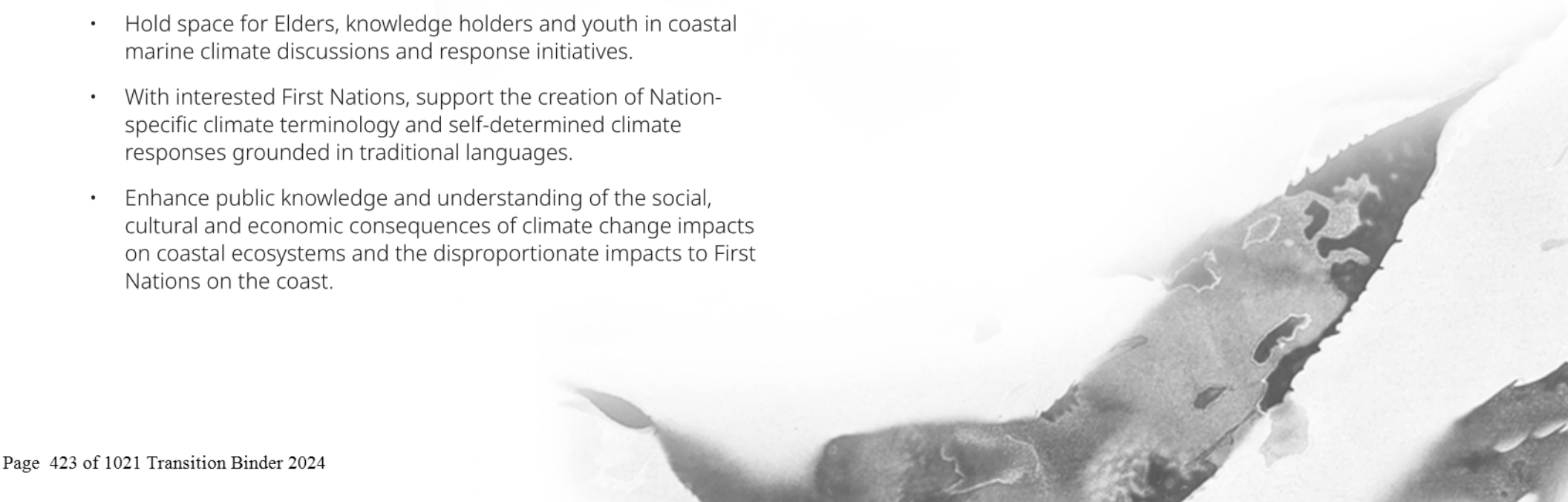
Activities:

- Support First Nations-led approaches to mitigating and adapting to the impacts of climate change on their interests, including traditional coastal foods and food systems.
- Support First Nations-led adaptation and/or mitigation strategies for coastal sacred, cultural and archeological sites that are vulnerable to climate change impacts such as storm surges and sea level rise.
- Hold space for Elders, knowledge holders and youth in coastal marine climate discussions and response initiatives.
- With interested First Nations, support the creation of Nation-specific climate terminology and self-determined climate responses grounded in traditional languages.
- Enhance public knowledge and understanding of the social, cultural and economic consequences of climate change impacts on coastal ecosystems and the disproportionate impacts to First Nations on the coast.

Action 9: Incorporate nature-based solutions

Nature-based solutions are cost-effective actions designed to conserve, sustainably manage and restore blue carbon ecosystems to address climate change. These solutions can include protecting living shorelines (such as native beach grass and sedges), applying green stormwater management techniques and protecting and restoring wetlands and estuaries. Nature-based solutions prevent pollution, reduce impacts from storm surge and wind-blown flooding, help avoid habitat loss through "coastal squeeze" and attract and sustain wildlife. They add recreational benefits, increase property values and can create economic and livelihood opportunities as global demand for carbon credits grows.

Increasingly, First Nations and local governments are exploring how nature-based solutions can help fight climate change. We will work with them and others to advance these efforts.



Activities:

- Investigate and consider incentives to homeowners and developers to maintain or restore natural shorelines (such as through grants and rebates, tax relief and permitting efficiencies).
- Improve access to Green Shores training, education and technical support to help homeowners, developers and local governments implement nature-based solutions to a high standard. Explore the establishment of a First Nations Green Shores working group to bring an Indigenous lens to the program.
- Support research to better understand the benefits of nature-based solutions for addressing climate impacts along shorelines.
- Expand the implementation of B.C.'s expedited permit process for nature-based shoreline projects.
- Replace hard armoured approaches with soft shoreline stabilization techniques in coastal marine parks and protected areas managed by the provincial government, where appropriate.

THEME 3: THRIVING COASTAL ECONOMIES AND COMMUNITIES

A thriving coastal economy is a diverse web of sustainable activity. Fishing, marine tourism and recreation, aquaculture, water transportation, coastal forestry operations, research and monitoring, and boatbuilding and repair provide stable employment opportunities. Young people have the education and resources they need to build a future in the communities they grew up in. Infrastructure is in place to support traditional livelihoods and entrepreneurial thinking.

Thriving coastal communities are resilient and self-reliant. They can meet the basic needs of all members. They encourage social and economic development, inspire learning, maintain cultural identities and provide access and connection to nature. They are places where families have enough nutritious food to eat, and where everyone is included.

Goal 5: A sustainable coastal economy

Action 10: Nurture coastal wealth and health

There's growing interest worldwide in the transformative power of the blue economy. By focusing on long-term sustainability, the blue economy prioritizes ocean-based activities that benefit the ocean and communities. Blue economies can increase food and energy production, improve the quality of jobs in the ocean sector, and benefit millions of people – while minimizing pressure on ecosystems.

Blue economies are not created by themselves. Long-term strategies are needed to pursue a balanced economic mix that is mindful of local social objectives and preferences, and includes greater First Nations participation and sharing in the wealth generated.

Activities:

- Identify specific opportunities for blue growth in partnership with other governments and stakeholders.
- Continue to invest in emerging conservation and restoration economies that provide significant benefits for communities and ecosystems, including job creation, economic prosperity, social empowerment, cultural vitality and biodiversity conservation.
- Guide and support coastal tourism development that puts an equal focus on wealth generation and the well-being of people and places. For example:
    - Develop a shared vision for a thriving marine tourism sector that gives back to nature and communities and is respectful of First Nations values and interests.
    - Assess opportunities and challenges for sustainable growth.
    - Support marine tourism operators' transition to energy-efficient, carbon-neutral modes of transportation.

- Develop new guidelines for coast-reliant sectors, such as commercial sport fishing, forestry, aquaculture and wildlife viewing, to align operations with the principles of a blue economy.[8]
- Use a consistent and standardized approach to assess the current condition of a selection of key provincial- and regional-scale coastal marine values, in collaboration with other governments. Apply the results of these evaluations to:
    - Help assess existing or potential cumulative effects.
    - Inform project assessments and decision-making on authorizations.
    - Support the development of new local and regional marine plans and implement existing ones.

Action 11: Build talent

A healthy ocean has the potential to support sustainable growth and new jobs. Advances in aquaculture, ocean technology, shipping and renewable energy are expected to contribute to the growth of the national blue economy – and we'll need individuals with relevant education and up-to-date skills to stay at the forefront of these advances. The blue economy needs people with education and training in areas that include marine biology, environmental monitoring, mechanics, marine vessel operation, systems engineering and data analysis.

To ensure that B.C. remains competitive and achieves the full potential of ocean-related industries, it is vital to prepare the workforce. This will require an improved understanding of the barriers that historically marginalized groups face in acquiring specific sector-relevant education, knowledge and skills training.

Activities:

- Identify and reduce the skills gaps between education on offer and labour market needs now and into the future.
- Help create a positive perception of the ocean sector and the opportunities it presents to youth and those interested in upgrading their skills.
- Explore increasing coastal and marine-based education opportunities, certification programs and skills training in partnership with First Nations, learning institutions and the private sector.

Action 12: Diversify the workforce

The ocean economy contributes over $21 billion to provincial gross domestic product (GDP) and employs over 196,000 people full time.[9] But not everyone has had the same opportunity to benefit. Some face barriers to equal access, opportunities, and resources in the ocean economy based on age, Indigeneity, ethnicity, disability, economic status, gender identity and gender expression, nationality, race and/or sexual orientation. Some of these inequities are systemic, while others are created by conditions in the workplace (such as facilities, hiring strategies and cultural understanding).

Equitable access to employment – irrespective of age, gender, ability, race, ethnicity, origin, religion or economic or other status – is central to achieving a sustainable economy. Individuals of all

8 Principles of a blue economy are not strictly defined but can include prioritizing ocean health; recognizing and including First Nations knowledge, interests and values; acknowledging and addressing links between the ocean and climate; promoting equitable opportunities and gender equality; and supporting science, technology and innovation.

9 GDP and employment figures represent direct, indirect and induced contributions within the 2018 reference year, quoted in 2020 prices. Source: Big River Analytics. (2021).

backgrounds and experiences bring different perspectives that lead to innovative solutions and new discoveries. Without all voices, management decisions, for example, cannot consider all knowledge of, and effects on, marine ecosystems and people.

Activities:

- Identify the types of inequities prevalent in the ocean sector's labour force and determine the actions needed to make spaces for everyone. Apply intersectional lenses to understand compounding factors.
- Address inequities with directed policies and practices that explicitly improve social and economic equity in relation to people's use of the ocean.
- Partner with coastal First Nations to develop a blue economy, workforce and business climate that supports greater leadership, inclusion and participation of First Nations.

Action 13: Support commercial harvests

The wild fish, shellfish and aquatic plants harvested in the waters of B.C. are an important source of food, jobs and community benefits. Over 190 seafood species are harvested here, and getting seafood products from boats and farms to plates involves the hard work of 10,000 directly employed people.[10]

Recently, the long-term viability of commercial harvesting of some species in British Columbia has come into question. Challenges include declines in the health and abundance of some fish stocks, barriers to accessing fish, harvester conflicts, increasing regulations and aging or insufficient infrastructure. Although fisheries are managed by the federal government, the provincial government can do a lot to support fishers.

10 Employment figures represent direct full-time-equivalent jobs across the seafood sector for 2018. Source: Big River Analytics. (2021).

Activities:

- Increase participation with the federal government in managing fisheries and advocate for:
    - Introduction of Atlantic-type fisheries policies (such as owner-operator and fleet separation) to restore and strengthen the economic viability of B.C.'s harvesting sector, attract and retain new entrants from diverse backgrounds, support robust food systems and improve the distribution of benefits to local and First Nations economies and communities.
    - Better access to capital to address issues related to the high cost of entry into a fishery.
    - Addressing socioeconomic and fish stock data needs to inform better decision-making.
    - Greater transparency of science, data and decision-making.
    - Enhanced First Nations presence and participation in international fisheries treaty negotiations and transboundary issues.
- Develop a plan to evaluate and meet critical coastal infrastructure needs (like ice plants, live storage tanks, offloading stations, seafood processing plants, seaweed plant processing and wharves).
- Reinstate key data collation and reporting on harvest, landed value, wholesale value, and international export values and markets from the former provincial "Seafood Year in Review" report.
- Co-develop with First Nations a vision for effectively and sustainably managing the commercial aquatic plant harvest industry.

Pacific versus Atlantic fisheries

The Department of Fisheries and Oceans Canada has differing approaches to commercial fisheries policy in the Atlantic and Pacific regions of Canada. In Atlantic Canada, policies and laws ensure that a majority of licences are held by independent owner-operated fleets who meet regional residency requirements. This model tends to lead to economic and social benefits being retained more directly by local harvesters and coastal communities.

In contrast, fisheries in the Pacific region don't have ownership restrictions and, consequently, there is a higher degree of corporate and foreign ownership of fishing licences and seafood processing plants. The higher costs of licences and quotas on the West Coast (relative to the East Coast) may be excluding ownership by local harvesters and First Nations.

Goal 6: Vibrant coastal communities

Action 14: Help restore First Nations traditional (sea)food systems

Many First Nations have been vocal about the challenges they experience with food sovereignty and security and the impacts to well-being when communities are disconnected from their traditional food systems. Government regulations, land use decisions, climate change, pollution and other challenges can alter First Nations access to areas important for harvesting, teaching and healing as well as their ability to practise traditional resource management and harvesting methods (such as sea gardens, harvest wheels, fish traps and weirs and estuarine root gardens).[11] These same challenges also impact the quantity and quality of traditional foods, which include a diversity of nutritious plant and animal species that are harvested, cultivated, taken care of, prepared, preserved, shared or traded based on values of respect, reciprocity and ecological sensibility. Wild Pacific salmon, kelp, herring roe, eulachon and clams are just some examples of the foods that are important to coastal First Nations health and well-being.

Upholding or strengthening generational participation in cultural harvesting practices at the individual, family and community levels is key to First Nations food sovereignty and security. The provincial government is committed to reconnecting First Nations knowledge and value systems with food systems, deepening collective awareness of self-sustaining Indigenous food systems, and improving access to traditional foods harvested from the ocean.

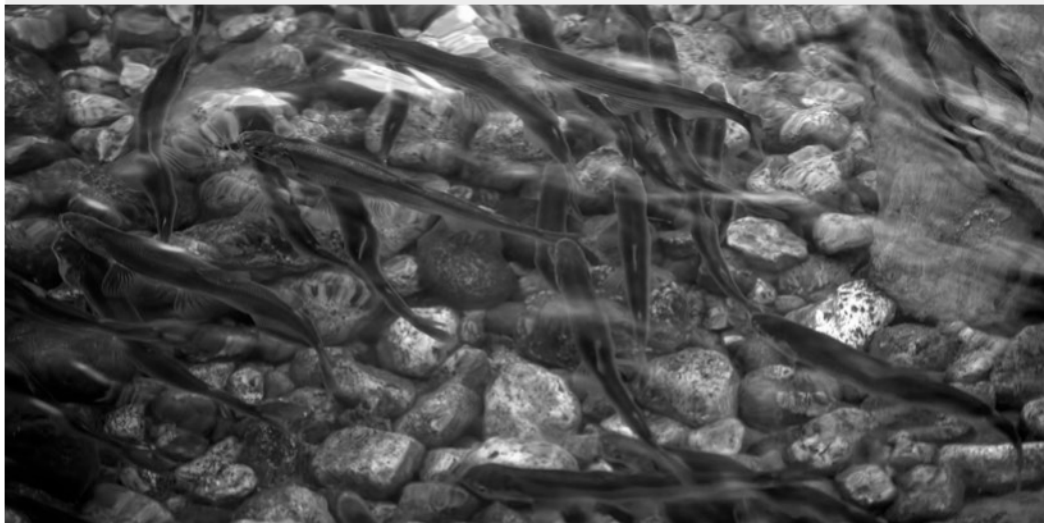
11 The right to fish for food, social and ceremonial purposes is protected under section 35 of the *Constitution Act, 1982*. Modern Treaty Nations have rights to fish that are protected under their treaties, and fishing is integral to Modern Treaty Nations and their economies. Fishing rights are also integral to historic treaties and these rights are constitutionally protected.

Activities:

- Support the development and implementation of community-level, climate-informed food sovereignty visions/plans focused on reclaiming ancestral seafoods and building food resiliency.
- Ensure consideration of First Nations access to traditional seafoods in planning processes and land use decisions (such as tenures, permits and licences).
- Make it easier for First Nations to access the technical capital needed to harvest traditional foods (such as boats, mooring infrastructure, processing facilities, transportation, technology and communication).
- Take steps to reduce marine-based sources of pollution that directly impact the safety of traditional shellfish harvesting areas and marine terrestrial foods.
- Co-create a "Healthy Shellfish Initiative" with First Nations partners, modelled off successful programs and pollution correction legislation in Washington State. Set specific goals for remediation, in partnership with others. Identify pilot projects that can inform a coast-wide program flexible enough to meet distinct needs.
- Advocate for changes to the federal Canadian Shellfish Sanitation Program, including more funding to support increased water quality testing and pollution remediation.

Harvesting in sync with the seasons

First Nations rely on their generations-old knowledge of seasons and plant and animal life cycles to anticipate the harvest times for foods, materials and medicines. Often, this intimate knowledge of place is brought together visually in the form of a "harvest wheel" – like the one developed by the Nisga'a Lisims government and shown on the next page (Figure 4). The traditional names of the months reflect seasonal relationships with the land. In the Nisga'a language, the month of March is known as X̲SAAK – literally, "to eat oolichans." X̲SAAK is the time of year when saak (oolichans) return to fresh waters to spawn, marking the beginning of Hobiyee (Nisga'a new year), the end of winter foods and the start of feasting. The sophisticated monitoring, harvesting and storing systems developed for oolichan and hundreds of other traditional foods requires close observations of land and sea – the appearance of flowers, the calls of migrating birds, the behaviour of insects or the flow of water. With disruptions in the timing and abundance of seasonal foods, traditional practices are disrupted too, challenging the ability of First Nations to maintain and honour their ancestral ways and teachings.



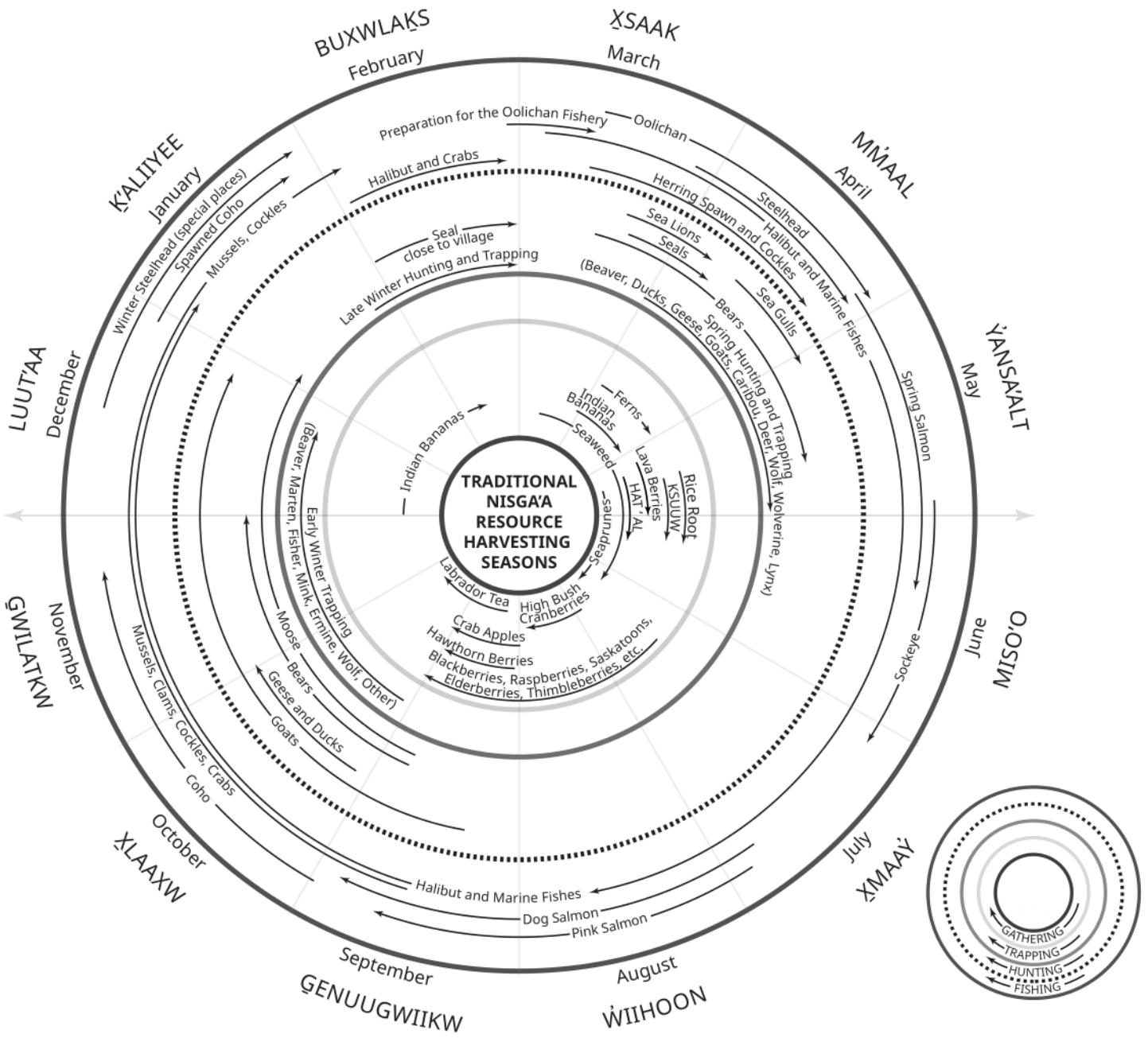


Figure 4. A harvest wheel depicting Nisga'a harvesting seasons. Shared with permission from the Nisga'a Lisims Government.

Action 15: Expand sustainable seafood production

No one should have to go to bed worrying about how they will get their next meal or feed their families. Yet food insecurity is a serious public health issue. Seafood can play an essential role in food production and fighting hunger and malnutrition.

Just over half of the fish harvested commercially in B.C. is caught in the wild, including halibut, prawn, crab, wild geoduck and tuna. The other half is grown in aquaculture facilities up and down the coast. Scallops, oysters, mussels, kelp and salmon are some examples of the species farmed in B.C. Like commercial fishing, aquaculture can boost economic growth in coastal and rural areas, providing year-round jobs, supporting resilient working waterfronts, and generating employment in areas such as seafood processing and equipment manufacturing.

The largest gains in seafood production will likely come from aquaculture. Bivalve shellfish and marine plants, including algae, offer a particularly high development potential, and since they don't need added food, they put less pressure on other resources. Key species of promise include native cockles, scallops and kelp.

To be able to confidently expand their operations, seafood harvesters and producers need strong and clear support from governments.

Activities:

- Develop and implement a growth and diversification plan for aquaculture, with equitable support for Indigenous aquaculture practices.
- Promote the essential role of seafood in sustainable food production and the economic prosperity of coastal communities.
- Inform the collaborative development of responsible plans to transition from open-net pen salmon farming in coastal waters.
- Support community-led workshops and research to improve the understanding of food insecurity and identify the barriers to consuming local edible marine resources. Apply results to improve food and nutrition security for coastal communities.
- Develop and implement strategies to boost valued-added seafood processing in British Columbia. Expand domestic seafood processing and promote local consumption of nutritious seafood, emphasizing fish stocks that are abundant, in season and caught and processed locally.

Restoring abundance

For thousands of years, First Nations along the coast constructed and nurtured clam gardens to feed people. Once established, clam gardens increase food production between 150 and 300 percent and can be sustained with small inputs of time and care.

Maa-nulth First Nations are among the Nuu-chah-nulth Nations actively striving to achieve food sovereignty in their communities by reconnecting with and reviving the ancestral practice. For example, in 2023 the Huu-ay-aht First Nation constructed a clam garden through the youth Warriors program, which will also, alongside Coastal Voices, support a new clam garden for Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations.

Clam restoration efforts are also underway in the Saanich Peninsula, where the Pauquachin First Nation has been working tirelessly to reopen harvesting beaches in Coles Bay. Here, shellfish beds have been closed for over 25 years in response to poor water quality caused by sanitation and other pollution. Their restoration planning work has highlighted how Indigenous knowledge can be integrated with best scientific practices to generate novel solutions. Learning from successful initiatives in Washington State, the Pauquachin First Nation has identified key aspects for success, including multi-stakeholder engagement, good site selection and effective pollution monitoring.

Action 16: Support recreation and adventure

The beauty of the coastline in British Columbia isn't a secret. As the population grows, more people are choosing to visit and explore the province's beaches, bays, inlets, islands and fjords. Access to the coast allows us to peek inside tidal pools, take a swim in cool water, play in the waves, photograph wildlife, set sail and catch fish for dinner.

In some parts of the province, it can be hard to access the ocean. Safe access may be limited by docks, floating structures, private land ownership, shoreline armouring and development, or vessel traffic. Some places are easy to get to, and visitor use may need to be managed to reduce negative impacts on animals, habitats, First Nations cultural sites and features, and historical and archaeological sites. In 2022, BC Parks completed a Marine Recreation Action Plan to ensure that high-quality and sustainable recreational opportunities are available in the 274 coastal protected areas within the traditional territories of First Nations. The plan includes five goals, such as improving understanding of the natural and cultural values of marine areas, strengthening relationships with First Nations coastal communities, providing high-quality marine recreation, and promoting ocean stewardship and responsible marine recreation.

There are countless opportunities for aquatic adventure in British Columbia; enjoyable, safe, sustainable and respectful marine recreation is everyone's responsibility.

Activities:

- Partner with First Nations to help secure safe public access to, and enjoyment of, beaches and coastal waters in ways that respect coastal ecosystems and First Nations rights and sensitive cultural sites, and that are inclusive of marginalized people.
- Provide supports to First Nations interested in developing public education tools guiding appropriate access and respectful enjoyment of culturally sensitive places.
- Continue to market the coastal marine environment as an international and domestic destination for recreational fishing, wildlife viewing and cultural tourism in ways that are aligned with coastal community and First Nations values.
- Identify ways to support improved business planning for commercial lodges offering opportunities for the sustainable enjoyment of nature.

THEME 4: INFORMED GOVERNANCE

Governance refers to how decisions are made, who gets to make decisions and how accountability is ensured. When it comes to managing the use of coastal marine ecosystems, a collaborative form of governance is essential for creating sustainable benefits for both people and the environment. Successful models of governance create space for diverse perspectives, encourage the free flow of knowledge across organizations, and recognize and advance First Nations rights to self-determination. Governance also encompasses the policies and legislation that guide action, as well as the tools to ensure compliance.

Goal 7: Trusting, respectful relationships

Action 17: Advance First Nations self-determination

First Nations have cared for their homelands and traditional territories since time immemorial, monitoring, protecting and restoring wildlife and habitats under systems of governance that embody an intrinsic sense of responsibility. And while this crucial work continues, colonial policies and practices have eroded First Nations authorities and their capacity to practise those authorities.

Recognizing First Nations right to self-determination is fundamental to protect First Nations traditions and their distinct social, cultural, economic and political characteristics. To move forward with reconciliation, First Nations governments must be able to implement the priorities they have set for their communities, lands, waters and resources. The Province must continue to build government-to-government relationships with First Nations based on respect, co-operation and partnership.

Activities:

- Work with First Nations to reshape the frameworks and processes through which timelines are set, decisions are made, policies are formulated and actions are co-ordinated to help ensure their rights are respected in the governance of the coastal marine environment.
- Identify and implement strategies to build understanding and acceptance of First Nations rights and management authorities as they relate to the stewardship of marine values in First Nations territories. Emphasize the importance of multiple ways of knowing and world views.
- Continue to support First Nations-led education programs that transfer language, knowledge and practices to younger generations to help prepare them for their roles as future community leaders.
- Support First Nations-led solutions to protect and restore their cultural and spiritual heritage sites and features, particularly in publicly accessible areas sensitive to human disturbance and coastal erosion.
- Co-develop with First Nations distinctions-based recommendations for facilitating First Nations access to diverse streams of revenue from coastal marine activities and resources, consistent with the Province's new fiscal framework.

Action 18: Advance collaborative stewardship

Many individuals, communities, environmental groups, institutions and governments are taking action to steward the coastal marine environment. They are conducting ecological and social research, monitoring environmental change, restoring degraded habitat, protecting species at risk and educating the public. When multiple and diverse groups act together, they draw on each other's perspectives and expertise, building a shared understanding of the issues and opportunities and developing a clear view of desired outcomes. Collaboration is powerful: duplication of effort is avoided, costs and tasks are shared (allowing the resource-constrained to participate), relationships are formed and strengthened, and positive outcomes for ecosystems and communities are more impactful and enduring.

First Nations, local governments, coastal communities and stakeholders need more opportunities to contribute meaningfully to coastal marine management. Their participation can unlock additional knowledge that improves the quality and credibility of decisions, enhances compliance with rules and reduces conflict.

Activities:

- Establish new, integrated participatory structures and processes that:
    - Bring diverse voices and interests together to inform decision-making and planning.
    - Target underserved/underrepresented groups.
    - Offer opportunities to mentor young leaders and encourage cross-cultural knowledge exchange.
    - Improve collaboration and co-ordination across governments.
- Sponsor regular gatherings to celebrate the ocean and our collective efforts to steward it.
- Enhance ocean knowledge, help nurture an emotional connection to the ocean, and support and encourage citizens and stakeholders to act in a positive way for the ocean.
- Help to clarify the roles of governments in stewarding the marine environment.
- Seek opportunities to improve cross-border collaboration and knowledge exchange in managing migratory fish and wildlife (such as continued participation in the Pacific Wild Salmon Treaty), monitoring water quality and planning for climate change impacts. Support transboundary forums that bring people together (such as the Salish Sea Ecosystem Conference).

Goal 8: A robust tool kit

Action 19: Modernize policies and procedures

With the growing challenges of climate change, greater pressures on land and sea, and commitments to meaningful reconciliation with Indigenous peoples, it is time to assess the effectiveness of provincial policies and resourcing for managing the coastal marine environment.

A key challenge to coastal management in B.C. is the absence of a legal framework specifically designed to govern and manage coastal marine areas. Such a framework, developed in partnership with First Nations, could, for example, advance the authority of First Nations to steward their territories and protect their access to cultural heritage resources in the intertidal area. It could establish guidelines for planning and shoreline management, such as requiring new infrastructure to be built with coastal flood projections in mind; enable effective, proactive responses to climate-related changes and marine pollution; and address legacy and emerging concerns related to the siting and management of marine-based industrial uses. It could also ensure that integrated coastal marine plans have regulatory and policy weight.

Law-making is one of the most significant responsibilities of government, and since laws affect lives and livelihoods, new legislation must be considered carefully. The legislative process begins with an assessment of issues and options (the policy development stage), and if legislation is recommended and approved, legislation is prepared and then enacted. As an interim step towards new legislation, the Province will address long-standing concerns with existing policies and procedures.

Activities:

- Assess the information needed and develop a proposal for coastal marine legislation, in partnership with First Nations. As appropriate, proceed through the legislative stages.
- Update, as required, provincial policies, best management practices and authorization requirements for tenures tied to activities in the coastal marine environment.
- Streamline authorization processes for activities that promote ecosystem health (such as First Nations sea gardens and ecological restoration).
- Help establish regulatory certainty for the marine renewable energy sector, in close collaboration with other governments and industry.

Action 20: Improve compliance

Rules, policies and plans put in place to steward the natural environment are just the start. We need to make sure individuals, organizations and communities comply. Natural resource officers, conservation officers and park rangers enforce provincial laws that protect coastal ecosystems and natural resources in B.C., but with such a long, remote and complex coastline, this can be a challenge. Infringements can happen without awareness or consequence.

First Nations stewardship programs, like Guardians and Watchmen, play an increasingly important role in making sure the coast is managed responsibly. Guardians protect, monitor and study their territories. They keep eyes on resource use, observe changes in the ecosystems they oversee, educate and inform the public, and promote compliance with laws, land use plans and agreements. With additional support, First Nations can do more of this important work.

Activities:

- Develop a coast-wide approach to ensure marine and foreshore activities comply with Crown land policy and local marine plans.
- Take steps to better respond to compliance monitoring information gathered.
- Explore shared compliance and enforcement of marine protected areas.
- Increase provincial capacity to maintain a presence in the coastal marine environment and to take enforcement action.
- Raise awareness of laws and regulations through education and outreach.

Goal 9: Integrated and balanced management

Action 21: Establish knowledge partnerships

Western science and Indigenous knowledge represent different ways of looking at the world around us. Western science tries to understand the natural world through observation, experimentation and hypothesis testing that can be replicated in different locations by different researchers. Knowledge is transferred through academic proceedings, presentations and research papers.

Indigenous knowledge and science seek to understand the world in a holistic way through close observations of and engagement with the natural world. "Ways of knowing" are tied to land and language, and are rooted in worldviews, values, practices and relationships. Knowledge can be transferred from one generation to the next through storytelling, dance, song, shared experiences on the water, witnessing ceremonies and potlatches.

We are just beginning to scratch the surface of the benefits of braiding diverse knowledge systems together. They must be braided carefully – Indigenous knowledge systems are not simply sources of data and information that can be used apart from the contexts in which they are produced. Knowledge systems must be respected in their entirety. It's also important to acknowledge and respect the differences between individual Indigenous knowledge systems.

Better stewardship of coastal marine values can only be achieved when everyone brings knowledge to the table as equals. In ways that are consistent with First Nations distinct protocols, laws, processes and protections, the Province will partner First Nations knowledge systems with western scientific and local community insights to inform decision-making.

Activities:

- Elevate First Nations knowledge systems when developing coastal policy and managing use of the coastal marine environment.
- Together, develop and implement protocols to co-produce knowledge and embed distinct First Nations knowledge systems in decision-making.
- Include more First Nations authors and knowledge keepers in provincial assessments of coastal ecosystem health and climate change vulnerability. Ensure opportunities for full collaboration of First Nations in designing, monitoring, reporting and verifying research.
- Build public understanding of the value and importance of First Nations traditional and informed knowledge and experience.
- Practice storytelling and art to share science with the public, with permission from knowledge keepers.

Action 22: Reflect the ocean's true value

Over the last two decades, the provincial and federal governments have twice assessed the value of British Columbia's ocean-based economy (2006, 2020) using "traditional" indicators such as GDP and employment. Although these indicators are essential for understanding monetary trends in the ocean sector and sub-sectors, they don't capture the true value of the ocean.

GDP-based valuations are not designed to account for the value of natural assets (such as fish populations and intertidal reefs), infrastructure assets like docks and wharves, or the social values that an ocean sub-sector – like commercial fishing – brings to families and communities. They also do not address concepts of well-being that are important to First Nations, including the strong spiritual connection to territory; values, teachings, languages and ways of living rooted in place; and, responsibility for lands, waters, and resources.[12]

To measure progress towards a sustainable blue economy in B.C., we must consider the natural wealth of the ocean and the status of coastal communities, including their social, cultural, mental and physical health and well-being.

12 Source: British Columbia Assembly of First Nations. 2020. "Centering First Nations concepts of well-being: Toward a GDP-alternative index in British Columbia."

Activities:

- Develop a holistic set of metrics to estimate the value of the ocean. Partner with others to reflect diverse perspectives. Apply results to guide policy decisions and planning.
- Collect the data needed to support more accurate valuations of the ocean.
- Continue assessing the value of the ocean-based economy using traditional indicators.
- Create interactive dashboards to allow for the exploration of data in ways that protect confidential information.

Action 23: Update and refresh spatial data

We need up-to-date information to guide decision-making as we take care of coastal and marine habitats. Habitat mapping, which describes the physical and biological characteristics of an area, is essential for protecting biodiversity, building climate resiliency and ensuring the sustainable use of the environment. For a complete picture, cultural and economic values and human uses – as well as the threats to them – also need to be mapped or spatially characterized.

The Province already collects spatial data for coastal and marine values, including species, habitats, select fisheries and human uses. Some datasets that are critical for decision-making need to be updated, such as data on the distribution of kelp forest beds and eelgrass meadows. Other datasets need to be created to support sustainable economic development. For example, the data needed to assess the potential for aquaculture and marine renewable energy in remote communities is unknown for parts of the coast.

We will work in partnership with others to update provincial spatial datasets and fill key gaps, with privacy protection measures in place and acknowledgement of knowledge holders' requests for confidentiality, as needed. We will be innovative in the ways we collect, validate and communicate diverse knowledge (such as Arc GIS storytelling and collaborative decision-making software tools) and devote more attention to the different domains of coastal community health (including ocean use patterns, features of well-being and climate change vulnerability). Many organizations also collect and compile spatial data and we'll encourage these organizations to collaborate with each other. We will continue to provide broad, open access to provincial data.

Activities:

- Identify areas where we are missing important spatial data (such as nearshore habitats and patterns of human use) and develop and implement a plan to fill spatial data needs and maintain datasets.
- Incorporate knowledge and citizen science in novel ways and at different scales, aligning data generation and sharing with the interests of knowledge holders.
- Identify and seek solutions to challenges in accessing coastal data experienced by individual First Nations.

Action 24: Plan for the future

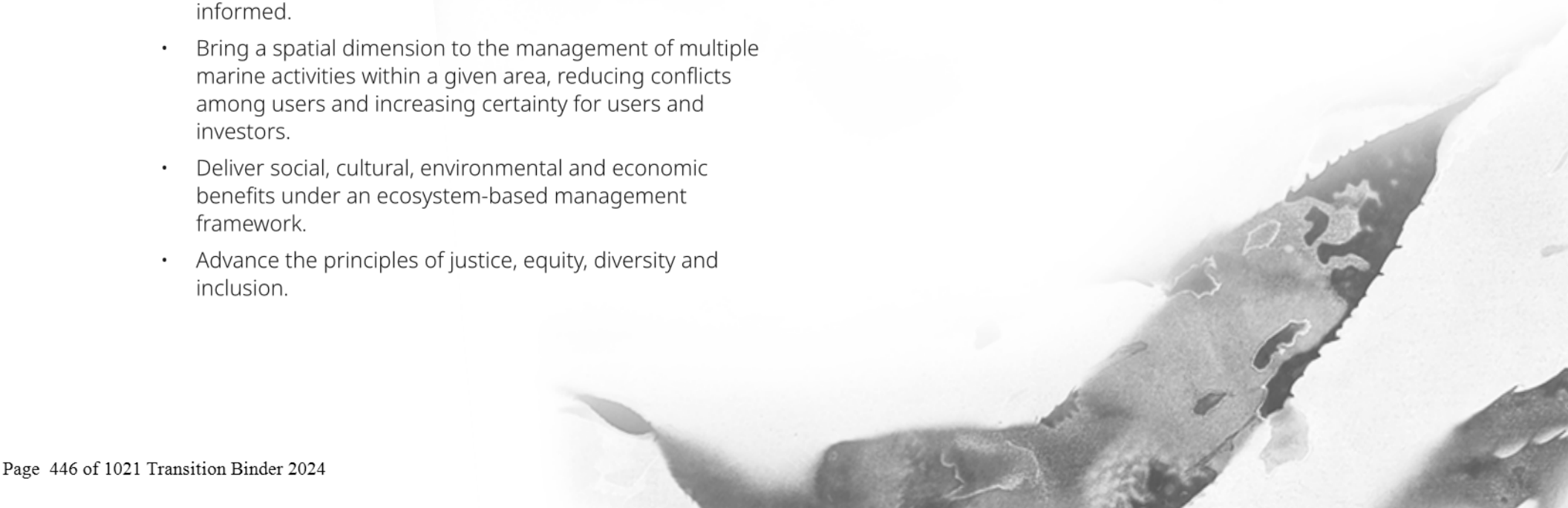
Changes in the distribution, abundance, and diversity of marine species and the resulting disruptions to human well-being signal that we need to re-establish balance. One way to nurture a more sustainable and harmonious relationship with the ocean is to carefully plan and allocate human use to specific areas. Similar to how we plan cities and towns, we can zone the ocean for conservation, cultural use and continuity, and specific economic activities.

Collaborative processes that bring people and multiple knowledge systems together to zone the ocean can contribute to long-term ecological, economic and cultural resilience; support climate action; and address cumulative effects. Local stressors can be identified and mitigation, adaptation and repair strategies can be developed to effectively address challenges.

Decisions about using and accessing coastal marine areas are the responsibility of First Nations, federal, provincial and local governments. For some parts of the province, marine spatial plans are well into the implementation phase (such as marine plans successfully developed under the Marine Plan Partnership for the North Pacific Coast) and may need to be refreshed. In other parts of the province, more work is needed to build trusting relationships, understand community needs, document social and environmental conditions, and identify blue economy opportunities.

Activities:

- Continue implementing existing integrated marine plans and address the challenges that have made it difficult to achieve some key ecosystem-based management objectives.
- Participate in efforts to update marine plans in response to changing conditions and lessons learned.
- Advance planning in areas of the coast where it is needed most and where there is shared interest. Support collaborative, inclusive development and implementation of coastal marine plans that:
    - Advance reconciliation and respect for Aboriginal and treaty rights.
    - Partner with First Nations to include their knowledge, practices, cultures and values.
    - Engage user groups, local governments, stakeholders, non-government organizations and the public.
    - Are climate- and, where appropriate, wild salmon-informed.
    - Bring a spatial dimension to the management of multiple marine activities within a given area, reducing conflicts among users and increasing certainty for users and investors.
    - Deliver social, cultural, environmental and economic benefits under an ecosystem-based management framework.
    - Advance the principles of justice, equity, diversity and inclusion.
- Identify a pilot area to develop and implement an integrated plan across the land-sea interface that brings together watershed and coastal marine planning.
- Continue to participate in federally led marine planning initiatives in British Columbia and advocate for shared decision-making.
- Work with other governments and industry to collaboratively develop a plan for vessel anchorages to address the concerns of First Nations, local governments and communities regarding ship vessel noise and light pollution, discharge and habitat disturbance.



CONCLUSION

The B.C. Coastal Marine Strategy signifies the beginning of the provincial government's commitment to improving stewardship of the coastal marine environment at a province-wide scale under a collective and holistic vision. It is the blueprint for future work and decision-making related to coastal ecosystems and economies over the next two decades.

This strategy doesn't exist in isolation. There are many policies and investments directed at the stewardship of land and freshwater systems and clean and inclusive economic growth that will deliver improvements to coastal ecosystems and coastal communities. Equally, implementing the actions articulated in this strategy will provide benefits beyond our coastal marine waters, including social benefits such as job growth and food security, as well as contributions towards tackling biodiversity loss and climate change. Implementing the strategy will also take us further along our journey towards reconciliation with First Nations who have deep ties with the ocean.

The B.C. Coastal Marine Strategy has been co-developed with many First Nations who will continue to have a leadership role in helping to deliver it. As a first step together, we will put processes and structures in place to complete a co-developed implementation plan. Together, we will identify the initiatives to be implemented first; which actions will be undertaken locally and which will be implemented more broadly; the opportunities for collaboration with federal and local governments and stakeholders; and how we will measure and report on our success.

APPENDIX A: FIRST NATIONS CONTRIBUTORS

The following First Nations governments and First Nations organizations contributed to the development of this first B.C. Coastal Marine Strategy. We thank each and every one.

First Nations Governments

- Ahousaht First Nation
- Council of the Haida Nation
- Cowichan Tribes
- Da'naxda'xw First Nation (Elected)
- Da'naxda'xw First Nation (Hereditary)
- Ditidaht First Nation
- Ehattesaht Chinehkinit First Nation
- Esquimalt First Nation
- Kwakiutl First Nation
- Kwikwasut'inuxw Haxwa'mis First Nation
- Gitga'at First Nation
- Gitxaala Nation
- Gwa'Sala-Nakwaxda'xw Nations
- Gwawaenuk Tribe
- Haisla Nation
- Halalt First Nation
- Heiltsuk Nation
- Huu-ay-aht First Nations
- Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations
- Kitasoo Xai'xais Nation
- Kitselas First Nation
- Kitsumkalum First Nation
- K'ómoks First Nation
- Kwiakah First Nation
- Lax Kw'alaams Band
- Lyackson First Nation
- Malahat Nation
- Mamalilikulla First Nation
- Metlakatla First Nation
- Mowachaht/Muchalaht First Nation
- Musqueam Indian Band
- 'Namgis First Nation
- Nisga'a Lisims Government
- Nuchatlaht First Nation
- Nuxalk Nation
- Pacheedaht First Nation
- Pauquachin First Nation
- Penelakut Tribe
- Quatsino First Nation
- Semiahmoo First Nation
- Sc'ianew (Beecher Bay) First Nation
- shíshálh
- Snuneymuxw First Nation
- Songhees Nation
- Squamish Nation
- Stz'uminus First Nation
- Tla'amin Nation
- Tla-o-qui-aht First Nation
- Tlatlasikwala First Nation
- Tlowitsis Nation
- Toquaht Nation
- Tsartlip First Nation
- Tsawout First Nation
- Tsawwassen First Nation
- Tseshaht First Nation
- Tseycum First Nation
- Tsleil-Waututh Nation
- T'Sou-ke First Nation
- Uchucklesaht Tribe
- Wei Wai Kum Nation
- We Wai Kai Nation
- Wuikinuxv Nation
- Xwemalhkwu (Homalco) First Nation
- Yuułu?ił?ath Government

First Nations Organizations

- Coastal First Nations – Great Bear Initiative
- First Nations Fisheries Council of British Columbia
- The First Nations of Maa-Nulth Treaty Society
- Nuu-chah-nulth Tribal Council
- North Coast-Skeena First Nations Stewardship Society
- A-Tlegay Fisheries Society
- Central Coast Indigenous Resource Alliance
- Nan̲waka̲olas Council
- W̱SÁNEĆ Leadership Council

APPENDIX B: TIMELINE FOR THE DEVELOPMENT OF THE STRATEGY

Drafting the Strategy:

Project Scoping Jan – Nov 2021

First Nations-B.C. Leadership Dialogues Jan – Feb 2022
Primary challenges and opportunities identified.

First Nations-B.C. Technical Sessions Mar – Apr 2022
Some solutions to primary challenges and opportunities identified.

First Nations-B.C. Writing Team Jun – Nov 2022
Team members undertook research, agreed on policy framework and structure, developed vision, identified and refined priority actions.

Intentions Paper

Public Engagement Dec 2022 – Apr 2023

Policy Forum and Indigenous Youth Summit Mar 2023
Stakeholders and local governments exchanged feedback on Intentions Paper. Indigenous youth gathered to discuss Intentions Paper.

Finalizing the Strategy:

Analysis of Submissions Apr – Jun 2023

First Nations-B.C. Technical Sessions May – Jun 2023
Specific goals, actions, activities developed in response to submissions.

What We Heard Aug 2023
Public engagement results shared with the public.

Draft Strategy Development Aug – Dec 2023
Actions and activities further refined with collaborators. Supporting text reviewed and updated with help of third-party writer.

Draft Strategy Apr 2024
Draft shared with First Nations, provincial ministries, federal and local governments for review. Feedback incorporated into a final strategy.

Government Review May 2024

B.C. Coastal Marine Strategy

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024 (updated as of November 14)

PREPARED FOR: Minister for Water, Land and Resource Stewardship

TOPIC: Coastal Marine Planning Initiatives

KEY POINTS:

- BC has made substantive progress on integrated marine planning, particularly in the north and central coasts, complementing the extensive terrestrial planning work.
- Current initiatives, including implementation of the recently approved Coastal Marine Strategy (CMS), implementation of the Marine Protected Area (MPA) Network, and continued implementation and onboarding into the Marine Plan Partnership (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.
- BC is also participating in Reconciliation Framework Agreements (RFAs) with federal and First Nations governments, multiple proposals for National Marine Conservation Areas (NMCAs) with Parks Canada and partner Nations and various other marine pre-planning initiatives on the south coast including early efforts within the Salish Sea and also the Marine Spatial Planning – South initiative which was recently paused due to federal budgetary constraints.
- BC is committed to continuing the important marine planning work underway under the auspices of the recently released Coastal Marine Strategy, in partnership with First Nations and the federal government.

BACKGROUND:

- There are many marine planning processes currently underway in BC in different stages of development and implementation. Significant progress has been made in the north and central coast regions with increasing pressure for additional planning efforts in the south coast region.
- **MaPP**: a co-led initiative between the Province (represented by WLRS) and 17 First Nations, developed four sub-regional marine plans for the Great Bear Sea (GBS), which describes the marine area from Bute Inlet/ Quadra Island to the B.C.-Alaska border including Haida Gwaii.
    - MaPP plans were approved in 2015 with implementation agreements signed in 2016.
    - Current efforts are focused on MaPP plan renewal amendments, financial administrative transfer to Coast Funds and the creation of an onboarding policy to support additional Nations to join MaPP in addition to sub-regionally identified projects.
- In the same geographic area, BC, First Nations, and Canada are implementing the **MPA Network Action Plan** which was released in February 2023 and is supported by the Great Bear Sea Project Finance for Permanence (GBS PFP) initiative and MPA Network Collaborative Governance agreements signed in June 2024:
    - The MPA Network will bolster the level and scope of protection in the GBS including federally regulated activities such as fisheries management.
    - The MPA Network partners are now at various stages of working towards implementing the Network recommendations at the site level which will see 25% protection by 2025 and 30% by 2030 including new MPA feasibility and establishment.
- The **CMS** which was released in July 2024 establishes the province's first shared vision for the BC coast. The strategy will guide decisions over the next 20 years and help ensure BC is prepared for the opportunities and risks for the future with a vision that supports biodiversity, productivity, resiliency, and the prosperity, health and well-being of coastal communities.

DISCUSSION:

- Given the integrated nature of coastal marine planning, this work touches on the mandates and interests of multiple divisions, ministries, Nations and federal departments. WLRS remains the provincial lead for advancing this work, but also regularly works with:
    - The Ministry of Environment and Climate Change Strategy (particularly BC Parks) on designation of coastal marine areas for long-term protection; and
    - The Ministry of Indigenous Relations and Reconciliation on overarching collaborative governance agreements; and other related reconciliation efforts.
    - Federal partners in Parks Canada, Department of Fisheries and Oceans (DFO) and Transport Canada on MPA establishment and RFAs.

INDIGENOUS PEOPLES:

- All of these initiatives are co-developed with partner First Nations in a manner consistent with commitment 2.6 in the *Declaration on the Rights of Indigenous Peoples Act* Action Plan.
- The CMS was co-developed with input from many First Nations from across the coast. Several First Nations and provincial staff formed a joint writing team to develop the policy intentions paper which helped set the direction for the strategy.

FINANCIAL IMPLICATIONS:

- Since 2019, BC provided $8.5 in funding to MaPP partner Nations to support their capacity and operational needs. The Great Bear Sea Project Finance for Permanence (GBS PFP) initiative with BC's contribution of $60M, DFO contribution of $200M and philanthropic backing of $75M will support partner First Nations' long-term capacity to continue co-leading marine stewardship initiatives in the GBS such as MaPP and MPA implementation.
- Prior to the GBS PFP, MaPP has also received $18M from philanthropic sources to enable early implementation and provide a bridge to securing provincial support.
- Cabinet Confidences; Government Financial Information; Intergovernmental Communications

CONCLUSION:

- The Province is actively involved in multiple coastal marine planning initiatives which each contain ongoing commitments for the Province to collaboratively work with federal and Indigenous partners to work towards targeted timelines and milestones for the establishment, management and monitoring of multiple MPAs by 2025 and 2030 respectively.
- Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications
-
-

PREPARED BY:

Nichole Prichard
Senior Marine Resource Specialist
Coastal Marine Stewardship Branch
Government

REVIEWED BY:

	Initials	Date
DM	LH	Nov 14, 2024
CFO/EFO (if required)		
ADM	JM	Nov 12, 2024
ED	CS	Nov 12, 2024
Program Dir/Mgr.	HM	Nov 12, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister for Water, Land and Resource Stewardship

TOPIC: Great Bear Sea Implementation

KEY POINTS:

- In 2014, the Province of BC and the Government of Canada endorsed the Canada-British Columbia Marine Protected Area Network Strategy which calls for a collaborative and systematic approach to the designing and establishment of marine protected areas (MPAs) in British Columbia.
- Guided by years of integrated marine planning through the Marine Plan Partnership (MaPP), 17 First Nations, the Government of Canada and the Province of BC, (the "Partners") endorsed the MPA Network Action Plan in February 2023. This provides a coordinated approach to establishing a network of new and existing MPAs to protect and conserve marine habitats supporting biodiversity, community well-being and economic prosperity in the GBS.
- This is the first Marine Protected Area Network in Canada.
- In June 2024, the Partners signed the GBS Project Finance for Permanence (PFP) Closing Agreement and related MPA Network Collaborative Governance agreements which together create a co-governance structure and financial security to advance ongoing MPA management and stewardship over the long-term, support continued MaPP implementation, and create new jobs that will contribute to a sustainable coastal economy – a $335M investment.

BACKGROUND:

- The GBS, which describes the marine area located approximately from Bute Inlet/Quadra Island to the BC/Alaska border including Haida Gwaii, encompasses some of the most ecologically productive cold-water marine regions in the world and includes globally significant populations of fish, whales, corals, seabirds, kelp rests, and other plant and animal species.
- MaPP partners have developed four sub-regional marine plans covering the marine waters in the GBS and are now implementing these plans. These plans were also used to guide the MPA Network Action Plan.
- The MPA Network, through the GBS PFP initiative, will support the goal of protecting 30% of marine areas by 2030, and will ensure funding for ongoing research, monitoring, and collaborative management with the GBS PFP partners.
- The GBS PFP initiative is the largest investment in marine stewardship, conservation and sustainable economic development in Canada totalling $335 million and includes $200 million from the Government of Canada, $60 million from the Government of BC, and $75 million from philanthropic organizations.
- When creating the MaPP marine plans and the MPA Network Action Plan, the partners involved stakeholders from industry sectors, as well as communities and local governments.
    - Engagement spanned 10+ years and is ongoing.

DISCUSSION:

- The MPA Network will bolster the level and scope of protection in the region and include federally regulated activities such as fisheries management.

- The integration of fisheries management and First Nations co-governance are perhaps the most significant advancements for the region and is the most contentious among user groups – particularly the commercial fishing industry.
- The new MPA Network Collaborative Governance agreements commit the Province of BC to implementing the MPA sites and MPA Network utilizing a consensus-seeking approach to decision-making that respects current partner responsibilities, authorities and jurisdictions.
- Once the new MPA sites are established, this will be the largest (and only) MPA Network in Canada. Although completing this work in partnership takes considerable time and capacity, the results are expected to be more durable, equitable across interest groups, and feasible for shared implementation and monitoring.

INDIGENOUS PEOPLES:

- Current Partner Nations for the GBS PFP include: Coastal First Nations – Great Bear Initiative, Council of Haida Nation, Kitasoo /Xai'xais Nation, Nuxalk Nation, Heiltsuk Nation, Wuikinuxv Nation, Mamalilikulla Nation, Tlowitsis Nation, Da'naxda'xw Awaetlala First Nation, Wei Wai Kum First Nation, K'ómoks First Nation, Gitga'at First Nation, Gitxaala Nation, Haisla Nation, Kitselas First Nation, Kitsumkalum Nation, Metlakatla First Nation and Kwiakah First Nation.
- There are at least 14 other First Nations with identified territories within this region and dialogue continues with those First Nations to understand their interests including their level of desired involvement with MaPP or the MPA Network going forward.
- The GBS PFP Closing Agreement stipulates that the work is co-governed with partner First Nations in a manner consistent with commitment 2.6 in the Declaration on the Rights of Indigenous Peoples Act Action Plan.

FINANCIAL IMPLICATIONS:

- The $60-million grant agreement between the Province and Coast Funds was signed on March 30, 2023, and announced on December 5, 2023. No new or additional provincial funding is being committed at this time.
- The BC grant provided the first substantive investment in the development of the GBS PFP initiative in conjunction with contributions from the Government of Canada and philanthropic donors. The Nations are also developing strategies to bring in additional financing via private sector contributions and will be seeking crown support for advancing these strategies.
- Interests of an Indigenous People; Intergovernmental Communications

CONCLUSION:

- The recently signed agreements legally commit the province to collaboratively work with federal and Indigenous partners towards targeted timelines for the establishment, management and monitoring of multiple MPAs by 2025 and 2030 respectively.
- The GBS PFP initiative provides long term capacity funding for partner Nations to participate in MaPP and MPA Network activities, Intergovernmental Communications

Intergovernmental Communications

- The 2014 Canada-BC Marine Protected Area Network Strategy provides the policy direction to pursue MPA networks in all areas of BC and, in the absence of these in the south coast and on the West Coast of Vancouver Island, there may be pressure for future conservation planning processes in those marine areas.

PREPARED BY:

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Government

REVIEWED BY:

	Initials	Date
DM	LH	Oct 08, 2024
CFO/EFO (if required)		
ADM	JM	Sept 18, 2024
ED	CS	Sept 13, 2024
Program Dir/Mgr.	HM	Sept 9, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024 (updated as of November 14)

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Anchorages

KEY POINTS:

- Transport Canada (TC) is currently consulting with Indigenous communities in and around the Southern Gulf Islands (SGI) and Victoria on their proposal to give the Vancouver Fraser Port Authority (VFPA) jurisdiction over 33 anchorages within the SGI and five at Constance Bank (approximately 4NM south of Victoria).
- Cabinet Confidences; Intergovernmental Communications
-
- Although the provincial government's role in managing anchorages is limited, the Coastal Marine Strategy provides a mandate to advocate provincial interests with federal authorities.
- Ongoing labour strikes have temporarily increased the use of anchorages in the southern gulf islands and within the port authorities area.

BACKGROUND:

- Currently, TC maintains jurisdiction over the SGI and Constance Bank anchorages, with the VFPA assigning vessels to the anchorages on a schedule, through an Interim Protocol that was established on February 8, 2018.
- In 2021, VFPA instigated an "Active Vessel Traffic Management" (AVTM) to enhance marine safety, enable the efficient flow of goods to and from the Port of Vancouver, and help manage environmental impacts and negative social effects such as ambient noise and light pollution.
- According to VFPA AVTM statistics, assignments to SGI anchorages are down 39% in 2024 year-to-date compared to 2023 year-to-date. Average time spent at SGI anchorage per assignment is down 24% in 2024 year-to-date compared to 2023 year-to-date.
- As of November 8, 2024, Port of Vancouver longshore workers were locked out by the employer over their stalled contract negotiations. The impasse is expected to increase use of anchorages throughout the south coast which may raise concerns in nearby communities. The Port has committed to providing the Province data on anchorages use and other related information.
- Advice/Recommendations; Intergovernmental Communications

- Concurrently, Parks Canada is supporting a Southern Gulf Island feasibility study for a National Marine Conservation Area (reserve), and the related work of an Indigenous Management Board (IMB), that overlaps with the SGI anchorages.
    - Interests of an Indigenous People; Intergovernmental Communications

- The Province owns and holds jurisdiction over the submerged land and resources of the seabed in specific waters off the coast of British Columbia, including areas within the "jaws of the land[1]". Legal Information
  Legal Information The Province therefore legally owns the seabed in the Strait of Georgia, Haro Strait, Juan de Fuca Strait, Johnstone Strait and Queen Charlotte Strait as a result of a 1984 Supreme Court of Canada ruling.

DISCUSSION:

- WLRS recognizes the vital role anchorages play in ensuring the efficiency, reliability, and performance of the Province's trade network. Concurrently, WLRS also recognizes the concerns expressed by First Nations and communities regarding the potential environmental and social impacts of anchorages and understands the importance of addressing these concerns to advance reconciliation and minimize cumulative impacts.
- Intergovernmental Communications
- Given the Province has some authority over the proposed transfer areas, other mechanisms and/or approaches may need to be explored.
- Intergovernmental Communications

INDIGENOUS PEOPLES:

- First Nations have expressed concerns to Transport Canada in several key areas, including:
    - impacts of anchorages to their Section 35 Rights and their Douglas Treaties;
    - right to fishing and cultural practices affected by vessels at anchor and in transit;
    - respecting UNDRIP;
    - environmental impacts of anchorages; and
    - their role in the governance of anchorages.

FINANCIAL IMPLICATIONS:

- N/A.

RECOMMENDED NEXT STEPS:

- Advice/Recommendations; Legal Information

[1] The extent of "public lands belonging to the Province" includes all land to the "low-water mark" (i.e. including the intertidal area), as well as waters situated *inter fauces terrae* ("in the jaws of the land") such as bays, inlets and estuaries and waters beyond the low-water mark that were within the boundaries of the Province when it entered confederation.

- Advice/Recommendations; Intergovernmental Communications; Legal Information
-

Attachment(s): Attachment 1 – Rodriguez – Joint Minister Letter

PREPARED BY:

David Angus
A/ Director, Coastal Marine Policy
Coastal Marine Stewardship Branch
Government

REVIEWED BY:

	Initials	Date
DM	LH	Nov 14, 2024
CFO/EFO (if required)		
ADM	JM	Nov 12, 2024
ED	CS	Nov 12, 2024
Program Dir/Mgr.	DA	Nov 8, 2024

BRITISH COLUMBIA

Reference: 42089

June 12, 2024

VIA EMAIL: tc.ministeroftransport-ministredestransports.tc@tc.gc.ca

The Honourable Pablo Rodriguez, PC, MP
Minister of Transport
House of Commons
Ottawa, Ontario K1A 0A6

Dear Minister:

Re: Southern Gulf Islands Anchorages

The three undersigned are Ministers in the British Columbia (B.C.) Government responsible, respectively, for Transportation and Infrastructure, Water, Land and Resource Stewardship and Indigenous Relations and Reconciliation. Each of us has met you in the past concerning the issue of anchorages in the Southern Gulf Islands of B.C. We now wish to reach out to you collectively to seek your help in finding a solution to this longstanding issue.

In the past we have raised with you the environmental and social costs of lengthy and frequent anchorages in these pristine areas of our province. The constant noise and light pollution from the anchoring vessels, while they wait for their turn at the Port of Vancouver, is causing a considerable impact upon the residents of certain Southern Gulf Islands. It is also straining our relationship with Indigenous peoples on Vancouver Island and in the Gulf Islands, creating federal-provincial tensions since this issue has remained unresolved for so long.

Moreover, you will be aware that the courts have confirmed that the seabed in this region is owned by the Province of B.C.: the constant scouring of the seabed by ships' anchors is causing great concern for Indigenous food gathering as well affecting the commercial harvesting of seafood. Moreover, particularly in Plumper Sound, adjacent to the Gulf Islands National Park Reserve, the almost constant anchorage of freighters is eroding the national park values and affecting our tourism industry.

We request that you address this issue as a priority. One proposal that we believe would attract the support of the Vancouver Fraser Port Authority would be to commission a multi-stakeholder task force to be independently chaired and provided with a six-month timeline to provide recommendations to you. It could be given a concise mandate, including

Ministry of Water, Land and Resource Stewardship
Ministry of Transportation and Infrastructure
Ministry of Indigenous Relations and Reconciliation
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an examination of your ministerial ability to order the Port Authority to take certain steps that we are advised would provide an expeditious resolution to this issue. The Port Authority is accountable to you. Transport Canada has authority for anchorages outside of designated port jurisdictions, including prohibiting anchorages.

For example, it has been suggested that ordering certain specific actions would make a significant difference. First, a more robust deployment of berthing dolphins near the Port of Vancouver could be undertaken. Secondly, we understand that pilots are now being deployed by helicopter to the anchored vessels so there would appear to be little incremental costs if these pilots were deployed to vessels anchored outside the Southern Gulf Islands in less populated areas, thereby curtailing the unfortunate impacts that currently occur.

These are some of the specific proposals that we would suggest be examined. The Province of British Columbia would be pleased to be represented on such an advisory panel.

There are currently 83 freighter anchorages in South Coast waters - in Vancouver Port (34), Nanaimo Port (6), off Victoria (10), and throughout the Southern Gulf Islands (33). We are advised that your department and the shipping industry have identified ten more possible sites. The number of ships using these anchorages has increased from 23 ships in 2009 to 498 ships in 2020, a problem of inefficient ship scheduling. Anchorage usage has increased 300 percent in 11 years, whereas the export of bulk cargoes has increased only 50 percent; i.e., anchorage usage has increased six times as fast as the increase in export of bulk cargoes. This is strong evidence that factors other than Port productivity are responsible for such a dramatic increase in anchorage usage.

Although the *Canada Shipping Act* authorizes the Cabinet to regulate anchoring, regulations have never been made. The Government of Canada has not implemented any program or substantial regulatory regime respecting freighter anchorages outside Port waters. Transport Canada's 2018 *Interim Protocol* was not a Cabinet-approved regulation, but merely a voluntary agreement with the Vancouver Port.

To date, the Province of B.C. has not yet enacted legislation nor taken other steps to regulate the anchoring of freighters in Southern Gulf Islands waters. The new Ministry of Land, Water and Resource Stewardship now has a mandate for coastal zone protection.

The *Canada Shipping Act* mandates the Minister of Transport to protect the environment and gives the authority to designate restricted areas. Section 136 (1) provides as follows:

The Governor in Council may, on the recommendation of the Minister of Transport, make regulations (…)

> (f) regulating or prohibiting the navigation, anchoring, mooring or berthing of vessels for the purposes of promoting the safe and efficient navigation of vessels and protecting the public interest and the environment.

The principal risks to the environment include:

- Anchor-dragging leading to oil spills,
- Habitat destruction threatening chinook salmon and Southern Resident Killer Whales,
- Harmful particulates and greenhouse gases, and
- Threats of collisions with and acoustic disturbances to Southern Resident Killer Whales.

In our view there has been a lack of consultation with the affected First Nations of coastal B.C.

Article 29 of the United Nations Declaration on the Rights of Indigenous Peoples, affirmed by both federal and BC legislation states that "Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources."

We would request a meeting with you to review these issues and discuss our proposal. We readily acknowledge the very significant economic importance of trade relating to the Port of Vancouver. We also acknowledge the Active Vessel Traffic Management Program is intended to implement a collaborative traffic-management system, supported by process improvements and digital technology and to reduces the environmental and community impacts of trade activity in our gateway. We understand that a Code of Conduct for vessels at anchorage has been created. However, we are anxious to see progress on this issue and hope that through your leadership a solution can be found. We believe that the task force suggested above would be welcome approach that might assist you in generating a solution to this longstanding irritant in our relationship.

Sincerely,

Honourable Nathan Cullen
Minister
Ministry of Water, Land and Resource Stewardship

Honourable Rob Fleming
Minister
Ministry of Transportation and Infrastructure

Honourable Murray Rankin
Minister
Ministry of Indigenous Relations and Reconciliation

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water Land and Resource Stewardship

TOPIC: Drought

KEY POINTS:

- The Ministry of Water, Land and Resource Stewardship (WLRS) is the lead provincial agency for drought which includes: the development of drought related policy and legislation; drought response planning, coordination and communications; environmental impact mitigation, and water allocation related response.
- WLRS is responsible for the *Water Sustainability Act* (WSA). WSA provides various authorities to regulate the use of stream water and groundwater during times of water scarcity.
- The B.C Drought and Water Scarcity Response Plan authored by WLRS outlines the actions taken preceding, during and immediately following a hydrological drought to reduce its impacts. The plan also clarifies various governments' roles and responsibilities in managing water for people and aquatic ecosystems in times of drought and water scarcity.
- Under the Emergency and Disaster Management Regulation (EDMR), WLRS is responsible for preparing and maintaining drought and water scarcity risk assessments and emergency management plans.

BACKGROUND:

- In recent years, drought conditions have been occurring earlier, extending later, occurring more frequently, and with more severity. Multi-year precipitation deficits have led to low surface water and groundwater flows in some areas, impacting water availability for communities, food security, fish and ecosystems.
- Winter 2024 saw the lowest snowpack on record since 1970, prompting the Province to prepare for an elevated risk of severe drought. Summer 2024 brought extended hot and dry conditions to much of the province and some drought-mitigating precipitation to a few areas.
- In 2024, the province undertook more proactive drought response. Key actions undertaken included early outreach to key groups previously and anticipated to be drought-impacted, a water conservation campaign informed by behavioural insights, early requests of water rights holders for voluntary water-use reductions, pro-active non-compliance action, a streamlined multi-level drought response team structure, systematic collection of community drinking water supply status reports, and 40 projects to mitigate drought impacts for fish and ecosystems.
- The Ministry of Agriculture and Food was a key partner in drought response, hosting 55 drought management workshops with their sector, temporarily hiring government/sector liaison staff and providing more funding to help support the sector in improving drought resilience.

DISCUSSION:

- In 2024, WLRS developed the Toolkit: Guidance on Declaring a Drought Emergency, a first for British Columbia, in collaboration with the Ministry of Emergency Management and Climate Readiness (EMCR). This internal-to-government toolkit provides a roadmap to escalating actions to declaring drought as a provincial emergency (which has to date not been necessary).
- More systematic collection of community drinking water supply was undertaken in 2024. 625 water suppliers, including First Nations received by-weekly outreach. Their reported conditions

were forwarded to provincial agencies responsible for supporting water suppliers, including the Health Authorities and the federal Indigenous Services Canada.

- Where voluntary and enforced water conservation measures are insufficient to protect ecosystems and fish populations, WSA Temporary Protection Orders (TPOs) can be issued by the Minister to ensure critical environmental flows are released or threatened fish populations are protected. No WSA TPOs to protect fish population survival were issued in 2024.
- The province's emergency management legislation was updated in July 2024 with the Emergency and Disaster Management Regulation (EDMR). EDMR specifies the laws for which risk assessments and emergency plans must be prepared and maintained and makes the minister responsible for a specified law the lead minister for that work.
- The EDMR lists WSA which makes the WLRS minister responsible for preparing and maintaining drought and water scarcity risk assessments and emergency management planning. As this change in legislation is quite recent, EMCR is engaging lead ministries in developing a consistent approach to conducting the risk assessments and emergency management plans

INDIGENOUS PEOPLES:

- Across government, staff are in dialogue with First Nations at both the operational and strategic level, including federal counterparts at Indigenous Services Canada.

FINANCIAL IMPLICATIONS:

- Key investments for drought and climate resiliency by the province over the last two years:
  - $513M/3-year Climate Preparedness and Adaptation Strategy
  - $250M/5-year BC Salmon Restoration and Innovation Fund
  - $15M for Pacific Salmon Foundation and First Nations Fisheries Council for emergency interventions for salmon
  - $115M remaining for Community Emergency Preparedness Fund
  - $103M for the Agriculture Water Infrastructure Program
  - $50M for water metering pilot
  - $14M for Cowichan Lake weir
  - $10M to raise dam height on Saint Mary Lake on Salt Spring Island
  - $7-10M Watershed Security Fund intake for watershed restoration projects
  - $15M Disaster Resilience and Innovation Funding to address climate-driven hazards, and $25M in 2025/26 and beyond

SUMMARY:

- In response to recent severe drought conditions, BC has increased drought action across agencies and with partners:
  - Taking a whole of BC approach to water conservation by working with key sectors such as agriculture, local communities, First Nations and water users,
  - Focusing on long-term solutions through planning and investment while taking protective measures where conditions are worsening through the summer, and
  - Implementing year-round communication and planning on drought.

PREPARED BY:

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 08/2024
CFO/EFO (if required)		
ADM		
Program Dir/Mgr.	JB	Sept. 23, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: BC Flood Strategy

KEY POINTS:

- The Ministry of Water, Land, and Resource Stewardship (WLRS) supported by the Ministry of Emergency Management and Climate Readiness (EMCR), released 'From Flood Risk to Resilience: a B.C. Flood Strategy to 2035' (the Strategy) (Appendix A) in March 2024.
- The Strategy provides a strategic framework with a vision and principles, four pathways based on the UN Sendai Framework for Disaster Risk Reduction, with 25 actions that support progress toward a more flood resilient future for British Columbia.
- The actions are proposed to be implemented in a phased approach through a Flood Resilience (Implementation) Plan. Government Financial Information
  Government Financial Information , even though three years since the 2021 atmospheric river events (AR 2021) recovery costs for communities continue to mount (e.g., recovery costs for Merritt, Princeton, and Abbotsford is in the billions). Compounding the need to move the Strategy forward, Intergovernmental Communications
  Intergovernmental Communications

- With adequate resourcing, the Strategy serves as a mandate opportunity to change the approach to flood risk management for British Columbians and save billions of dollars over time. This could be achieved by working with the Province's partners, including the proposed Advisory Circles identified to develop the Resilience Plan. The Resilience Plan will specify programs, outcomes, roles and responsibilities, timelines, and funding mechanisms, while also funding Provincial capital investments to address priority flood infrastructure risks.

BACKGROUND:

- From 1975 to 2003, the Province dedicated considerable resources to integrated flood management. In 2003, legislative changes through the *Flood Hazard Statutes Amendment Act* reduced Provincial responsibilities associated with floodplain designation and flood hazard land use planning.
- Provincial capacity to support communities in managing their flood risk was subsequently reduced, while concurrently, flood risk continued to increase due to residential development in high-risk areas, population growth, and climate change.
- Initiated in 2020, paused during the AR 2021 events, and released in Spring 2024, the Strategy was developed with First Nations, local governments, and stakeholders, including efforts towards sharing the pen (co-writing) with eight First Nations partners from British Columbia's (BC) major watersheds.
- Engagement on the Strategy and experience from the AR 2021 events reinforced recommendations from the 2018 Abbott/Chapman report, including the need to invest more in prevention and preparedness.
- Key feedback received in developing the Strategy included the need for: (1) predictable, transparent, stable, multi-year funding, (2) regionally based flood plans focused on partnerships with Provincial leadership, (3) improved information regarding flood risk, and (4) investments in complementary nature-based and non-structural solutions.

DISCUSSION:

- Advice/Recommendations; Cabinet Confidences; Government Financial Information

- Appendix C describes the proposed implementation approach, including immediate actions (see Phased Implementation Framework to 2035).
- Flood related costs will be borne by the Province regardless of progress on Strategy implementation, given climate change and the expected increase in severity and frequency of floods in the near future, coupled with development in high-risk areas, and federal downloading. The Strategy is designed to direct funds effectively, with estimates showing that each $1 invested in flood mitigation can save $7 in post-disaster recovery costs.
- Absent of additional resourcing, effort will be focused on advancing floodplain mapping (contingent on federal cost-matching funds), education and communications materials (where feasible), engagement on flood guidance through ad-hoc annual funding, and updates to the Provincial Flood Emergency Plan - as required under the new *Emergency and Disaster Management Act* (EDMA).
- 'Climate Change, Intersectionality and GBA in B.C.' a report prepared for the Climate Action Secretariat in September 2020, informed the Strategy and governance model recommendations.

INDIGENOUS PEOPLES:

- The project seeks meaningful and collaborative input from Indigenous communities, particularly recognizing the role of First Nations Rights and Title holders, drawing direction from articles in the *United Nations Declaration on the Rights of Indigenous Peoples Act* and the BC *Declaration on the Rights of Indigenous Peoples Act*. The relationships and trust built in developing the Strategy has set it as an example for other Provincial inititives, policies, and mandate commitments.

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Cabinet Confidences; Government Financial Information

-

NEXT STEPS

- Advance foundational actions, where feasible, within existing resourcing or as one-off investments arise. Where possible, align and leverage existing funding programs to advance key actions.

Attachment(s):

Appendix A: From Flood Risk to Resilience: A B.C. Flood Strategy to 2035
Appendix B: Summary of Provincial Flood Resilience Actions Since AR 2021
Appendix C: Phased Implementation Framework to 2035

PREPARED BY:

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 8, 2024
CFO/EFO (if required)		
ADM		
Program Dir/Mgr.	Cc	Aug 30, 2024

BRITISH COLUMBIA

From Flood Risk to Resilience: a B.C. Flood Strategy to 2035

Executive Summary

Flooding is a recurring natural event in B.C. that will increase in frequency and intensity through the 21st century with climate change and associated risks, which may increase as our population grows, unless we learn to live with, and work alongside nature.

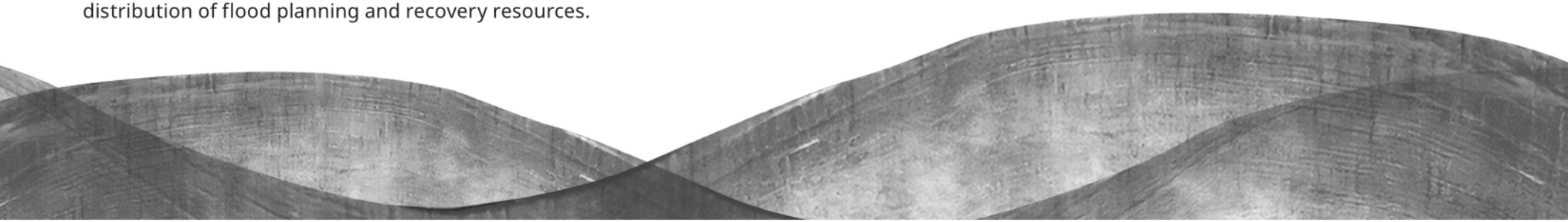
The B.C. Flood Strategy (the Strategy) has been founded on an understanding that flood resilience can best be achieved by working in collaboration with all orders of government, and that an *all of society* approach is required to be successful. Initiated in 2020, the Strategy was developed with First Nations, local governments, and stakeholders, including efforts towards sharing the pen with eight First Nations partners from B.C.'s major watersheds.

The Strategy is intended as a roadmap toward 2035, in recognition that a phased approach is required for implementing significant improvements to integrated flood hazard management over time. Following the UN Sendai Framework for Disaster Risk Reduction, the initial priority will be "understanding flood risk", followed by "strengthening flood risk governance". The Strategy offers clear direction on what needs to be done and how to begin translating principles into action through a Flood Resilience (Implementation) Plan.

Through engagement, we heard concerns regarding funding constraints for flood management efforts across the province, along with inter-jurisdictional and regulatory barriers, and insufficient communication when it came to flood risk. Additionally, we heard about challenges regarding coordination and relationship-building across jurisdictions to support better flood management, as well as the need for provincial guidance and support to facilitate the equitable distribution of flood planning and recovery resources.

While the Strategy offers a comprehensive approach to address a wide range of flood resilience challenges, it must act in accordance with a broad range of work taking place across government and with First Nations. This work includes the Watershed Security Strategy, Coastal Marine Strategy and the *Emergency and Disaster Management Act*, in addition to supporting work related to the co-benefits of biodiversity and addressing risks to salmon, drought, forest stewardship, food security, critical infrastructure, and mental health and well-being.

The Strategy articulates ***why*** a new direction for B.C. is necessary and ***how*** it can be achieved over time. During subsequent implementation planning, key questions such as ***when*** (phasing/timing of specific commitments), ***who*** (clarification of roles and responsibilities), ***where*** (locations for projects), and ***how*** much will be addressed. Moreover, implementation planning must establish ***what*** performance indicators, metrics, and targets will be monitored, measured, and tracked at the provincial scale to ensure accountability.



Responding To Feedback

First Nations were invited to contribute their knowledge, experience, and perspectives on flood resilience. Their contributions have shaped the Vision for the Strategy and informed the Actions moving forward.

The following examples illustrate how the Strategy seeks to respond to input by creating change:

Feedback	Addressed though:
Holistic approach to understand risk around flooding and the monitoring of impacts	A province-wide climate and flood risk assessment
Need for more investments in flood projects that work with nature and prioritize natural resilience, fish friendly design, biodiversity, and consider climate adaptation	Policy actions and funding direction, specifically including *Action 4.7: Coordinate and enhance investments to support mutually beneficial floodplain management and community water, biodiversity, and ecological values*
Public education on flood risk and provincial funding support for community engagement and training	New flood wise programming and guidance on how local governments and First Nations can work together to develop integrated flood management plans (see *Actions 1.4 and 2.6*)
Place-based planning and building strong, functional relationships across watersheds, specifically involving local governments that must work with First Nations in integrated flood management planning	Exploring alternate governance approaches, more support for integrated flood management planning processes, and new local government guidance
Equitable and stable funding for all, with sufficient timelines (e.g., 3 years) to allow for project success	*Action 4.1: Develop and implement predictable ongoing funding programs that meet the needs of communities and address equity and accessibility considerations*
Food security and respecting First Nations' access and use of foods during and after flood events, as well as addressing flood impacts on agricultural lands and transportation corridors	Actions in *Pathway 3 – Enhancing Flood Preparedness, Response, and Recovery*, along with the implementation of new programs such as the Resilient Agricultural Landscapes Program and the Fraser Valley Farmers Flood Mitigation Fund
Mental health and community well-being planning needed before and after flood events	Policy actions linked to pre-disaster and post-disaster recovery plans, among other Actions that reflect the connection of health and well-being to biodiversity and nature
Challenge of recruiting and retaining qualified professionals and need for equal accreditation for First Nations' training programs	Increasing capacity and supporting applied research of qualified professionals, including identifying funding opportunities and additional eligibility accreditation options (See *Action 1.4*)

A Message From Minister Nathan Cullen

Flooding continues to be one of the most significant environmental challenges in British Columbia. While the 2021 atmospheric river events were historic in their impact, every year our province faces flooding that carries a heavy cost to communities. The B.C. Flood Strategy represents an effort to strengthen our ability to respond to crises and prepare for flood-related climate impacts, while advancing our commitment to reconciliation with Indigenous peoples.

The development of the B.C. Flood Strategy involved engaging with First Nations, local governments, and numerous other partners to gather diverse perspectives on a holistic approach to flood management. On behalf of our team, I express gratitude for all who participated in the process and shared their insights to help shape the Strategy. I especially want to thank the First Nations collaborators on the sharing the pen team for their time and commitment to the co-development process.

The 2024 alignment of water mandates to the Ministry of Water, Land and Resource Stewardship (WLRS) provides opportunities to embed flood resilience and watershed security values in advancing government's goals of working in partnership with First Nations, responding to climate change, supporting sustainable economic development, and ensuring B.C. resources benefit local communities and people.

The B.C. Flood Strategy articulates a provincial vision, outcomes, and principles for flood management in the 21st century. Building a more flood-resilient province will require an all-of-society approach that brings communities together to prepare and respond to flooding.

While there is much to be done to accomplish this vision, the completion of the Strategy will build alignment and a shared path forward to ensure that people living in British Columbia are well equipped to face future flood events.

Sincerely,

Nathan Cullen
Minister of Water, Land and Resource Stewardship

Acknowledgments

The B.C. Flood Strategy team acknowledges the time and effort contributed by all those involved in the development of the B.C. Flood Strategy.

Special appreciation goes to our Sharing the Pen team for their dedicated collaboration. Notably, Stó:lō Tribal Chief Tyrone McNeil, a member of Seabird Island Band and chair of the Emergency Planning Secretariat, who enriched the Strategy with valuable wisdom and insights.

The Sharing the Pen team is a collective of First Nations participants representing B.C.'s distinct language families and major watersheds. Weekly meetings with the Sharing the Pen team during the spring of 2023 facilitated cross-dialogue and an iterative engagement process to draft the Strategy in a "good way". In other words, trying to move the Strategy forward to align with the *Declaration on the Rights of Indigenous Peoples Act* (the Declaration Act). This collaboration resulted in a more comprehensive Strategy, truly reflective of the knowledge and perspectives of **all peoples** living on these lands now known as British Columbia.

Special thanks are extended to the Alderhill Planning Inc. team for designing a collaborative environment that nurtured innovation, forged new connections, and established relationships, as well as Prism, for their creative and insightful work to communicate, collaborate, and lean-in to new ideas.

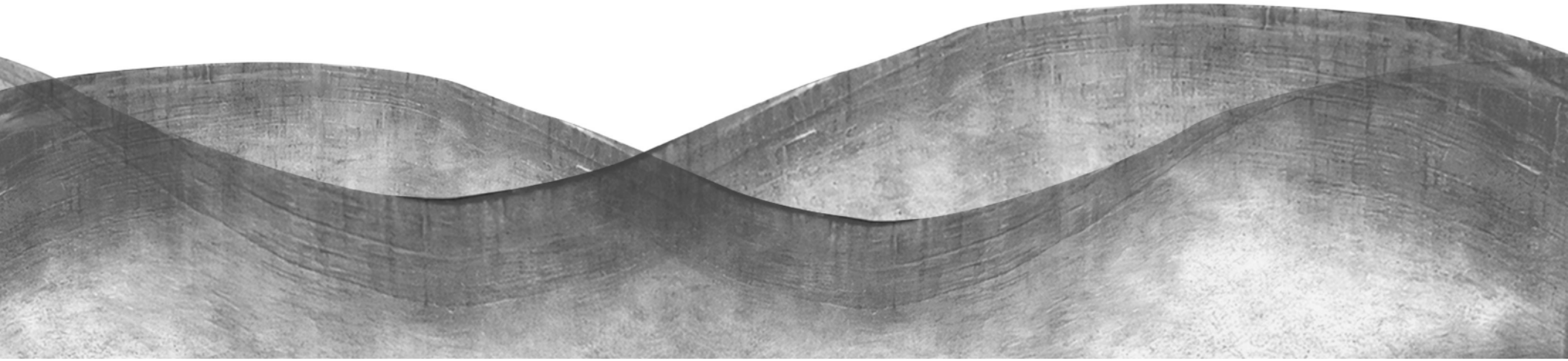


Table of Contents

Introduction 1

Vision and Principles 5

- Vision 6
- Principles 7

Pathways and Actions 8

- Pathway 1: Understanding Flood Risk 10
- Pathway 2: Strengthening Flood Risk Governance 11
- Pathway 3: Enhancing Flood Preparedness, Response, and Recovery 16
- Pathway 4: Investing for Flood Resilience 18

Conclusion 20

Appendix A: Resilience Activities Under the Pathways 21

- Pathway 1: Understanding Flood Risk 22
- Pathway 2: Strengthening Flood Risk Governance 24
- Pathway 3: Enhancing Flood Preparedness, Response, and Recovery 29
- Pathway 4: Investing for Flood Resilience 31

Appendix B: Glossary 34

Appendix C: Acronyms 43

Endnotes 45

Introduction

Flooding is the most common and costly disaster in Canada.[1] In British Columbia (B.C.), floods have been a recurring phenomenon along rivers, lakes, and coasts since time immemorial. Floods are prominent in many First Nations' creation stories and have influenced seasonal migrations and stewardship practices for generations. However, the risks of flooding to people living in British Columbia are substantial and continue to grow due to ongoing floodplain development and climate change.

The Strategy presents a roadmap including a Vision, Principles, and Actions to 2035 for flood resilience in B.C. Grounded in the principles of collective leadership and shared decision-making with Indigenous peoples, the Strategy emphasizes a commitment to collaboration in its development and implementation. Informed by the "**From Flood Risk to Resilience in B.C.: an Intentions Paper"** (October 2022), feedback on the Intentions Paper supports an innovative and holistic approach to flood risk management. Organized into four strategic 'pathways' aligned with the United Nations' Sendai Framework for Disaster Risk Reduction (the Sendai Framework); the Strategy integrates core themes from past engagements.

Futureproofing Our Ability to Respond to Crises:

Both Canada and B.C. have adopted the Sendai Framework, which consists of four priorities focused on knowledge, governance, funding, and disaster preparedness. The Sendai Framework advocates a comprehensive all-of-society approach to *"empower local authorities, through regulatory and financial means, to work and coordinate with civil society, communities and Indigenous peoples and migrants in disaster risk management at the local level."*

Flood Resilience

The ability of a system, community or society exposed to flood hazards to resist, absorb, accommodate, adapt to, transform, and recover from such events in a timely, efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management.

Pathway 1: Understanding Flood Risk

- Action 1.1: Develop a provincially coordinated floodplain mapping program
- Action 1.2: Conduct a province-wide flood risk assessment
- Action 1.3: Raise awareness of flood risk with a human-centered approach
- Action 1.4: Build capacity and support for applied research and enhanced training

Pathway 2: Strengthening Flood Risk Governance

- Action 2.1: Set new direction for B.C.'s flood governance model
- Action 2.2: Establish a First Nations Flood Resilience Advisory Circle
- Action 2.3: Establish a Minister's Flood Resilience Advisory Circle
- Action 2.4: Promote integrated flood management planning
- Action 2.5: Build cross-jurisdictional and international collaboration for flood resilience
- Action 2.6: Update provincial legislation, regulations, and policies
- Action 2.7: Update provincial technical guidance
- Action 2.8: Strengthen dike regulatory programs
- Action 2.9: Develop a provincially coordinated approach to orphan dikes
- Action 2.10: Enhance forestry practices to mitigate flood risk

Pathway 3: Enhancing Flood Preparedness, Response, and Recovery

- Action 3.1: Enhance flood forecasting and early warning systems
- Action 3.2: Enhance flood preparedness through the Provincial Flood Emergency Response Plan
- Action 3.3: Enhance flood emergency response activities
- Action 3.4: Enhance pre- and post-disaster flood recovery planning

Pathway 4: Investing for Flood Resilience

- Action 4.1: Develop predictable funding programs
- Action 4.2: Enhance flood avoidance investments
- Action 4.3: Enhance flood accommodation investments
- Action 4.4: Enhance flood protection investments
- Action 4.5: Enhance community-led managed retreat investments
- Action 4.6: Address First Nations loss of land
- Action 4.7: Coordinate investments for floodplain management

Indigenous Peoples and Flooding

The Province acknowledges rights recognition, self-determination, and partnerships with Indigenous peoples; and is committed to alignment of laws with the *United Nations Declaration on the Rights of Indigenous Peoples Act* (the UN Declaration). This Strategy particularly emphasizes Articles 19 (free, prior, informed consent), 27 (fair, independent, impartial, and transparent processes), and 29 (conservation and protection of the environment).

Many First Nations' worldviews center around water bodies in their land, and caring for that land, including all people, living things, and other resources in their traditional territories. First Nations peoples held well-structured governance systems before contact. Historical decisions related to flood management and land use have put many First Nation communities at a loss. To move forward with reconciliation, it is essential First Nations' needs, values and worldviews are incorporated in flood management and First Nations must be partners in decision-making going forward. As well, the respective and distinct laws, legal systems, and systems of governance of First Nations must be upheld.

Accordingly, early and ongoing engagement with Indigenous peoples has informed the Strategy, and First Nations' voices are respected and incorporated.

Types of Floods

Floods are broadly categorized into four main types: riverine, coastal, local stormwater, and groundwater.

Floods in British Columbia

In 2021, British Columbia experienced unprecedented flooding and landslides across the south-central and southern regions, triggered by atmospheric river events. Notable incidents included the Nooksack River overflow into the Sumas Prairie, causing extensive damage to critical infrastructure, such as transportation, agriculture, and ecological assets. The flooding had severe impacts on First Nation communities along Highway 8, as well as Merritt and Princeton, emphasizing the profound disruptions flooding poses to communities, economies, critical infrastructure, and the environment. The economic impact was estimated at $5-7 billion, and it severely affected Canadian National (CN) Railway and Canadian Pacific (CP) Railway, cutting off main access routes to B.C. and Canada. The flooding in 2021 was also the most significant agricultural disaster in B.C.'s history, affecting over 1,100 farms, 15,000 hectares, and 2.5 million livestock.

The diverse geography of B.C., characterized by rainy coasts, mountain valleys, and rivers has historically been shaped by floods. Floodplains have attracted many communities, including thriving First Nations who have coexisted with floods and the environment to sustain their way of life. River valleys and floodplains have hosted human settlements since time immemorial, drawn by an abundance of food, fish, fertile soil, access to water and transportation routes, scenic views, and gentle slopes.

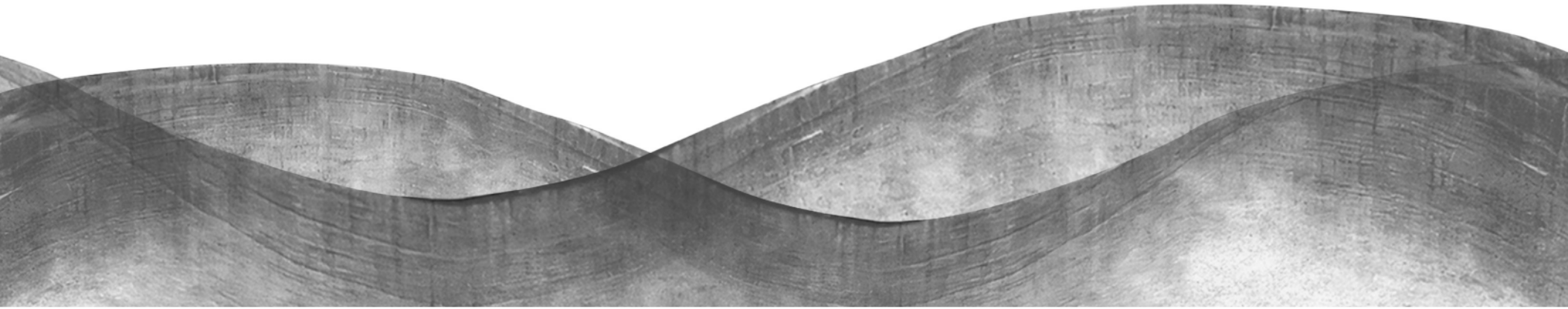
Today, over 500,000 people and numerous businesses are situated in flood-prone areas facing vulnerability to damaging flood events that threaten lives and the environment. Floodplains house critical infrastructure that supports a majority of British Columbia's population and many others across Canada. With climate change and urban expansion, the risk of damaging floods in B.C. continues to escalate.

The current mandates of the provincial government, highlighted by the development of B.C.'s *Emergency and Disaster Management Act*, emphasize the importance of preparing for climate change impacts, future-proofing our crisis response capabilities, and fostering meaningful reconciliation with Indigenous peoples. These focus areas are outlined below and frame the rationale for the B.C. Flood Strategy.

Preparing for Climate Change: Climate change amplifies flood risks from a warming atmosphere, which leads to heavier rainfall events, earlier and accelerated snowmelt, higher storm surges, and rising sea levels. Severe wildfires disrupt the natural landscape's ability to absorb water, leading to increased river and stream flows post-fires (see **Abbott-Chapman Report 2017**). Climate change is projected to increase river flooding frequency by at least 10-20% and increase local floods from heavy downpours by 40%. By the end of the century, sea levels may rise by as much as 0.44m, and potentially reach 1.4m under the most extreme emissions scenarios.[2] The B.C. Climate Preparedness and Adaptation Strategy highlights significant public concern about flooding, with over 80% of engaged people supporting increased Provincial action on flood management.

Meaningful Indigenous Reconciliation: First Nations communities in B.C., whose reserves are often located on floodplains, bear disproportionate flood impacts. First Nations have historically not received sufficient funding and resources to mitigate the consequences of flooding and are often excluded from decision-making processes and flood management planning. The Strategy aims to align with the Province's commitments under the *Declaration on the Rights of Indigenous Peoples Act* (the Declaration Act). Reconciliation requires building relationships on a nation-to-nation basis to achieve genuine collaboration. This means ensuring that First Nations' perspectives are reflected and respected throughout the Strategy. Implementation planning will demonstrate the Province's commitment to collaborating with Indigenous peoples to advance reconciliation.

Reconciling Our Relationship with Water, Land, and Flooding: To gain deeper insight into current policies, it is important to understand how past events have influenced them. Governments and communities have often responded to flood events with new policies, programs, and practices as reactive measures. It is crucial to shift toward a proactive approach that focuses on better preparedness for flooding. In this regard, it is essential to consider local history, recognizing that some First Nations communities were forcibly displaced to reserves situated in areas increasingly prone to flooding. By acknowledging this history, it is possible to foster better relationships and promote collaboration. In seeing water as a value that needs to be stewarded responsibly and cared for, we begin to understand that by taking care of it, it will in turn take care of us. Water quality is beyond the scope of the Strategy, however related implications and interactions are considered as part of integrated flood management decisions.



Vision & Principles

Vision

Together, we are leaders in innovative, holistic flood risk management, enhancing B.C.'s flood resilience for the 21st century.

Environmental Sustainability

B.C.'s flood resilient future will reflect natural floodplains, river corridors, lakes, watersheds, coastal ecosystems, and nature-based solutions, providing valuable ecosystem services and aiding recovery post-flood. Services include fish and wildlife habitat preservation, clean water, open spaces, recreational opportunities, contributing to health and well-being, as well as providing cultural and spiritual benefits. As we work towards a flood resilient future, we acknowledge the interconnectedness of nature-based solutions and human-engineered "grey" infrastructure.

Communities aspire to balance protecting people and infrastructure from flooding while preserving natural watersheds and floodplain ecosystems, safeguarding them from exploitation and engineered alterations of waterfront land. Nature-based solutions that consider salmon, species at risk, and aquatic habitat are integrated wherever possible in B.C.'s watersheds. The knowledge of Indigenous peoples and the jurisdiction of Rights and Title holders, who have long recognized the interconnectedness of environmental sustainability, economic stability, and public health are invaluable resources. This knowledge is integrated into decision-making processes, respecting the rights and traditions of Indigenous peoples as part of the path towards reconciliation

Enhanced Public Safety

Applying the Sendai Framework enhances public safety by reducing collective risks, considering the geographic locations of communities. This includes addressing disproportionate flood risks faced by Indigenous peoples residing on reserves or urban areas primarily located in floodplains. Tailored efforts are required to meet their specific needs while safeguarding their homes, infrastructure, and cultural sites from flooding. A Gender-Based Analysis+ (GBA+) lens is applied to consider equity-deserving groups, including Black, Indigenous, and People of Color (BIPOC), lesbian, gay, bisexual, transgender, queer, questioning and Two-Spirit (LGBTQIA2S+) people, individuals living with physical or mental disabilities, and women in all policy and actions. Special attention is given to the needs of vulnerable populations who require distinctive considerations during evacuation processes.

Economic Stability

Investing in flood resilient solutions is crucial for provincial and local economies to enhance their capacity to absorb and withstand water, minimizing economic disruption and property damage. Ongoing efforts focus on preventing major dam failures or mine tailings ponds through improved engineering practices, regulations, and compliance. Provincial and federal disaster mitigation actions, along with funding programs, promote nature-based solutions and infrastructure work for multiple benefits.

Principles

Principles for Strategic Flood Resilience

The following principles provide high-level guidance for flood resilience initiatives across multiple jurisdictions. They reflect the lived experiences of community members within the province and are informed by various references, including input from engagement, **the Sendai Framework**, the B.C. Office of the Auditor General's **Public Sector Governance Guide to the Principles of Good Practice**, the **B.C. Emergency Management System** (2016), the **Climate Preparedness and Adaptation Strategy**, and the review paper *"Strategic Flood Management: 10 'Golden Rules' to Guide a Sound Approach."*[4] These principles are foundational pillars for any flood resilience initiative or program in B.C., and include: Holistic, Proactive, Place-Based, Accountable, Collaborative, Transparent, Fair and Risk-Informed. These principles are widely recognized and serve as the basis for successful strategic flood resilience in the province.

Holistic: A holistic approach to flood management is interdisciplinary, balanced, Indigenous-centred, and is integrative across a network of relations within watersheds, ecosystems, land, and society.

Proactive: Provincial government, First Nations, local governments, organizations, and individuals must work together and take action to build greater flood resilience.

Place-based: Decisions to avoid and reduce flood risks need to use the best available data, and Indigenous knowledge and science considering watershed-based approaches, including understanding upstream and downstream connections. No single solution can address every flood risk, requiring the need for flexible and diverse solutions.

Accountable: Organizations and individuals must take responsibility for their decisions and actions to build greater flood resilience over time. Accountability in this context means inclusivity, equitable decision-making, and alignment with the UN Declaration, with a focus on a communal approach that goes beyond historical decision-making authorities.

Collaborative: Effective collaboration among diverse stakeholders is required to reduce flood risks. This includes all levels of governments, First Nations, industries, businesses, communities, landowners, and the public.

Transparent: Flood resilience decisions and flood risk data must be open and accessible to all, enabling comprehensive, accurate, clear information on flood risks, including uncertainties.

Fair: To be effective, programs aimed at reducing flood risk must be equitable and accessible to all, with specific attention paid to the vulnerability of Indigenous peoples in B.C. A GBA+ lens must be applied to address factors such as race, culture, gender, sex, age, income, and ability, while upholding human rights.

Risk-informed: Flood resilience decisions and investments are informed by known levels of risk through community and provincial-level vulnerability and risk assessments that are based on climate change, equity, resilience, and cumulative effects.

Pathways & Action

The following introduces each of the four Pathways and 25 Actions that make up the comprehensive Strategy for shifting from flood risk to resilience between now and 2035.

While the Actions outline the broad scope of ways that the vision for flood resilience could be achieved over the next decade and beyond, further collaborative implementation planning is required to address priorities, phasing, magnitude and timing of specific commitments, roles and responsibilities. The Flood Resilience Plan (the Resilience Plan) will drive the Strategy's implementation in phases, encompassing risk assessments, legislative review, guidance, funding, and performance monitoring. Following the Sendai Framework, the initial priority will be "understanding flood risk", followed by "strengthening flood governance", the foundations of which can begin while the Resilience Plan is being developed.

Appendix A provides more detail on the types of activities, associated with the Actions, that will be built into implementation planning.

Pathway 1: Understanding Flood Risk

Increasing knowledge and understanding of flood risk in B.C. is critical for effectively building flood resilience over time. Traditionally, flood risk, as defined by Western science, engineering, and risk management disciplines is assessed by combining the likelihood and consequence of flooding in a specific location, considering the impacts of flooding on human health, well-being, buildings, infrastructure, ecosystems, and other valuable elements. This involves evaluating the exposure and vulnerability to flood damages. Wise practices include considering various flood risk scenarios with different magnitudes and resilience pathways.

There is an urgent need for respectful, reciprocal sharing of information and data to bridge Western science with Indigenous ways of knowing, respecting Indigenous data governance and the rights of First Nations. Acknowledging the complex and context-specific practices and values of First Nations alongside Western science, as well that some data is culturally sensitive and cannot be shared openly, is essential. First Nations have inherent rights to ownership, control, access, and possession of their data. Additionally, it is vital to consider past decisions that have influenced flood risk, including historical inequities, to address and rectify them.

Action 1.1: Develop a provincially coordinated floodplain mapping program

To enhance the understanding and communication of flood risk to governments, communities and individuals, the Province will explore how to establish and coordinate a multi-year floodplain mapping program. This program will provide provincial oversight and guidance for floodplain mapping projects prioritizing accessibility to all-of-society.

Action 1.2: Conduct a province-wide flood risk assessment

The Province will conduct a Provincial Flood Risk Assessment, guided by the Provincial Disaster and Climate Risk and Resilience Assessment (DCRRA), in accordance with the requirements under the E*mergency and Disaster Management Act*. The Provincial DCRRA will help establish a common understanding of key risks, including flood.

Action 1.3: Raise awareness of flood risk with a human-centered approach

To ensure people in the province have access to information about flood risk and preparedness, a human-centred program approach will be developed. It will be designed with input from First Nations, local governments, businesses, industry, agriculture, and academia, with a strong emphasis on public outreach and iterative learning.

Action 1.4: Build capacity and support for applied research and enhanced training

A gap analysis will be explored to identify the specific types and number of qualified professionals needed to meet B.C.'s growing demand for flood resilience expertise. This analysis could help to identify the education and accreditation programs required to support flood professionals. These efforts aim to address equity concerns of First Nations, rural, and remote communities, recognizing Indigenous and intergenerational knowledge in curriculum development.

Pathway 2: Strengthening Flood Risk Governance

To achieve flood resilient communities, it is crucial to recognize the interconnectedness within watersheds and among neighbouring communities. As B.C. works towards the vision of the Strategy, establishing a collaborative governance framework involving all stakeholders is essential. This framework will outline specific roles and responsibilities, emphasizing that local governments maintain authority over diking infrastructure, while receiving improved Provincial support through investments and guidance. It will also guide the development of Provincial funding programs and help the Province identify priorities.

Shared governance with First Nations and the incorporation of Indigenous ways of knowing are integral for the Province to lead as a regulator and a provincial knowledge hub. An updated flood governance approach will encourage pooling of resources to advance flood resilience within watersheds and facilitate the sharing of technical and administrative resources. New collaborative tools provided through updates to the *Emergency and Disaster Management Act* can assist in creating structures for collective risk assessment and planning.

Action 2.1: Set a new direction for B.C.'s flood governance model

The Province will collaborate with Advisory Circles (ACs) to establish a new flood governance model that aligns with the Sendai Framework and commitments to the UN Declaration. The new model will support the vision and principles of the Strategy and inform other aspects of the Resilience Plan.

Recommendations include:

- Establishing a central knowledge hub within the Provincial government to facilitate collaboration with local governments, First Nations, and federal partners.
    - The central knowledge hub will provide technical services in a coordinated and efficient manner and be accountable for developing guidelines and tools to enable consistent and best practice flood management approaches for local governments and First Nations. These groups would maintain accountability for collaborating and addressing their flood risk mitigation, preparedness, response, and recovery.
- Exploring the creation of regional watershed hubs for collaboration and sharing expertise, especially for underserved communities.
- Working towards reliable financing for locally driven flood investment activities that leverage local knowledge and processes.

Several related strategies, programs, and initiatives under development include:

- Climate Preparedness and Adaptation Strategy implementation, including provincial flood hazard mapping
- BC First Nations Climate Strategy and Action Plan
- BC First Nations Regional Action Plan for Disaster Risk Reduction
- B.C.'s *Emergency and Disaster Management Act* statute and regulations
- B.C. Watershed Security Strategy
- B.C. Coastal Marine Strategy
- B.C. Biodiversity and Ecosystem Health Framework
- Provincial & Regional Disaster and Climate Risk and Resilience Assessments & Disaster and Climate Risk Reduction Plan
- Canada's National Adaptation Strategy
- Canada's proposed national flood insurance program
- The newly created Canada Water Agency

B.C.'s new flood governance model will seek the following outcomes:

- **Alignment –** Align with the UN Declaration, in accordance with the Declaration Act and the Sendai Framework.
- **Relationships and Resilience** – Promote community-to-community watershed scale planning, bringing together First Nations, local governments, and stakeholders to foster information sharing, resource pooling, and collaborative decision-making.
- **Flexibility and Scalability** – Develop new tools that are responsive and support decision-making at the regional, watershed level for flood mitigation and adaptation actions, including sharing and accessibility of information and resources to address flood risk.
- **Clear Roles and Responsibilities** – Clarify provincial government, First Nations, and local governments roles and responsibilities for land use planning decisions, and integrated flood management planning.
- **Capacity** - Enhance capacity of the provincial government as a knowledge hub and regulator to support communities in implementing flood risk reduction actions, including the capacity of First Nations and local governments.
- **Maximize Co-benefits** – Design processes that support measures that include nature-based solutions and nature-based infrastructure, considering ecological diversity, social and economic co-benefits in flood mitigation, planning, response, and recovery.

Action 2.2: Establish a First Nations Flood Resilience Advisory Circle

The development of the Strategy has been founded on strong partnerships with First Nations that will be carried through to implementation planning. In consideration of other governance initiatives that align water objectives (e.g., Watershed Security Strategy) the Province may establish a B.C. First Nations Flood Resilience Advisory Circle (AC) consisting of First Nations delegates from across B.C.'s major watersheds. The AC's role may include advising the Province on strengthening flood governance while respecting First Nations' Rights and Title, as set out by the Constitution Act, 1982; the UN Declaration; the provincial Declaration Act; Modern Treaties; as well as the respective and distinct laws, legal systems, and systems of governance of First Nations. It will also support advising the Minister of Water, Land and Resource Stewardship (the Minister) on developing and implementing the B.C. Flood Resilience Plan for the Strategy.

Action 2.3: Establish a Minister's Flood Resilience Advisory Circle

In consideration of other governance initiatives that align water objectives (e.g., Watershed Security Strategy) the Province may convene a Minister's Flood Resilience Advisory Circle (AC), either as one or multiple committee(s) working in partnership with the First Nations' AC to address key interests of flood resilience. The Terms of Reference would involve various orders of government, including federal, provincial, Indigenous governing bodies, and local government agencies, with delegates from the major watersheds and key interest areas (e.g., diking authorities, agriculture, industry, academia, non-profit organizations, and conservation organizations). The ACs would provide advice and support to the Minister and facilitate communications on funding, governance, and policy updates and changes across different levels of government and sectors.

Action 2.4: Promote integrated flood management planning

The Province is committed to promoting and supporting integrated flood management planning approaches in communities across B.C. Integrated flood management planning, also referred to as integrated flood hazard management planning or integrated floodplain management planning, is a holistic systems-based approach. It responds to a community's flood hazard portfolio by employing a suite of tools, including both structural and non-structural, involving prevention, mitigation, and emergency response and recovery measures. This comprehensive approach aims to reduce the risk of flooding without incurring economic, societal, or environmental costs.

This process involves generating community support for multi-layered actions, fostering increased flood resilience transparently, and providing evidence for foundational investments. This community-scale effort can nest within a watershed scale or regional plan, contributing to a more cohesive and effective strategy.

Action: 2.5: Build cross-jurisdictional and international collaboration for flood resilience

This Strategy highlights the flexibility of integrated flood management planning, adaptable to various scales and objectives. An ideal planning approach adopts a watershed or catchment perspective, considering the dynamics of upstream–downstream and cross-river effects. The Province will utilize existing collaborative initiatives as potential models for developing wise practices and guidance for integrated flood management planning efforts at regional scales.

Existing forums recognize the importance of international and cross jurisdictional coordination to facilitate knowledge exchange, strategic planning, and joint implementation among regional and international partners. Achieving meaningful transboundary coordination for flood risk reduction initiatives, aligned with values such as community health, wellbeing, safety, ecosystem health, equity, reconciliation, and economic stability, will require the support of all orders of government.

The Province commits to promoting alignment of goals, priorities, and coordination among internal and external regulators with parallel or overlapping jurisdictions.

Action 2.6: Update provincial legislation, regulations, and policies

To align with modern values, increasing risks, and liabilities, the Province will initiate a review and update of its provincial flood management legislation and regulations, consulting and cooperating with First Nations in alignment with the Declaration Act.

Action 2.7: Update provincial technical guidance

Guidelines and templates will be updated to improve the accessibility and utility of information. This includes partnering with First Nations and local authorities on integrated flood management planning, governance considerations, community planning processes, structural and non-structural approaches, and climate change. Risk-informed approaches, including nature-based solutions, will inform flood infrastructure planning, design, and construction practices. These approaches will be periodically reviewed and updated to reflect current and innovative design practices. Collaboration with First Nations, local governments, and professional associations will be integral to guidance development.

Action 2.8: Strengthen dike regulatory programs

A proposal will be developed for a comprehensive dike regulatory program in B.C., aimed to effectively reduce flood risk while considering ecological, economic, and community impacts. The program would apply a locally led integrated flood management approach and would enhance coordination among diking authorities and different levels of government. This action supports flood risk reduction at a community level and will not consider the Province taking over diking authorities' ownership, management, or maintenance of dikes.

Action 2.9: Develop a provincially coordinated approach to orphan dikes

To address the challenges related to orphan dikes, a new risk management approach is needed. This approach involves the participation of First Nations, local governments, regional stakeholders, and provincial partners to consider multiple perspectives, evaluate impacts, and maximize benefits in identifying, funding, and implementing actions to address orphan dikes.

Action 2.10: Enhance forestry practices to mitigate flood risk

The significant role of forestry in B.C.'s economy and its cumulative impact on the land needs to be recognized, particularly in light of climate change and the increased occurrence of drought, wildfires, and flooding over the past decade. The transition to Forest Landscape Planning replaces the current Forest Stewardship Plans, and sets clear objectives and outcomes for managing forest resource values over defined areas. As part of the changes to B.C.'s forest management regime, including the *Forest and Range Practices Act* (FRPA), these plans provide a methodology to address climate change, environmental impacts from timber harvesting, and cumulative effects in collaboration with First Nations, forest licensees, stakeholders, local communities, and the public. B.C.'s Chief Forester will establish Forest Landscape Plans in consultation and cooperation with First Nations.

Pathway 3: Enhancing Flood Preparedness, Response, and Recovery

Recognizing the variability of flood risk across B.C. locations and watersheds, regional and local perspectives are vital for crafting effective plans that prioritize flood resilience. The transition to a watershed scale promotes equal collaboration between First Nations and local authorities, significantly enhancing preparedness, response, and recovery capabilities.

Floods have a profound impact on food security, especially for vulnerable populations like those living in poverty and Indigenous communities. The disruption of infrastructure, such as community access roads, is a significant concern. For instance, First Nations have stressed the importance of considering their ability to access and utilize traditional foods post-flood when making infrastructure decisions. This is crucial for recovery, as singular road access may be cut off.

Flood preparedness is a collective effort involving individuals, businesses, and all levels of governments, including First Nations governments. While local governments have the primary responsibility for flood emergency planning and preparedness, effective collaboration and coordination across regional, provincial, and federal levels is essential. Being prepared ensures that residents and visitors receive timely flood warning and have comprehensive plans for more effective response and recovery from flood events.

Flood response involves coordinating activities across various agencies to provide support to those affected by the crisis. This may involve swiftly constructing flood mitigation structures and temporary measures, and implementing evacuation plans for people and animals. Clear communication from all parties before and during flood response is essential to support residents, visitors, and businesses in taking necessary measures to protect health, wellbeing, and property. Effective management of evacuations and the provision of emergency services are crucial and should include a focus on cultural safety with First Nations communities.

Flood recovery is defined as the phase of emergency management aimed at re-establishing social, cultural, physical, economic, personal and community wellbeing through inclusive measures. These measures reduce vulnerability to emergencies, enhance sustainability and resilience and involve taking steps to repair a community impacted by an emergency. This phase also includes supporting the conservation and restoration of fish and wildlife habitat, with a potential for improving resilience in individuals, families, organizations, and communities.

Action 3.1: Enhance flood forecasting and early warning systems

To continuously improve flood modelling and forecasting services in B.C., it is important to integrate the latest scientific knowledge into rapid operational river forecasts. This requires a well-equipped and knowledgeable team at the River Forecast Centre, ensuring staff resourcing and training are adequate and that collaboration is fostered across agencies.

Action 3.2: Enhance flood preparedness through the Provincial Flood Emergency Plan

The updated Provincial Flood Emergency Plan will define how the Provincial government, local governments, neighbouring jurisdictions, and First Nations will coordinate flood-related mitigation, preparedness, response, and recovery efforts. The plan will clarify the roles and responsibilities of each partner before, during, and after flood events, considering geographical differences in flood risks. The primary focus is on creating effective plans for flood preparedness, mitigation, response, and recovery, emphasizing flood resilience.

Action 3.3: Enhance flood emergency response

A well-coordinated, prompt response to flood events is vital for the health and safety of communities, protection of property and animals, safeguarding environmental values, and the well-being of residents and visitors in B.C. This involves effective coordination between First Nations, local governments, and provincial and federal response efforts, as well as providing cross-cultural competency training to facilitate collaboration among multiple agencies involved in flood response. The *Emergency and Disaster Management Act* requirements for consultation and cooperation with Indigenous governing bodies in land-based response and recovery actions, emphasizing the importance of engaging and respecting First Nations leaders in emergency response activities within their jurisdictions.

Action 3.4: Enhance pre- and post-disaster flood recovery planning

Under the *Emergency and Disaster Management Act*, the Province and regulated entities will prepare comprehensive plans, encompassing all four phases of emergency management, including recovery. These plans will be founded on available Indigenous knowledge and prioritize cultural safety.

To support and enhance post-emergency flood recovery planning, the Province will assist communities in rebuilding in a resilient, culturally safe, and appropriate manner post-disaster. This approach aims to facilitate recovery from economic, social, and cultural disruption, among additional efforts.

The Province also promotes collaborative, community-based, integrated flood management planning. Engaging in flood recovery blueprints before a flood disaster occurs allows for timely and effective adaptation decisions post-flood. Pre-disaster planning can support the consideration of environmental issues, respecting community values, facilitating a community-led retreat, and planning for future land use and zoning in risk prone areas.

Pathway 4:
Investing for Flood Resilience

To enhance flood-resilience in B.C., additional investments are required from federal and provincial governments, but also landowners, individuals, and industry, including the agricultural sector. Funding programs should be designed with flexibility to cater to the unique needs of Indigenous, remote, rural, and urban communities. In addition to the grey infrastructure predominately relied upon historically, we must explore a broader range of solutions, including those that are nature-based. Funding programs must consider the interplay between hazards and communities' capacity to access, secure, and invest the necessary funding for a flood resilient future.

The Province recognizes that effective flood mitigation and adaptation funding should adopt a holistic approach, with community needs at the center. This involves considering flood avoidance, accommodation, retreat, and protection elements while maximizing co-benefits that result from the integration of nature-based infrastructure and mitigation using natural systems. The Province recognizes that natural floodplains and nature-based solutions offer a wide range of valuable ecosystem services, including flood regulation, fish and wildlife habitat, clean water, open space amenities, recreation opportunities, and spiritual benefits.

Many communities face barriers to access funding, whether due to capacity limitations or funding program design. To address this, communities should receive support in creating strong project proposals, ensuring funding is directed where it is needed most. Provincial and federal programs should be designed to collaborate effectively and center on community needs. The Province aims to increase its capacity to support communities, including First Nations, and remote and rural communities, in strengthening funding applications for evidence-based flood mitigations. The Province will collaborate with communities to match their flood resilience needs and projects with available federal and provincial funding opportunities.

Action 4.1: Develop predictable funding programs

The Province will develop and implement ongoing funding programs for hazard risk mitigation, including flood. These programs will be tailored to meet the needs of communities, focusing on addressing equity and accessibility. Collaboration with the federal government, cost-sharing across sectors and levels of government, and coordination with other agencies will be explored to support communities implementing flood resilience initiatives.

Action 4.2: Enhance flood avoidance investments

The Province will adopt a multi-generational approach to flood risk reduction. Decisions made today about development and land use in the floodplains will have long-term implications. The Province will work with partners to explore flood avoidance strategies that can minimize the risk and vulnerability of populations in flood-prone areas.

Action 4.3: Enhance flood accommodation investments

Flood accommodation involves allowing periodic flooding in developed or cultivated areas while taking measures to limit, mitigate, or reduce vulnerability. Benefits of this approach can include increased structural resilience, reduced disruption of socioeconomic activity during flood events, and a decrease in the cost and time required for rebuilding post-flood. The Province will explore expanding funding program coverage to support flood accommodation measures, particularly in communities where relocation is not an option.

Action 4.4: Enhance flood protection investments

The Province acknowledges the need for flood protection measures that reduce flood likelihood and damage. While historically focusing on traditional infrastructure, the Province recognizes the importance of nature-based solutions. Nature-based solutions will be promoted alongside grey infrastructure to provide protection against flooding while delivering multiple benefits, including improved biodiversity, conservation and restoration of fish habitat, carbon sequestration, social wellbeing, and tourism.

Action 4.5: Enhance community-led managed retreat investments

Community-led managed retreat involves moving people, buildings and infrastructure from hazard-prone areas to reduce future risks. The Province will update financial assistance regulations as part of modernizing B.C.'s emergency management legislation. Feedback received during a recent engagement on these regulations is being analyzed and will be considered as options are developed.

Action 4.6: Address First Nations loss of land

The Province will engage the federal government on how to better collaborate to implement measures addressing loss of lands due to flooding, based on the needs identified by First Nations.

Action 4.7: Coordinate investments for floodplain management

To promote floodplain management and water conservation objectives, the Province will leverage provincial funding to align with federal funding and capacity-building programs. These efforts will be in line with provincial initiatives like the Watershed Security Strategy and Fund, B.C.'s Salmon Restoration and Innovation Fund, and funding associated with Canada's National Adaptation Strategy.

Conclusion

All levels of government have critical and distinct roles to play in strengthening B.C.'s flood resilience. The Province's responsibilities include setting clear, high-level strategy and policy direction, fostering collaboration at a watershed-based scale, establishing technical standards and guidelines, offering funding programs, supporting community access to funding for improved flood resilience, and maintaining and updating relevant legislation and regulations.

To ensure transparency and keep stakeholders and the public well-informed about the B.C. Flood Strategy and Resilience Plan, the Province will regularly provide updates and information through online materials. These resources will include 'What We Heard' reports and the Intentions Paper. A dedicated website will serve as a central location for information, acting as a platform to share progress on the Strategy's implementation and valuable input from First Nation partners, local governments, and the public, gathered during the Strategy's development.

The Strategy aims to achieve several goals, including reducing the impact of flooding on communities, promoting sustainable growth and prosperity, safeguarding cultural assets, and enhancing our environment for the collective benefit of all. The Strategy aligns with the B.C. government's mandate to help communities prepare for the effects of climate change. Through the phased implementation of this Strategy, we aim to future-proof our province-wide ability to respond to flood emergencies, ensure the resilience of critical infrastructure, protect our land and water for future generations, prioritize co-benefits and ecosystem services, and enhance public safety.

Appendix A: Resilience Activities Under the Pathways

Appendix A outlines the activities that have been identified by the Province and its partners through extensive engagement. These activities are crucial in supporting the achievement of each Pathway and Action identified in the Strategy. While some of these activities will be further evaluated and incorporated into implementation planning, others will serve as immediate, foundational actions.

Pathway 1: Understanding Flood Risk

Action 1.1: Develop a provincially coordinated floodplain mapping program

The program will provide provincial oversight and guidance for floodplain mapping projects, as well as:

- Promote collaboration and facilitate connections between the Province, First Nations, and local governments on floodplain mapping projects, thereby establishing a foundation for integrated flood management planning.
- Develop modernized, provincial floodplain mapping guidance for local governments, First Nations, and qualified professionals on the use of floodplain maps to support flood preparedness, mitigation, and adaptation efforts.
- Coordinate floodplain mapping projects led by multiple partners, prioritizing high-risk areas, and producing maps that are founded on local, Indigenous, and intergenerational knowledge systems, equity, and climate change impacts in a consistent format.
- Improve technical expertise and capacity at regional, provincial, and First Nation community levels to support communities with limited capacity to lead floodplain mapping and planning activities independently.
- Provide a consistent flood hazard dataset to support flood risk assessment work at the provincial, regional, and community scales.
- Ensure free and equitable access to flood risk data for everyone in B.C., to enable risk-informed decision-making in the face of climate change and flooding. This involves providing public access to existing and new floodplain maps and related datasets, while expanding provincial investments in B.C.'s LiDAR program.
- Investigate a long-term, stable approach to annually update a subset of floodplain maps with a 10-year interval target, prioritizing areas experiencing rapidly shifting flood hazards.
- Promote cross-ministry coordination of floodplain mapping information, the use of floodplain mapping products in infrastructure planning, and decision-making by provincial ministries and critical infrastructure providers.

Action 1.2: Conduct a province-wide flood risk assessment

The flood risk assessment is intended to:

- Develop a consistent provincial understanding of flood risk by co-developing the assessment in partnership with First Nations and incorporating local, Indigenous, and intergenerational knowledge systems, as well as considerations for climate change and equity-denied populations.
- Establish partnerships with subject matter experts, such as technical and academic professionals, service providers, practitioners, and advocates. These partnerships will ensure that the assessment integrates multiple knowledge systems, such as scientific and Indigenous, lived experience, and multiple disciplines including engineering, planning, emergency management, forestry, aquatic ecosystems, soil sciences, and public health and community wellbeing.
- Explore relevant risk management guidelines for integration with the provincial climate risk assessment. Consider hazard, risk, and vulnerability guidelines to enhance the overall assessment.

- Consider a multi-criteria analysis involving economic, social, cultural, environmental and health values and trade-offs. This analysis will incorporate Indigenous knowledge, while considering projected future climate conditions, such as those forecasted for 2050 and 2100.
- Address biases and apply a GBA+ and equity, diversity, and inclusion lens to identify disproportionate impacts to populations affected by flooding, including the short-and long-term impacts to mental health and well-being.
- Explore the assessment of flood-related fluvial geohazard risks in regional flood risk assessments, including the need for flood protection infrastructure, considering the likelihood of failure, the linkage of flood risks with landslides, as well as potential threats of storm surge flooding due to the increased frequency and intensity of storm surges combined with sea level rise.
- Assess the impacts of flooding on health and community water infrastructure, such as drinking water, wastewater, and hydro systems, in regional flood risk assessments.

Action 1.3: Raise awareness of flood risk with a human-centred approach

Programming to build flood awareness will:

- Produce content to educate the public about flood risk.
- Share innovative strategies to mitigate flood risk (e.g., Floodplains by Design).
- Promote flood outreach tools, including the federal Flood Ready website, the provincial ClimateReadyBC website, the Flood Preparedness Guide, and Storm Ready social media package, and other academic and public information sites, such as the Fraser Basin Council's FloodWise website, the University of Waterloo's Intact Center on Climate Adaptation, and Partners for Action's Flood Smart Canada website.

Action 1.4: Build capacity and support for applied research and enhanced training

Recognizing the high demand for qualified professionals, particularly post-disaster, and the need for local or regional support, engagement participants initiated exploratory conversations to:

- Enhance collaboration among organizations involved in a technical capacity, such as Engineers and Geoscientists BC, BC Water and Waste Association, Justice Institute of British Columbia, First Nations' Emergency Services Society of British Columbia, Indigenous Services Canada, Union of BC Municipalities, academia, and youth groups.
- Explore creating a working group to advise on an action plan that focuses on recruitment, retention, and equitable accreditation across disciplines and institutions. The action plan could identify additional eligibility accreditation options, including First Nations qualifications, such as incorporating professional work experience, mentorship programs, and train the trainer initiatives, as well as identify available financial supports.

Pathway 2: Strengthening Flood Risk Governance

Action 2.1: Set new direction for B.C.'s flood governance model

In strengthening flood governance in alignment with the Sendai Framework, the Province will:

- Consider transitioning B.C.'s flood governance from a decentralized model to a hybrid "flood hubs" model (subject to Provincial government direction).
- Ask Flood Resilience Advisory Circles to provide recommendations on the proposed flood governance model, considering planning, regulating, guidance, funding, and implementation and monitoring implications.
- Promote an Integrated Flood Management approach that supports communities to adopt a combination of structural and non-structural approaches, climate change considerations, and community land use planning processes.

Action 2.2: Establish a First Nations Flood Resilience Advisory Circle

The First Nations Flood Resilience Advisory Circle will be invited to:

- Prioritize assessing options to strengthen B.C. flood governance through a hybrid "flood hubs" model.
- Advise the Minister on strengthening B.C. flood governance in recognition of First Nations' inherent and legal Rights and Title, the UN Declaration, as well as the provincial Declaration Act.
- Advise the Minister on setting new provincial direction for flood risk reduction, optimizing resource allocation, addressing fairness in risk reduction efforts, clarifying roles and responsibilities, and supporting planning at a community scale.
- Collaborate with the Province to develop a framework for the Flood Resilience Plan, including scoping of potential programs, policies, roles, and responsibilities, timelines, and cost apportionment.
- Promote the coordination and building of relationships across watersheds in alignment with the vision and principles of the Strategy (e.g., through a federal, provincial, and First Nations' Memorandum of Understanding).
- Support future reviews and potential updating and strengthening of existing and new provincial legislation, regulations, and policies that support an all of society approach to flood resilience.
- Support and participate in the Minister's Flood Resilience Advisory Circle.

Action 2.3: Establish a Minister's Flood Resilience Advisory Circle

The Minister's Flood Resilience Advisory Circle will be invited to:

- Collaborate with the First Nations' Flood Resilience Advisory Circle, assess and prioritize options to strengthen B.C.'s flood governance through a hybrid "flood hubs" model.

- Provide advice and support to the Minister, and facilitate communications on funding, governance, policy updates and changes across different levels of government and sectors.
- Identify opportunities to leverage existing planning processes to promote flood risk reduction actions and support for watershed-based flood planning.
- Promote informal coordination and build relationships across watersheds in alignment with the vision and principles of the Strategy.
- Liaise with the First Nations Flood Resilience Advisory Circle.

Action 2.4: Promote integrated flood management planning

To strengthen support and guidance for responsible authorities on the integrated flood management planning process, the Province will:

- Draw on subject matter experts, First Nations and local governments with experience to share best practices or examples regarding objective setting, approaches, scope, and outcomes of Integrated Flood Management Plans (IFMPs).
- Develop guidance on the process and modelling content for IFMPs.
- Explore promoting the development of IFMPs through provincial funding programs for flood planning and exploring specific initiatives to support its adoption.

Action: 2.5: Build cross-jurisdictional and international collaboration for flood resilience

The Province will participate in collaborative initiatives, including:

- The Nooksack Transboundary Flood Initiative,
- The Sumas River Watershed Flood Mitigation Planning, and
- A working group with First Nations, local, provincial and federal governments, to translate the Lower Mainland Flood Management Strategy "Pathways to Action Report" recommendations into a proposal, including establishing a leadership table to guide the approach.

Action 2.6: Update provincial legislation, regulations, and policies

To strengthen flood management and preparedness in B.C., the Province will:

- Modernize emergency management legislation, including regulations co-developed with First Nations. Input received through the B.C. Flood Strategy engagement, such as interest in supporting equitable and inclusive recovery efforts, will inform this work.
- Launch a review of provincial flood management legislation and regulations in collaboration with First Nations in alignment with the Declaration Act.
- Complete a new compensation and financial assistance regulation under the *Emergency and Disaster Mitigation Act* to better support equitable and inclusive recovery efforts.

- Collaborate with the British Columbia Real Estate Association (BCREA) and the Land Title and Survey Authority of British Columbia (LTSA) to explore strategies for incorporating the disclosure of flood hazard risks (and other hazards, if feasible) during property sales or during annual property assessments in the province. This will ensure that reliable information is disclosed and presented in a manner that is easily understood by the public.
- Work towards repealing the *Drainage, Ditch, and Dike Act*.
- Collaborate with local governments and other partners to explore opportunities to improve building and technical guidelines and policy tools that support flood resilience and address climate risks associated with riverine, coastal, local stormwater, and groundwater flooding.
- Modernize the *Dike Maintenance Act* and/or develop regulations under the Act to ensure resilient flood protection infrastructure through effective regulatory processes, including compliance and enforcement.
- Provide guidance on incorporating regulations for activities, such as timber management approaches within the *Agricultural Land Commission Act*, to reduce the vulnerability of surrounding areas to flood impacts or risks.
- Review and revise the B.C. Dam Emergency Response Plan, as necessary.
- Streamline approvals under the *Water Sustainability Act* and other Acts for projects in and around streams, that mitigate flood risk, particularly those involving nature-based solutions.

Action 2.7: Update provincial technical guidance

Several professional practice technical guidelines identified for renewal include:

- **Flood Infrastructure Guidelines:** These guidelines will be updated to cover the design, construction, and management of flood infrastructure including, dikes, erosion protection works, nature-based solutions, nature-based infrastructure, and other flood mitigation measures. These updates will incorporate current scientific knowledge, engineering wise practices, and considerations related to climate change.
- **Nature-Based Flood Infrastructure Guidelines:** These new guidelines will complement the flood infrastructure guidelines and inform decision-making on nature-based solutions and nature-based infrastructure. They will be based on the 'PARA' framework, which stands for protect, avoid, retreat, and adapt. The guidelines will also include decision support tools for assessing site level vulnerabilities and risks related to climate change, including various types of flooding, sea level rise, and storm surges.
- **Flood Hazard Area Land Use Management Guidelines:** The existing guidance will be updated to provide improved information for land use managers and approving officers. These updated guidelines will provide clear direction on developing and implementing land-use management plans and making subdivision approval decisions for flood hazard areas.
- **Local Flood Risk Assessment Guidelines:** New guidelines will be developed to establish standardized professional practices and techniques for conducting flood risk assessments at the local level.
- **Hydrologic Assessments and Climate Change Guidance:** Develop guidance on hydrologic assessments and climate change, including

consistent definitions and base assumptions for analysis. This will be done in collaboration with professional associations to ensure consistent outcomes across flood mapping and flood risk assessments.

- **Structures Threatened by Watercourses Provincial Support Guidelines:** Update guidelines to reflect the implementation of the *Emergency and Disaster Management Act*. The guidelines will provide clarity on the process for structures threatened by watercourses, distinguishing responsibilities between small- and large-scale events.
- **Integrated Flood Management Planning Guidelines:** These guidelines will provide a framework for identifying community values and priorities in integrated flood management planning. They will include guidance on meeting the minimum expectations for flood risk management, incorporating both structural and non-structural approaches, climate change considerations, and integrating community land use planning processes.
- **Local Authority Guidance and Wise Practices:** Improve guidance, policies, and support to explicitly address flood risk and effectively implement mitigation, adaptation, and accommodation measures at various stages of development and planning. This includes local governments updating Official Community Plans and approving new developments in flood risk areas. Strengthening guidance for local governments will ensure proper consultation and collaboration with neighboring jurisdictions, specifically First Nations. This also includes the need to provide notification regarding potential downstream impacts of new flood risk reduction investments or integrated flood management planning strategies.
- **Stormwater Guideline Adoption:** The Province will explore the formal adoption of nationally recognized standards and design guidelines for addressing urban flooding, stormwater infrastructure and development.[5]
- **Comprehensive Guidance on Flood Accommodation:** Develop comprehensive guidance on flood accommodation measures, including consideration of co-benefits that reduce flood related risks, such as drought and tsunamis. This guidance will focus on community land use planning and consider various types of flooding including, riverine, coastal, local stormwater, and groundwater flooding.
- **Steep-Creek/Debris Flow Guidance/Guidelines:** Develop standards and guidelines for the design and maintenance of debris flow barriers and other flood protection against the steep-creek hazard.

Action 2.8: Strengthen dike regulatory programs

A comprehensive dike regulatory program in B.C. will:

- Implement an integrated flood management approach to enhance coordination among diking authorities and different levels of government.
- Collaborate with professional associations to update guidelines for professional practice related to flood risk reduction.
- Improve communication and education regarding the roles and responsibilities of diking authorities. This includes dike inspection and maintenance, submission of dike inspection reports, and *Dike Maintenance Act* approval applications.
- Implement a publicly accessible, centralized repository of dike information that is updated with data collected from diking authorities.

- Support diking authorities through streamlined regulatory approvals, dike safety audits, and improved information for local governments and other authorities responsible for land use.

Action 2.9: Develop a provincially coordinated approach to orphan dikes

This coordinated provincial effort will involve the following actions:

- Identify high-risk orphan dikes across the province.
- Collaborate with local governments and other partners to gain a shared understanding of orphan dike details, regulatory considerations, and tailor an approach for each orphan dike based on its level of risk.
- Identify and implement site-specific actions, which may involve dike upgrades in conjunction with assigning a diking authority, building alternative flood infrastructure, removing unsafe dikes, implementing flood accommodation measures, or supporting community-led managed retreat, and identify potential funding. These actions will generally be guided by an integrated flood management plan.
- Maximize co-benefits, such as creating fish friendly habitat, enhancing ecological diversity, promoting economic opportunities, and preserving or restoring Indigenous places of cultural value or food systems.
- Collaborate with partners, such as the First Nations' Emergency Services Society (FNESS) and the Union of BC Municipalities (UBCM) to co-develop equitable approaches to support smaller communities with limited financial and technical capacity in shared planning and implementation of actions related to orphan dikes.
- Prevent the creation of new orphan dikes through clarifying and communicating policies, roles and responsibilities for temporary emergency works constructed during flood response.

Action 2.10: Enhance forestry practices to mitigate flood risk

This initiative will encompass the following components:

- Completion of Forest Landscape Plans in partnership with First Nations, in collaboration with forest licensees, and with input from stakeholders, local communities, and the public.
- Develop guidance on objectives and practices aimed at reducing the impacts of upstream forestry operations and resulting peak flows, including erosion under the *Forest and Range Practices Act* Improvement Initiative. These objectives will be applied through forest landscape level planning. Additionally, existing partnerships, and collaborative approaches, such as Forest Landscape Plans and the Collaborative Indigenous Stewardship Framework, can be leveraged for objective setting and implementation.

Pathway 3: Enhancing Flood Preparedness, Response and Recovery

Action 3.1: Enhance flood forecasting and early warning systems

To continuously improve flood modelling and forecasting services in B.C., it is important to integrate the latest scientific knowledge into rapid operational river forecasts. This involves maintaining a well-equipped and knowledgeable team at the River Forecast Centre that is adequately staffed and trained, making appropriate technologies available for ongoing success, and fostering collaboration across agencies including:

- Collaborating with partner agencies, such as the B.C. Ministry of Environment and Climate Change Strategy and the Water Survey of Canada, on recommended enhancements to hydrometric and climate monitoring networks across all major watersheds in the province.
- Developing and investing in a robust data management system and computing resources, which includes site-specific data management in First Nation communities.
- Acquiring and integrating various numeric weather model outputs to improve forecasting.
- Continuously improving river, lake, and coastal flood forecast models and analysis tools.
- Providing support for on-the-ground monitoring and field programs, such as Indigenous Guardians initiatives.
- Integrating local-scale flood risk and Indigenous knowledge systems into early warning systems.
- Collaborating with other key agencies involved in collection, production, and communication of hydrometric and climate monitoring data to inform flood risk and other related monitoring programs (e.g., cumulative effects and watershed health).
- Coordinating cross-border flood hazard communication and alerts regarding potential Nooksack River overflow (an action emerging from the Transboundary Flood Initiative).

Action 3.2: Enhance flood preparedness through the Provincial Flood Emergency Response Plan

- Satisfy the requirements of the *Emergency and Disaster Management Act* concerning an emergency management plan, as they become available.
- Integrate cultural safety into recovery planning to prevent traumatization of Indigenous people during displacement or flood event impacts. The Provincial Flood Emergency Plan will include the integration of local, intergenerational knowledge, and Indigenous Knowledge wherever possible.

Action 3.3: Enhance flood emergency response

- Continue to collaborate with partners to ensure the safety of communities, the protection of property, pets, and livestock, and to meet the needs of both residents and visitors in B.C. This includes addressing and meeting the needs of B.C. residents and visitors through B.C.'s Tourism Emergency Management Framework.

- Introduce requirements for consultation and cooperation with Indigenous governing bodies when implementing land-based response and recovery actions as part of modernized emergency management legislation.
- Communicate with flood related authorities on the importance of engaging and respecting First Nations as leaders in emergency response activities within their jurisdictions. Provide cross-cultural competency training to facilitate collaboration among multiple agencies involved in flood response, with consideration of access to traditional food sources.
- Explore ways to assist communities in better coordinating and planning for the transportation and protection of livestock in disaster events.

Action 3.4: Enhance pre- and post-disaster flood recovery planning

- Ensure emergency management plans prepared under the *Emergency and Disaster Management Act* by the Province and regulated entities (lead government ministers, local governments, critical infrastructure owners, public sector agencies) include all four phases of emergency management. These requirements will be phased in over time.
- Explore the incorporation of climate informed design into flood mitigation policies and funding mechanisms. This work has begun with the Community Emergency Preparedness Fund (CEPF), which requires applicants to demonstrate use of future climate scenarios in their projects.
- Investigate ways to minimize future losses by incorporating climate change considerations into codes and standards, facilitating the reconstruction of more resilient infrastructure capable of withstanding the effects of a changing climate.
- Maximize co-benefits by providing support for enhanced stream conservation and restoration efforts that benefit salmon, aquatic habitat, improve flood resilience, and increase property and infrastructure protection.
- Based on lessons learned from flood debris management after the 2021 atmospheric river events, ensure that information and guidance continue to be made available to the public on how hazardous materials that can endanger human health and safety (e.g., hydraulic constrictions, potential remobilization/impacts on infrastructure, pollution) are being addressed, and how those actions could be built into recovery planning for future events.
- Considerations for the Province and regulated entities that were brought forward during engagement to support holistic post-disaster emergency response plans included:
  - Incorporating the expertise of First Nations knowledge experts in incident response as well as post-disaster recovery planning.
  - Including individual and community mental health and well-being support requirements following the guidelines outlined in the Mental Health and Wellness Recovery Toolkit developed by the B.C. Provincial Health Services Authority (PHSA).

Pathway 4: Investing for Flood Resilience

Action 4.1: Develop predictable funding programs

Expand provincial capacity to better support communities in matching disaster mitigation needs with available funding and develop strong funding applications. To achieve this, the Province will look to:

- Adjust provincial funding program requirements and processes to improve access and predictability, especially for First Nations and smaller, remote, and rural communities.
- Seek collaboration with the federal government to secure additional funding, establish new provincial programs, and explore opportunities for cost-sharing across sectors and levels of government. Efforts will be made to streamline and coordinate funding with the federal government and other agencies to provide support for communities implementing flood resilient initiatives.
- Work with the Union of BC Municipalities (UBCM), local governments and First Nations to explore financing mechanisms to address new and ongoing emergency management costs related to floods.
- Support agriculture-related flood preparedness work in communities, aligning with provincial investments in food security emergency planning and preparedness, and work to develop an Emergency Preparedness Strategy on Food Security. This includes setting clear eligibility streams, providing more sustainable funding, particularly for First Nations, and respecting Indigenous Knowledge, and the authorities of Rights and Title holders in program design.

Action 4.2: Enhance flood avoidance investments

The Province will explore supports for flood avoidance strategies. Flood avoidance allows natural expansion and contraction of water and facilitates natural water storage in undeveloped floodplains and wetlands. To achieve this, the following tools will be utilized:

- Explore and develop options to facilitate updates to bylaws and land use policies.
- Develop guidance and provide resources to assist decision-makers in considering flood hazards when determining the location of community facilities and critical infrastructure.
- Explore designing programs that support flood avoidance concepts, pilots, and innovative approaches to avoid new flood exposure.

Action 4.3: Enhance flood accommodation investments

To better reflect the principles of the Strategy and modernize flood accommodation investment, the Province will look to:

- Expand the eligible activities covered by community funding programs to support flood accommodation measures where appropriate, particularly in communities where relocation is not an option. Funding could also be explored for a flood retrofit funding program in collaboration with First Nations and local governments to support individuals and small businesses with property-level flood audits and cost incentives for retrofits such as sump pumps, electrical system modifications, and backflow valves to reduce flood damage.
- Align wise practices and guidance on flood accommodation, including measures specific to tsunamis.

- Explore incentivizing homeowners, farmers, and businesses in high-risk areas to floodproof their buildings through cost-sharing programs and funding initiatives like the Fraser Valley Farmers Flood Mitigation Fund.
- Engage with the federal government to ensure that B.C.'s interests are effectively represented in the national flood insurance program.

Action 4.4: Enhance flood protection investments

Moving forward, the Province will invest in funding programs that support both grey and nature-based infrastructure solutions that:

- Seek co-benefits for flood protection investments with fish habitat restoration, agricultural land protection, reconciliation with Indigenous peoples, health and wellbeing, and rural economic development.
- Support diking authorities in upgrading dikes to meet provincial standards, particularly in areas where high-value land uses and settlements are vulnerable to flood risks.
- Develop provincial funding programs that enable communities to adopt holistic approaches to risk mitigation, including incorporating nature-based solutions.
- Conduct more post-flood infrastructure and riverbank inspections to identify and address deficiencies, while leveraging local and intergenerational knowledge and scientific expertise.
- Collaborate with First Nations to protect archaeological resources and sites of Indigenous cultural significance early in the planning and design process, for any flood protection infrastructure.

Action 4.5: Enhance community-led managed retreat investments

The Province will:

- Update the financial assistance regulations as part of the *Emergency and Disaster Management Act*.
- Engage in discussions on how managed retreat could be used to address flood risk.

Action 4.6: Address First Nations loss of land

In response to the identified need by First Nations, the provincial government will proactively collaborate with the federal government and implement measures to address loss of lands due to flooding. This will include exploring how the Province can:

- Engage with the federal government, including Indigenous Services Canada (ISC) and Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) to propose improvements to the federal Additions to Reserve (ATR) process in relation to securing replacement lands for territories lost because of natural disasters.
- Increase communication regarding the Province's investments in over $38 million in a new program to collect light detection and ranging (LiDAR) data, enabling effective and informed decision-making on the planning and management of wildfires, landslides, floods, and other natural events.

- Support First Nations' led exploration of options related to flooded land restoration, prevention, and response measures, including potential designations that reflect First Nations' interests.

Action 4.7: Coordinate investments for floodplain management

To support these values, the Province will explore opportunities to:

- Collaborate among local governments and First Nations to achieve co-benefits in association with flood resilience. This collaboration should align with related initiatives such as the Watershed Security Strategy and Fund, Coastal Marine Strategy, salmon actions and related biodiversity framework programs.
- Promote flood accommodation design, such as adaptable crops, fish friendly habitats, and community recreation uses.
- Collaborate with First Nations to explore nature-based solutions and nature-based infrastructure projects. This includes initiatives that address wildlife impacts, focusing on floodplain restoration and connectivity, habitat improvement for fish and wildlife, especially wild salmon, migratory birds, and species at risk.
- Further fund flood planning, preparedness, response, and recovery measures that incorporate salmon values. This includes flood control infrastructure projects aligned with federal and provincial salmon and aquatic habitat restoration initiatives (e.g., Healthy Watersheds Initiative, British Columbia Salmon Restoration and Innovation Fund, Habitat Conservation Trust Foundation, etc.).
- Include biodiversity and species at risk recovery in flood mitigation programs, including wetland restoration, creation and enhancement that align with First Nations, federal and provincial initiatives (e.g., Nature Agreement, Together for Wildlife, Biodiversity and Ecosystem Health Framework, North American Wetland Management Plan and Migratory Bird Joint Ventures).

Appendix B: Glossary

Term	Definition
Adaptation	Adaptation refers to modifying ecological, social, or economic systems in response to current or anticipated climatic stimuli and their effects. It refers to changes in processes, practices, and structures to minimize potential damages or take advantage of opportunities arising from climate change.
Adaptive Management	A systematic process for continually improving management policies and practices by learning from the outcomes of operational programs.
Climate Adaptation	Proactively understanding and preparing for the changing climate and reducing climate-related risks.
Climate Change	Shifts in temperature and weather patterns over an extended period. These shifts may be natural, or human caused.
Coastal Flood	Seawater inundation of lands in coastal zones, due to storm surge, wind and wave action, tsunamis, high tides, or sea level rise.
Community	Everyone who is or could be affected by an emergency/disaster. This includes all levels of government, agencies, not-for-profit organizations, businesses, and individuals.
Critical Infrastructure	The systems, facilities, networks, or assets essential to the health, safety, security or economic well-being of people and the effective functioning of government.
Cumulative Effects	Changes to environmental, social, and economic values caused by the combined effect of past, present, and potential future human activities and natural processes.
Dike	An embankment, wall, fill, piling, pump, gate, floodbox, pipe, sluice, culvert, canal, ditch, drain, or any other thing that is constructed, assembled, or installed to prevent the flooding of land.
Diking Authority	a) the commissioners of a district to which Part 2 of the B.C. *Drainage, Ditch and Dike Act* applies, (b) a person owning or controlling a dike other than a private dike, (b.1) if the final agreement of a Treaty First Nation so provides, the treaty first nation in relation to dikes on its treaty lands, (c) a public authority designated by the minister as having any responsibility for maintenance of a dike other than a private dike, or (d) a regional district, a municipality or an improvement district.
Disaster	A calamity that (a) is caused by accident, fire, explosion, or technical failure or by the forces of nature, and (b) has resulted in serious harm to the health, safety, or welfare of people, or in widespread damage to property.

Disaster Risk Reduction (DRR)	Systematic efforts to analyze and reduce the causal factors of disasters. Reducing exposure to hazards, lessening vulnerability of people and property, wise management of land and the environment, and improving preparedness and early warning for adverse events are examples of DRR.
Groundwater	Water naturally occurring below the surface of the ground.
Ecosystem Services	The benefits people obtain from nature. These include provisioning services (i.e., clean water supplies), regulating services related to disturbances (floods, droughts, pest outbreaks), supporting services (i.e., soil formation, nutrient cycling), and cultural services (i.e., recreational, spiritual, religious, etc.).
Emergency	A present or imminent event or circumstance that (a) is caused by accident, fire, explosion, technical failure, or the forces of nature, and (b) requires prompt coordination of action or special regulation of persons or property to protect the health, safety, or welfare of a person or to limit damage to property.
Engagement	The act of involving someone in discussion, the act of establishing a meaningful contact of connection. (Oxford dictionary). Generally, refers to activity that happens early in an involvement process, as part of the continuing and ongoing process of developing relationships and partnerships.
Erosion	The natural breakdown and movement of soil and rock by water, wind, or ice. The process may be accelerated by human activity.
Exposure	The presence of people, infrastructure, housing, or other assets-at-risk (or parts thereof) in places that could be adversely affected by hazards.
First Nation	A term that came into common usage in Canada during the 1970s to replace the word “Indian”, but still does not have a legal definition. The term “First Nations peoples” typically refers to the Indian peoples of Canada (status and non-status). Some *Indian Act* bands have also adopted the term “First Nation” to replace the word “band” in the name of their community.
Flood	A condition in which a watercourse or body of water overtops its natural or artificial confines and covers land not normally under water.
Floodplain	An area of low-lying ground subject to flooding adjacent to a watercourse or lake.
Floodproofing	In reference to development, actions taken at the site or property level that reduces the vulnerability of buildings and their contents to flood damage, such as elevating all habitable living spaces above defined flood construction levels.

Floodway	The channel of the watercourse and those portions of the floodplains that are reasonably required to discharge the flood flow of a Designated Flood. A minimum required floodway shall be equal to the width of the channel within the natural boundary plus a minimum setback of thirty metres from the natural boundary on each side of the channel or channels unless otherwise approved.
Frequency	The number of occurrences of an event in a defined period.
Flood Accommodation	Allows flooding to occur periodically in developed or agricultural areas, with measures taken to limit, mitigate, or reduce vulnerability to flood damage.
Flood Avoidance	Approaches that prevent new building in flood hazard areas.
Flood Construction Level (FCL)	The minimum height required for a development to protect habitable living space from flood damage. In new construction, the underside of a wooden floor system or the top of a concrete slab must be no lower than the FCL.
Flood Fringe	The Flood Fringe is always the outer portion of the two-zone flood risk area where the flows are slower, shallower, and less damaging.
Flood Hazard Maps	Maps that go beyond flood inundation maps by providing information on the hazards associated with defined flood events, such as water depth, velocity, and duration of flooding.
Flood Inundation Maps	Topographic maps showing the extent of floodwater in plan view, under defined flood events.
Floodplain Mapping	See “Flood Hazard Maps”.
Flood Mitigation	Steps to reduce flood damage by structural measures (such as dikes), non-structural measures (such as keeping populations and assets away from flood-prone areas or requiring floodproofing), or a combination of these measures.
Flood Protection	Involves building and upgrading structural works designed to reduce the likelihood of flooding, prevent erosion, or reduce flood damage.

Flood Risk Maps	Maps that reflect the potential damages that could occur because of a range of flood probabilities, by identifying populations, buildings, infrastructure, residences, and environmental, cultural, and other assets that could be damaged or destroyed.
Flood Resilience	The ability of a system, community or society exposed to flood hazards to resist, absorb, accommodate, adapt to, transform, and recover from the effects of a flood hazard in a timely, efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management.
Floodplain Management	Includes policies and regulations intended to reduce flood risk associated with land use and development in floodplains and areas subject to flood hazards.
Gender Based Analysis Plus (GBA+)	An analytical process used to assess how diverse groups of women, men, and people of all genders may experience policies, programs, and initiatives.
Green Infrastructure	See "Nature-Based Solutions and Nature-Based Infrastructure".
Hazard	A source of potential harm, or a situation with a potential for causing harm, in terms of human injury; damage to health, property, the environment, and other things of value; or some combination of these, as defined by the Canadian Standards Association.
Indigenous Knowledge Systems	The understandings, skills and worldviews developed by Indigenous Nations with long histories of interaction with their natural surroundings. This local land-based knowledge informs decision-making about fundamental aspects of day-to-day life. This knowledge is integral to a cultural complex that also encompasses language, systems of classification, resource use practices, social interactions, and cultural traditions. These perspectives are inherently valuable as they provide local land-based knowledge that transcends thousands of years, providing a lens for local sustainable development.
Indigenous Governing Body	An entity that is authorized to act on behalf of Indigenous peoples that hold rights recognized and affirmed by section 35 of the *Constitution Act*, 1982.
Indigenous People	Has the same meaning as Aboriginal Peoples in section 35 of the *Constitution Act*, 1982 (note that this term includes First Nations, Inuit, and Métis peoples).
Integrated Floodplain Management Plans	Plans that outline the preferred combination of measures for managing flood risk, including structural and non-structural approaches.

Land Use Planning	The process by which lands are assessed so that informed decisions can be made regarding their use and development.
Local Governments	Municipalities and regional districts provide people living in British Columbia with essential local and regional services such as clean water, sewer systems, parks and recreation, and fire protection. These local governments plan and shape their communities and exercise the vision through the adoption of bylaws.
Métis	Recognized in the Canadian Constitution as one of the three Aboriginal peoples. Used broadly to describe people with mixed First Nations and European ancestry who identify themselves as Métis.
Mitigation	The phase of emergency management in which proactive steps are taken to prevent a hazardous event from occurring by eliminating the hazard, or to reduce the severity or potential impact of such an event before it occurs. Mitigation protects lives, property, cultural sites, and the environment, and reduces vulnerabilities to emergencies and economic and social disruption.
Nature-Based Solutions and Nature-Based Infrastructure	Nature-Based Solutions or Nature-Based Infrastructure is an approach that uses natural systems to provide critical services, such as wetlands for flood mitigation, or mangroves to reduce the impact of waves, storm surge, and coastal erosion. These solutions can also synergize with grey infrastructure, forming so-called "hybrid" solutions.
Multiple Accounts Analysis	A decision-making process involving the evaluation of several alternative options or scenarios for achieving a specific goal or objective. The purpose of this analysis is to compare the potential benefits, costs, and risks of each option to determine the most appropriate course of action.
Orphan Dike	"Orphan Dike" mean a "dike," as defined in the *Dike Maintenance Act* (the "Act"), that: a) has no identified "diking authority", and b) is not a "private dike", as those terms are defined in the Act.
Outcome	A desired future condition guiding the development and implementation of an organization's related programs.
Peak Flow	The maximum rate of water discharge during a flood at a given location on a river or other watercourse.
Preparedness	The phase of emergency management during which action is taken to ensure readiness to undertake emergency response and recovery. It includes, but it not limited to, hazard, risk, and vulnerability assessment, planning, resource planning, volunteer management, training, exercises, public/stakeholder education, and continuous improvement.

Remote Communities	A community not currently connected to the North American electrical grid or the piped natural gas network and is a permanent or long-term (5 years or more) settlement with at least 10 dwellings.
Probability	A measure of the chance of an event or an incident taking place.
Recovery	The phase of emergency management during which action is taken to re-establish social, cultural, physical, economic, personal and community well-being through inclusive measures that reduce vulnerability to emergencies, while enhancing sustainability and resilience. It includes taking steps to repair a community impacted by an emergency and restore conditions to a level that could withstand a potential future event or, when feasible, improve them to increase resilience in individuals, families, organisations, and communities.
Response	The phase of emergency management during which actions are taken in direct response to an imminent or occurring emergency to prevent, limit and manage impacts. Response includes the initiation of plans and actions to support recovery and may include deployment of registered volunteer resources.
Rights and Title Holders	Has the same meaning as Aboriginal Peoples in section 35 of the *Constitution Act*, 1982 (note that this term includes the 204+ First Nations of British Columbia).
Risk	A concept that takes into consideration the likelihood that a hazard will occur, as well as the severity of possible consequence to health, property, the environment, or other things of value.
Risk Assessment	A method to determine the nature and extent of risk by analyzing potential hazards and evaluating existing conditions of vulnerability that together could potentially harm exposed buildings, infrastructure, people, property, services, livelihoods, and the environment on which they depend. Can be qualitative or quantitative.
Risk Management	The systematic approach and practice of managing uncertainty to minimize potential harm and loss.
Riverine Flooding	Occurs when water levels in a river or stream overflow beyond its banks.

Resilience	i. The capacity to lead a continued existence in response to rapid and gradual change. ii. The capacity of a system to deal with change while continuing to develop. iii. The ability of a system, community, or society exposed to hazards to resist, absorb, accommodate, adapt to, transform, and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management. iv. The ability of a system to plan and prepare for a stressor, absorb the perturbations induced by the stressor, recover from damage created by the stressor, and adapt to prevent future severe effects from the same stressor.
Rural Communities	Rural community is defined as a community with a population of less than 5,000 people and a population density of less than 400 peoples per square kilometre and not connected to the North American piped natural gas network.
Safe Flooding	See "Flood Accommodation".
Sector	Includes not only water users but other groups that benefit from healthy water (e.g., tourism, fisheries).
Stormwater	Rainwater, snowmelt, and water from other sources that runs off impervious surfaces such as pavement and rooftops. Stormwater has implications for urban and rural planning, as it cannot infiltrate the ground and is typically channeled into storm sewers and watercourses.
Tsunami	A series of waves caused by a rapid, large-scale disturbance of water. Tsunamis can be triggered by earthquakes, landslides, volcanic eruptions, meteor impacts, human activities (e.g., explosions), and meteorological/atmospheric phenomena.
Vision	An aspirational description of what an organisation would like to achieve in the mid- to long-term future.
Vulnerability	i. The characteristics of a person or group and their situation that influences their capacity to anticipate, cope with, resist, and recover from the impact of a natural hazard. ii. The conditions determined by physical, social, economic, and environmental factors or processes which increase the susceptibility of an individual, a community, assets, or systems to the impacts of hazards.

Watershed	Watersheds are areas of land where rain, snow and glacier runoff flow into common rivers, lakes, streams, or aquifers. They are homes to species, like wild salmon, give water for drinking and growing our food, support jobs and work for people, and have significant cultural and spiritual value for local communities. With respect to floods, B.C. has nine major watershed basins and they are the Mackenzie, the Fraser, the Columbia, the Pacific Ocean Seaboard (sometimes divided into the North Coast and South Coast), the Nass, the Skeena, the Stikine, Taku and the Yukon. Each major watershed includes many sub watershed drainage basins.
Water Basin	See “Watershed”.
Water Conservation	Preservation of water supplies by employing methods, policies and technologies that reduce water consumption.
Wetland	A swamp, marsh, bog, fen, or other similar area that supports natural vegetation that is distinct from adjacent upland areas or enclosed uplands.

Appendix C: Acronyms

ALRs	Agricultural Land Reserves, preserved under the *B.C. Agricultural Land Commission Act*
B.C.	Province of British Columbia, Canada
CEPF	Community Emergency Preparedness Fund
DCRRA	Disaster and Climate Risk and Resilience Assessment
EMCR	B.C. Ministry of Emergency Management and Climate Readiness
ESS	Emergency Support Services
FNAC	First Nations Advisory Circle
FRAC	Flood Resilience Advisory Circle
GBA+	Gender Based Analysis Plus
GDP	Gross Domestic Product
IFMP	Integrated Flood Management Plan
NGO	Non-governmental Organization
PHSA	Provincial Health Services Authority
UBCM	The Union of BC Municipalities
UN	The United Nations

End Notes

[1] Insurance Bureau of Canada. 2019. *Combatting Canada's Rising Flood Costs: Natural infrastructure is an underutilized option.*

[2] Natural Resources Canada (2021). *Relative sea-level projections for Canada based on the IPCC Fifth Assessment Report and the NAD83v70VG national crustal velocity model*. James, T. S., Robin, C., Henton, J. A., and Craymer, M. Geological Survey of Canada Open File 8764.

[4] Sayers et al. (2014). *Strategic flood management: ten 'golden rules' to guide a sound approach.* International Journal of River Basin Management. 13(2): 137-151.

[5] Examples include Canadian Standards Association (CSA) W204 (Flood resilient design of new residential communities), CSA W210 (Prioritizing flood resilience work in existing residential communities), CSA W211 (Management Standard for Stormwater Systems), and CSA Z800 (Guideline on basement flood protection and risk reduction).

Summary of Provincial Flood Resilience Actions

Table 1 – Summary of Provincial Flood Resilience Actions Since AR 2021 – August 2024				
Impetus	**Mitigation**	**Preparation**	**Response**	**Recovery**
Climate Preparedness and Adaptation Strategy (CPAS) (ENV lead)	Improving our shared understanding of flood risk by collaborating with communities in updating regional flood hazard mapping in high risk areas, to support their flood risk reduction decisions	Enhanced communication channels with forecasting communities in B.C. and Washington State Built capacity of River Forecast Centre (RFC) operational team with additional hydrologists Enhanced RFC modelling to utilize expanding climate observation networks Supported coastal flood forecasting and alerting in a transition from StormSurgeBC to a newly expanded program by Environment and Climate Change Canada (ECCC)	Delivering new RFC products for flood situational awareness, including weekly Provincial hazard calls and semi-weekly flood outlook Adopted new flood warning procedures for the Sumas River using Nooksack River overflow monitoring and trigger levels established from the 2021 flood event	
Financial support programs (EMCR lead)	Expanded the Community Emergency Preparedness Fund (CEPF) by $180 million, bringing the total CEPF investment by the Province to $369 million since 2017 in approximately 1,600 projects that help communities prepare for disasters and climate-related emergencies Involves technical review and guidance for flood-related project proposals	Improved public information on RFC and flood hazards shared through the PreparedBC social media channels and the ClimateReadyBC web portal, which provides mapping tools, risk data and resources to help communities better prepare and reduce the risk from disasters and climate emergencies	Technical support through Flood Assessment Units and advising on expense authorizations for community-led flood response	Updating the Compensation and Disaster Financial Assistance regulations as part of modernizing B.C.'s emergency management legislation Coordinating B.C. input to the federal draft program design of the modernized Disaster Financial Assistance Arrangements

Table 1 – Summary of Provincial Flood Resilience Actions Since AR 2021 – August 2024				
Impetus	**Mitigation**	**Preparation**	**Response**	**Recovery**
AR2021 After Action Improvement Plan (EMCR lead)	Strengthening flood mitigation, preparedness, response and recovery through the development of the B.C. Flood Strategy, and subsequently translating the strategy into action through implementing a B.C. Flood Resilience Plan	Collaborating with First Nations/Tribal partners, local governments and Washington State on the Transboundary Flood Initiative (TFI) to determine both short- and long-term solutions to address flooding challenges that have been present for decades	Working with communities to provide authorizations and funding to address post atmospheric river vulnerabilities, such as repairs to dikes, erosion mitigation work, hydrological surveys, riverbank restoration, and critical infrastructure repairs. Completion of these projects will help to reduce anticipated flooding vulnerabilities.	Providing technical guidance on *Dike Maintenance Act*/*Water Sustainability Act* aspects of recovery and mitigation plans (e.g., Merritt, Abbotsford, Princeton)
Watershed Security (WLRS lead)	A $100-million investment in the Watershed Security Fund builds on Budget 2022's $30-million commitment to improve B.C.'s watersheds and the previous $27-million investment in the Healthy Watersheds Initiative under the StrongerBC economic plan. Resilient watersheds help with resilience to flood and drought.			

Table 1 – Summary of Provincial Flood Resilience Actions Since AR 2021 – August 2024				
Impetus	**Mitigation**	**Preparation**	**Response**	**Recovery**
B.C. Flood Strategy (WLRS lead)	Released the B.C. Flood Strategy with First Nations partners in March 2024. Working toward a provincial flood risk assessment, in alignment with EMCR's Provincial Disaster and Climate Risk and Resilience Assessment (PDCRRA) Improving guidelines and web-based information for communities, qualified professionals and other partners on integrated flood management planning, land use management on floodplains and dike construction Engaging on Nature-Based Flood Infrastructure Guideline development' Community-Led Managed Retreat Guidance, and Wise Practices for Integated Flood Managent Planning, First Nations and Local Government Partnerships	In addition to CPAS bullets above: Enhancing flood forecasting capabilities and early warning systems Working to update the 2019 Provincial Flood Emergency Plan Developing provincial floodplain maps for 7 priority study areas in B.C., through cost share funding with the federal government through the Flood Hazard Identification and Mapping Program (FHIMP). Regulatory-quality flood hazard mapping is intended to be shared through the ClimateReadyBC flood portal in early 2025	In addition to CPAS bullets above: Working across ministries and other partners to improve coordination of flood response to support First Nations and local governments	Conducted a jurisdictional scan of best practices in community-led managed retreat and established guiding principles for property acquisition funding requests from AR 2021 affected communities. Developing draft policy for a Land Aqusition and Compensation Framework for property "buyouts" post AR 2021; and testing policy with recent federal funding in support of the City of Merritt's (and likely Abbotsford and Abbotsford and Princeton's) recovery efforts. Exploring approaches to support communities in pre-disaster and post-disaster flood recovery planning

B.C. Flood Resilience Implementation Planning & Regional Activities (Various Ministries – AF, EMCR, FOR, MOTI, WLRS, etc)	The Sumas River Flood Mitigation Collaborative Framework (agriculture focus) is supporting the design of mitigation projects in the Sumas River watershed and timely delivery of watershed recovery programs that benefit people,the farming community and protect infrastructure Signed the Sumas River Watershed Flood Mitigation Planning (SRWFMP) collaborative framework agreement in April 2023 with Semá:th, Matsqui and Leq'á:mel First Nations, the City of Abbotsford and the City of Chilliwack Supported development of collective values and objectives for SRWFMP Collaborative Framework partners to inform assessment of mitigative options within the Sumas Watershed. Supported elected officials with briefing materials in advance of SRWFMP and TFI leadership table meetings to build relationships and establish priorities with Local Governments, First Nations, State, and Tribal Nation counterparts involved in the initiatives. Supported the Lower Fraser Floodplains Forum, led by the mainland Coast Salish First Nations' Emergency Planning Secretariat, in June 2023 and delivery of	Delivering Seasonal Preparedness Workshops for local governments and First Nations	Providing Fraser River Flood Level modeling and advisories during freshet Supported the City of Abbotsford's permanent repairs to the flood-damaged Sumas Prairie dike with recovery funding Virtually monitor for Nooksack River overflow in real-time with new gages at Highway 544 and Emerson at Everson and in the Sumas watershed, installed by TFI partners	Nearly $100M has been provided to date to support Abbotsford in flood recovery and resiliency ($6.85M in recovery activities; $62M to build a new well and water-treatment system; $13.2M from the Disaster Financial Assistance (DFA) program for homeowners, tenants, small businesses, chartible organizations and farms; and $6.2M from DFA for 19 infrastructure projects) Established a "3G" (federal, provincial and First Nations) collaboration on salmon management and recovery in relation to all four phases of emergency management in 2022; over 87 key sites with habitat concerns were field verified and prioritized for restoration Post-AR 2021, provided guidance and authorizations for eight flood protection works in Thompson Okanagan Region and 16 in South Coast Region; issued over 106 *Water Sustainability Act* (WSA) s.11s, several WSA s.91s, seven WSA orders, five *Dike Maintenance Act* decisions, and archeology authorizations; undertook significant highway rebuilds as well as upgrades to Forest Service Roads to serve remote communities cut off through impacts to critical infrastructure.

	the Forum Report that outlines focus areas for actions over the next three years Jointly released the Lower Mainland Flood Management Strategy – Pathways to Action recommendations in July 2023 Signed the Transboundary Flood Initiative (TFI) collaborative agreement in October 2023 to develop long-term solutions to more frequent and severe flooding of the Nooskack River caused by climate change Collaborated with TFI partners to develop shared values statements, and continue to align cross-border objectives in relation to fish passage and aquatic ecosystems. Supported the Lower Fraser Floodplains Forum, led by the mainland Coast Salish First Nations' Emergency Planning Secretariat, in June 2023 and delivery of the Forum Report that outlines focus areas for actions over the next three years Jointly released the Lower Mainland Flood Management Strategy – Pathways to Action recommendations in July 2023 Published a TFI webpage on the BC Government Website in collaboration with partners from the Washington State Department of Ecology.			

Table 1 – Summary of Provincial Flood Resilience Actions Since AR 2021 – August 2024				
Impetus	**Mitigation**	**Preparation**	**Response**	**Recovery**
	SRWFMP website launch anticipated in Early September, 2024. Advancing an integrated approach to prioritize and address orphan dikes			

Appendix C- Flood Resilience Plan: A Phased Implementation Framework to 2035

Subject to government direction and budget the B.C. Flood Strategy (the Strategy) will be implemented through a Flood Resilience (Implementation) Plan and phased out with recommendations from the Advisory Circles identified in the Strategy. Immediate actions would be undertaken with the emphasis of this first phase on the Sendai Framework pillars of "understanding risk" and "strengthening governance". Then from release of the Resilience Plan in 2027 to 2035, a second phase would focus on setting in motion the broader suite of actions within the Strategy, potentially initiating legislative/regulatory changes, and reporting out on foundational activities. This phase would increase the emphasis on "enhancing preparedness, response and recovery" and "investing in resilience".

Phase 1: 2025-2027- Understanding Risk, Strengthening Governance & Resilience Planning for the B.C. Flood Strategy

Following endorsement of the BCFS, the following types of activities could begin, conditional upon resourcing, prior to the finalization of a Resilience Plan:

- Working with partners across all levels of government to support AR 2021 affected communities to fully recover and "build back better"
- Support investments to upgrading highest-risk dikes that may pose accountability to the Province
- Expanded foundational activities (floodplain mapping, flood risk assessment, updated guidance for local authorities);
- Increased Provincial capacity as a "knowledge hub" to support and guide communities, build awareness with improved information and tools, as well as provide more effective oversight;
- Policy development and engagement on the implementation plan, including exploring flood governance framework and proposal, and legislative, policy and technical guidance review (includes review of existing legislative tools to see what mechanisms may already exist for establishing rules for development in high-risk floodplains);
- Piloting of regional water basin flood planning initiatives, including the Lower Fraser, Nooksack, and Sumas, with strategic funding arrangements that align with the holistic direction the Strategy; and,
- Assessing the need to update the Provincial Flood Emergency Plan in alignment with the regulations under the modernized emergency management legislation.

The rationale for immediate action related to these is articulated in more detail below.

Immediate Actions

Actions that were broadly supported through engagement as priority and foundational to further flood resilience efforts include the following activities that would be initiated or continued with launch of the Strategy, conditional upon resourcing:

- *Support Recovery of AR 2021 Affected Communities* - Working with partners across all levels of government (local/federal/ and other Provincial ministries to support AR 2021, ensuring available recovery funding is maximized to address their needs. Billions subject to federal commitments under Disaster Financial Assistance Arrangements may not be realized in time (DFAA). DFAA ends in November 2026 for AR 2021 affected communities, however extensions may be permitted, but it is unknown what the total recovery costs to date are, and if 15% mitigation options could be applied to AR affected communities for "buy outs".

- *Upgrade high-risk dikes.* Lead and coordinate approach for investments to upgrading highest-risk dikes that may pose accountability to the Province, and advance priority local flood risk reduction and orphan dike projects, subject to cross-Ministry prioritization approach and project readiness being confirmed, consistent with similar previous one-time funding processes. There are not existing provincial funding programs available to fund these initiatives given their costs are above eligibility thresholds. Only projects that have the support of local First Nations would be supported.

- *Provincially Coordinated Floodplain Mapping Program* – A limited number of local governments have updated, accurate flood maps that are needed to inform decisions on investments and public safety in a changing climate. Some recent provincial funded community-led mapping is inaccessible to the Province as well as having limitations on use by others due to issues with ownership of intellectual property. With federal support, the Province has begun leading floodplain mapping for higher risk areas under CPAS. The overall cost effectiveness of this approach (versus each community undertaking its own mapping) is proving significant. The Strategy would formalize a proactive province-wide floodplain mapping program that strives towards equity, fairness, and broad accessibility. This work will also help local governments in the flood risk assessments they will be required to undertake with the modernized emergency management legislation.

- *Province-Wide Flood Risk Assessment* – A comprehensive, consistent analysis of flood risk province-wide is required to assess and prioritize risks in a way that can inform investments, including equity considerations, and meet forthcoming requirements under the modernized emergency management legislation. Flooding is among the risks approved for inclusion in an initial Provincial Disaster and Climate Risk and Resilience Assessment for completion by March 2024, but the Strategy would commit to more refined, regionally specific assessments that would further inform flood risk mitigation planning and the magnitude of demand for investment.

- *Increased Public Awareness of Flood Risk* – With the support of BC Assessment, BC Real estate Association., EMCR and GeoBC, ensure flood risk information can be easily accessed and understood and enhance public outreach so residents in flood risk areas are aware through flood disclosure at the pont of property sale or assessment. The approach under the Strategy would

be to deliver "Floodwise BC" programming and notify residents that they live in a floodplain (which relies on floodplain mapping activities above).

- *Enhanced Guidance to Communities and Qualified Professionals* – New and updated technical and process-oriented guidance and case studies under the banner of the BCFS, designed for accessibility, would aid communities in taking effective action. UBCM specifically requested guidance on implementation of the Declaration Act as it relates to First Nations involvement in local flood resilience decision-making.
- *Strengthened Provincial Flood Expertise* – Rebuild Provincial technical staffing to support coordination, delivery and support of B.C. flood management activities in support of First Nations, local governments and other diking authorities, including to coincide with requirements in the modernized emergency management legislation and any commitments to enhance provincial disaster risk mitigation funding programs that would trigger the need for flood-related advice, consultations and authorizations.
- *Regional Flood Mitigation Planning* – Flood mitigation planning is led by local governments and/or First Nations. However, the Province will contribute meaningfully to the priority regional collaborative flood mitigation planning efforts that have just been launched or are emerging and require a provincial role (e.g., transboundary, provincially or nationally significant critical infrastructure, or other implications that extend beyond immediate jurisdictional boundaries.)
- *Assessing and Updating the Provincial Flood Emergency Plan* – A regulation on Ministries' responsibilities under the modernized emergency management legislation is anticipated to establish the Ministry of Forests as lead for flood hazards and require that it update existing emergency management plans, or prepare new plans, within three years of the legislation receiving Royal Assent (i.e., tentatively by November 2026).

Phase 2: 2026-2035 Implementing the Flood Resilience Plan

Following endorsement of the Flood Resilience Plan (targeting draft Spring 2025; release Spring 2026), the second phase would include the following activities:

- Working across government to implement recommendation for a hybrid governance model that supports integrated flood management planning at the watershed scale;
- Applying learning from regional pilots and expanding applicable planning efforts to those in high-risk areas (informed through floodplain mapping and risk assessment);
- Applying and updating existing regulatory tools to support integrated flood management plans and new tools for local authority capacity building and financial sustainability;
- Initiating legislative changes that may redefine technical standards and set minimum conditions;
- Identifying resources, and Provincial priorities for addressing investments in flood risk reduction efforts, informed by updated policy and guidance (e.g., flood accommodation, avoidance, and managed retreat); and,

- Continuing review of or making applicable changes to flood-related funding / financing options that aim for accessibility, equity and sustainability among other principles and values identified through the B.C. Flood Strategy and modernized emergency management legislation.

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024 (updated as of November 13)

PREPARED FOR: Minister of Water, Land, and Resource Stewardship

TOPIC: Wildfire Recovery (Riparian Areas)

KEY POINTS:

- Natural disasters, like the 2023 wildfires, cause extensive damage to waterfront homes.
- Many of the 2023 wildfire damaged homes are in communities where the local government is subject to the Riparian Areas Protection Regulation (RAPR).
- Many of the homes were built prior to RAPR and would not meet today's RAPR standards.
- The standard RAPR procedures were designed to address incremental site-level development proposals and upgrades to existing homes.
- RAPR was not written with large-scale natural disaster recovery in mind, nor does it not include provisions for rebuilding legacy (grandfathered) destroyed by acts of nature.
- To resolve this, alternate provisions within RAPR were used to create a new approach - the Riparian Recovery – 2023 Wildfire Rebuilding Direction (the 2023 Riparian Direction).
- The 2023 Riparian Direction required a partnership with Fisheries and Oceans Canada (DFO) to ensure alignment with Federal *Fisheries Act* requirements.
- As the Fisheries Act applies across British Columbia (BC), the 2023 Riparian Direction also applies provincially. It is not limited to the communities with RAPR.
- The 2023 Riparian Direction allows homeowners to rebuild on existing foundations, provides tailored restoration guidance, and includes both technical and financial support, reducing administrative burden.

BACKGROUND:

- Riparian areas are essential for resilient watershed management, supporting fish and aquatic habitats, and mitigating climate-related risks such as flooding and drought.
- The RAPR was designed for facilitating incremental development near riparian areas while mitigating riparian impacts.
- Unlike other statutes, the RAPR did not include clarity that it would not restrict large-scale climate disaster recovery, nor did it include provisions to enable disaster recovery. This resulted in significant challenges for the lawful rebuilding of wildfire damaged homes.
- The Ministry of Water, Land and Resource Stewardship developed the 2023 Riparian Direction, effective until December 2025, to support rebuilding on existing footprints, relocating non-essential structures, and implementing riparian restoration measures.
- DFO supports the direction, confirming that adherence will negate the need for a Federal 'Request for Review' under the *Fisheries Act*.

DISCUSSION:

- This 2023 Riparian Direction is a pilot. It is important to test its effectiveness in achieving the dual BC goals of supporting people to get back into their homes, while also achieving today's environmental management objectives. Formalizing this approach through regulatory updates to RAPR will be considered.
- The 2023 Riparian Direction is an optional pathway for local governments and homeowners; the alternative pathway is to seek approval directly from the Federal Government under the *Fisheries Act*.

- RAPR is delivered through local government bylaws and is one of several conditions that must be considered prior to local government making the final decision on development permits.
- The 2023 Riparian Direction offers administrative, technical, and financial support throughout the rebuilding process. Homeowners can access the Wildfire Riparian Restoration Fund to reimburse costs for required riparian restoration. Long-term advantages include naturally restored shorelines that protect against erosion, improved environmental outcomes such as better water quality and fish habitat, and increased property value.
- Achieving alignment between RAPR and the Federal Fisheries Act has been formalized through a Letter of Advice from DFO. This letter confirms that homeowners can rebuild within wildfire-impacted riparian areas on their existing footprints without needing to submit a Request for Review to the Federal permitting process.

INDIGENOUS PEOPLES:

- RAPR and the 2023 Riparian Direction only apply to private property development managed by local governments.
- Actions to recover riparian areas hold clear ties to food security objectives and protection of Constitutional rights relating to fish.

FINANCIAL IMPLICATIONS:

- $400,000 has been authorized for the implementation of the 2023 Riparian Direction, to provide financial supports for homeowners, streamlined administration, contracted services, and replanting funds.
- Additional funding (Govern is being sought out for the riparian planting fund through the Natural Resource Canada 2-Billion Tree Fund.

NEXT STEPS:

- Continued implementation of the 2023 Riparian Direction.
- Review the effectiveness of this initiative for regulatory amendment consideration.

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	Initials	Date
DM	LH	Nov 13, 2024
CFO/EFO (if required)		
ADM	JM	Nov 8, 2024
Program Dir/Mgr.	LN	Nov 7, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land, and Resource Stewardship

TOPIC: Fisheries and Emergency Response

KEY POINTS:

- The Ministry of Water, Land and Resource Stewardship (WLRS) oversees the management of aquatic ecosystems and the ecological, social, cultural and economic benefits they provide.
- WLRS is responsible for ensuring the collective management of aquatic values results in healthy ecosystems and sustainable management of the species which rely on them, including both freshwater species and migratory (e.g. pacific salmon).
- In the past years, the Province of British Columbia (BC) has experienced unprecedented wildfire seasons, an atmospheric River Event (ARE), extreme drought, and recently a landslide that completely blocked a major tributary. These events have had significant and cumulative impacts on fish, their habitats.
- These climate disasters, combined with pre-existing cumulative impacts are putting fish populations at significant risk, including the drastic declines in pacific salmon stocks.
- Salmon and freshwater fish are central to First Nations culture, traditions, spiritual connections, and food security. Fish are an Indigenous Right and must be protected.
- Starting with the ARE, WLRS had initiated partnerships with First Nations and Fisheries and Oceans Canada (DFO) to take direct and concerted actions for fish during emergency events, including response, recovery and restoration.
- Longer-term watershed recovery is being led by WLRS and is supported though initiatives such as: the not yet Watershed Security Strategy, the BC Flood Strategy, fish recovery plans, and cumulative effects management.

BACKGROUND:

- November 2021's ARE highlighted the gravity of impacts from natural disaster events. Due to climate change and cumulative impacts to watersheds and waterways, there is an ongoing increase in severity of flood, drought and fire events in the province.
- After the ARE, the Aquatic Ecosystems Branch of WLRS set up a Tripartite (BC-Federal-First Nation) governance partnership in each of the impacted areas. The goal was to help guide, support, and coordinate salmon recovery as well as take targeted action through each of the partners' independent authorities.
- The 3G structure has continued to respond and work on response and recovery to natural hazards such as flood, drought, fire, and most recently landslides.
- The following are examples of tables established to address natural hazard salmon/fish response and recovery.
    - Tripartite teams were set up in the Fraser Valley and Nicola watershed to help guide, support and coordinate fish and fish habitat recovery related to the ARE. Teams continue to meet regarding natural hazard response work.
    - WLRS works with the Pacific Salmon Foundation, DFO and First Nations to promote and fund emergency actions to mitigate natural hazard impacts on salmon populations.
    - Tripartite teams were set up with DFO, Tŝilhqot'in National Government, and Williams Lake and Esketemc First Nations, to help guide, support, and coordinate salmon recovery related to the Chilcotin River landslide.

DISCUSSION:

- Due to the extensive aquatic habitat impacts from natural hazards and priorities for salmon, food security, and Aboriginal rights to fish, collaborative tripartite tables were established to respond to the natural hazard events. These tables brought together western science and local and traditional knowledge to address priority actions.
- BC is continuing to improve the operational management partnerships with First Nations and DFO in areas impacted by flood, drought, fire and landslides. The goal is to help guide, support, and coordinate fish and aquatic species recovery and restore aquatic habitat.

INDIGENOUS PEOPLES:

- Wild fish populations are foundational to Indigenous Peoples' cultural, traditional, and ceremonial activities both historically and in current practices.

FINANCIAL IMPLICATIONS:

- The three critical WLRS positions working on natural hazard salmon/fish response and recovery are externally funded and funding will run out March 31, 2025.

NEXT STEPS

- WLRS will continue to work collaboratively across Ministries, with First Nations and with DFO on natural hazard response and recovery initiatives.

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DM	LH	Oct 8, 2024
CFO/EFO (if required)		
ADM		
Program Dir/Mgr.	JD	Sept 13, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minster of Water, Land and Resource Stewardship

TOPIC: Chilcotin Landslide – Ministry Response and Recovery

KEY POINTS:

- On July 31, 2024, a significant landslide occurred, blocking the Chilcotin River.
- The volume of water backing up created a serious downstream flood risk; the magnitude of impact depended on how quickly the water breached the site and resulting flood.
- On August 5, 2024, the water overtopped the blockage.
- While the breach resulted in minimal public safety risk, the resulting condition blocked fish migration, impacted archaeological sites, and swept debris and sediment downstream.
- As fish are tied to First Nations' rights and food security, First Nations were equally concerned with impacts to migrating salmon and the protection of archaeological/ancestral remains.
- Current policy does not consider salmon/fish recovery as an emergency, so WLRS stepped in to lead emergency response to establish fish passage for migrating salmon and steelhead until this there was a cross-ministry emergency and recovery actions coordination table.
- By August 24, natural fish passage had been restored.
- While cross-Ministry collaboration occurred, the emergency response and early-recovery actions identified gaps in capacity and understanding of respective roles.
- Intergovernmental Communications

- Emergency Management and Climate Readiness (EMCR) is conducting an internal After-Action Review to identify lessons learned.

BACKGROUND:

Roles and Responsibilities

- Under the *Emergency Disaster Mitigation Act* (EDMA), as of 2024 the Ministry of Water Land and Resource Stewardship (WLRS) is responsible for landslides, drought, flood and dam failures. Further work is needed to establish operational policy and subject matter experts.
- Led by WLRS, the initial emergency response focused on the flood potential and public safety, with support from the Ministry of Forests (FOR).
- After the water breached the slide site, the Emergency Operations Center was stood down.
- WLRS established a senior leadership fisheries team with Fisheries and Oceans Canada (DFO), and then created BC-DFO collaborations local First Nations.
- The Ministry of Indigenous Relations and Reconciliation (MIRR) initiated provincial engagement with First Nations on several related matters.
- Approximately a week later, WLRS and the Ministry of Environment and Climate Change Strategy (ENV) decided to establish a cross-ministry emergency and recovery coordination team, focused on fish, debris management, archaeology, and indigenous engagement.

The Landslide

- The Chilcotin landslide was approximately 28km upstream from the Chilcotin and Fraser River confluence. It was roughly 30m deep, 600m wide and >800m in length.
- The landslide completely blocked water flow, forming a roughly 11km lake behind it. With so much water, a full breach could result in extensive downstream flooding and damage.
- Both dam failure and flooding response have been refined and improved over the years.

Fish Passage - Salmon, Steelhead, and Resident Freshwater Fish

- Unable to foster a single, collaborative space, two Emergency Salmon Task Force (ESTF) tables were set up by BC and DFO, one with the Tsilhqot'in National Government (TNG) and the other with Williams Lake First Nation (WLFN) and Esk'etemc.
- To determine levels of fish passage, turbidity monitors were installed below the slide in the Chilcotin and Fraser Rivers, and a sonar system was installed above the slide site.
- Fish passage through the slide site began on August 24, which is approximately two weeks late. It is believed that high turbidity levels from the slide and high temperatures in the Fraser River caused salmon to naturally hold in the lower Fraser River and delay migration.
- DFO and BC drafted potential action scenarios, based on projected levels of fish passage, which included options for salmon enhancement and physical transportation of fish.
- As the river system settled (slumping, further breaches) salmon began successfully migrating to their natal streams, and no physical intervention was necessary. As of Sept 23, 38,000 sockeye reached their natal streams, representing 71% of the run expected by October 15.

Archaeology and Fish

- Conservation of Heritage Sites; Interests of an Indigenous People

- The FOR Archaeology Branch leads collaborations with First Nations.
- On-the-ground fish actions are implemented in accordance with Archaeological direction.

Debris

- The breach related flood resulted in significant natural debris moving downstream from the incident location and through the Fraser River and debris traps were deployed.
- Remaining debris may also mitigate drought impacts on fish (e.g., shade and holding pools).
- ENV is leading a debris team, in partnership with WLRS. A reconnaissance flight will occur late September and First Nations will be engaged on decisions regarding debris removal.

DISCUSSION:

- The implementation of EDMA has resulted in the need to redefine process and clarity as to roles and responsibilities for responding to natural hazard events.
- In 2024, WLRS was assigned responsibility for landslides without any additional resourcing. Under the EDMA, once emergency response is complete and public safety is no longer threatened, ENV is responsible to lead cross Ministry disaster recovery.
- There is a debate whether emergency actions for salmon/fish fit under the definition of disaster recovery and can access resources. WLRS is working to improve the inclusion of salmon and fish values with other ministry-led response and recovery efforts.
- In past years, there have been significant cumulative impacts on Chilcotin River salmon/fish and their habitats, including unprecedented wildfires in the area, an Atmospheric River Event, the Big Bar Landslide, extreme drought, and now the Chilcotin River landslide.

INDIGENOUS PEOPLES:

- Intergovernmental Communications

- Food security is a key concern for First Nations. EMCR is leading the 2024 food security response (e.g. providing salmon to Nations whose fishing periods were impacted).

FINANCIAL IMPLICATIONS:

- There will be ongoing external resourcing asks for fish habitat and water quality restoration.

NEXT STEPS:

- WLRS will continue to work with First Nations and DFO to ensure there is continued monitoring of salmon and fish migration over the next 3 months and intervene if necessary.
- The Chilcotin River Watershed is dynamic and unstable, with continued landslide risk and increased concerns over how spring 2025 freshet may further destabilize the area.
- While respective Ministries continue to take action based on their respective authorities, there remains a gap in provincial preparedness and response coordination that needs addressing.

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DM	LH	Oct 8, 2024
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ADM		
ED	JD	Sept 27, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Dredging

KEY POINTS:

- Dredging the lower Fraser River is necessary to ensure safe, predictable use and to support ongoing use of a key economic "highway" in the lower mainland.
- No single level of government, or authority is responsible for the authorizations, costing, process or contracting of dredging in large areas of the river; stakeholders and local governments look to the Province to provide leadership to get a long-term plan in place with sustainable funding.
- The federal government abdicated this role in the early 2010's leaving a void in the funding, framework of responsibilities and accountabilities and policies. The provincial government has struggled to prioritize the creation of policy and a supporting framework over the last decade.
- A funding model for annual maintenance and the role the Province wants to play is needed to ensure this major corridor for goods, services and activities is maintained.

BACKGROUND:

- Dredging is a boat-based mechanical process to remove sand, silt, sunken logs and aggregate materials which have settled in slower moving waters after being transferred down river systems.
- Dredging is required in areas like the Lower Fraser River to ensure predictable movement for watercraft (in harbour/marina or in channel), and minimize other disruptions, like float home communities getting 'beached' due to sediment build-up.
- Dredging impacts aquatic habitat by damaging or destroying areas where fish and other aquatic species may raise and nurture their young, feed, rest and avoid predation including endangered white sturgeon. Further, sediment accumulation is needed to manage marshland and delta health, an ecosystem service that is not easily quantified, as well as these areas providing flood mitigation roles.
- Dredged materials like sand are valuable input materials for concrete production and road maintenance. Some materials that cannot be used are disposed at sea, authorized by the federal government and paid by the Province or other party.
- In 2014, a provincially supported report noted about 53,000 full time jobs and over $2.6 billion in annual wages were generated in the lower Fraser River.
- The federal government pays for and manages dredging for deep sea shipping areas related to the Port of Vancouver. Up to 1998, federal agencies were responsible for dredging major and minor channels and harbours of the lower Fraser. In 1998, the federal government shrunk the geographic mandate of their agencies for dredging and delegated responsibility for areas not used for deep sea shipping to local port authorities.
- In 2009, the federal government provided a one-time, ten-year fund of $7M for dredging outside the Port of Vancouver area (and administered by Vancouver Fraser Port Authority).
- In 2012, the Province, the Vancouver Fraser Port Authority, and the cites of Delta and Richmond, created a one-time fund of $10M for secondary channel dredging. Both the 2009 and 2012 funding have been spent.

- Local governments seek a long-term dredging plan that minimizes disruption and safety risk to all river users. Past discussions suggest they are willing to contribute to funding a long-term approach as a minority partner.
- Generally speaking, First Nations are interested in river management activities, like dredging, that can balance environmental and economic interests. They are river users and have rights that include aspects like fish access for food.
- Ministry statutory decision makers have authority on land use licencing and leases on the riverbanks for public land, and authorizing activities in and alongside the river that can change its character. These decisions under the *Land Act* and *Water Sustainability Act* are separate processes with different decision makers and given the complexity of the lower Fraser River with many interests, can take a long time to get to decision.
- River users seek a long-term dredging plan that can ensure safe, predictable use of the river free from sediment build-up, and any other related debris.

DISCUSSION:

- A large portion of the lower Fraser River, bordering Langley, Surrey, New Westminster, Delta, Richmond and Musqueam First Nation, requires regular dredging to ensure safe, predictable river use, and is neither managed nor maintained by the federal government.
- The primary sticking point is who pays for dredging, with secondary issues such as how dredging is executed, and how environmental values can be incorporated.
- There is no previous, proven costing model to reference. The Province has provided one-time funding on a couple of occasions to address some time limited immediate pressures for dredging needs. The ministry does not have experience in the annual costing for dredging, however, a longer-term sustainable model is necessary to resolve this issue.
- The Province is well positioned to bring the stakeholders together to develop a costing model and implementation plan. To be effective, the Province should be ready to share how much it is willing to contribute for dredging, and if it can contribute any other services (like dredging contract management).
- Engagement with the different orders of government and interest groups will be important to devise a funding model, a dredging implementation approach and any associated policy that implicates more than one party.
- Areas of the Fraser River have not been dredged in about five years, and river users tell the ministry that this long-term issue is at an inflection point. Boats are getting stuck on sediment accumulations both mid-river and in harbour regularly. Sediment accumulations are creating safety risks, user conflicts between industrial and recreational traffic, and float home issues as they tip and pitch over and stop floating, including water and sewer disconnection. The lack of dredging has become beyond inconvenient to troubling – with the municipalities of Delta and Langley raising the greatest concerns, along with industry groups.

INDIGENOUS PEOPLES:

- First Nations consultation on dredging authorization is required under both the *Land Act* and the *Water Sustainability Act*.

FINANCIAL IMPLICATIONS:

- The ministry does not have recent, clear evidence of the costs to dredge areas of the lower Fraser River not currently managed by the Vancouver Fraser Port Authority. Best information can be sourced from stakeholders and dredging firms.
- *Land Act* authorization licence and lease fees for land use along the lower Fraser River could be used to fulfil a substantial part of a provincial contribution for long term funding. Such an approach would require policy and fiscal approval from Cabinet and Treasury Board.

NEXT STEPS:

- A funding model and role of the Province in developing a dredging program needs to be confirmed for the lower Fraser River.
- Concurrent to the Province determining what role it wants to play, the ministry can re-engage the different orders of government and interest groups to consider different sustainable funding models, and how they can be implemented to support dredging in consideration of other river values.

Attachment: Attachment 1 - UBCM follow up letters from Delta

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DM	LH	Oct 17/24
CFO/EFO (if required)	SM	Oct 16/24
ADM	JA	Oct 7/24
Program Dir/Mgr.	MK	Oct 7/24

Office of Mayor George V. Harvie
City of Delta

MAYOR'S OFFICE | Delta

October 19, 2021

The Honourable John Horgan
Premier of British Columbia
PO Box 9041, Stn Prov Govt
Victoria, BC V8W 9E1

Dear Premier,

Re: UBCM Meeting Follow-Up

On behalf of Delta Council, I would like to thank you and your staff for taking time to meet with me and senior staff in advance of the UBCM convention earlier this month. We appreciate having the opportunity for face-to-face discussions on a variety of issues that impact our community.

As mentioned, we are extremely pleased that a decision has been made to move forward with the George Massey Tunnel Replacement Project, and we hope that work on the environmental assessment process can be expedited to minimise further delays on this long-awaited project. First Nations involvement and support for the project is, of course, critical for its success.

Some of our discussion focussed on the provincial approval processes for infrastructure projects and the impact that processing delays are having on some major development projects in Delta. In particular, permit processing delays are creating challenges for the large industrial complexes proposed for Parkwood and MK Delta Lands. These are significant economic drivers, which will create 3,500 new jobs for the region. Governments at all levels need to be doing all they can to support industrial developments, streamline regulatory processes and expedite construction timelines.

We also touched on the issue of secondary channel dredging. Since our meeting, we have received correspondence from Allan Johnsrude, Regional Executive Director, Forests, Lands, Natural Resource Operations & Rural Development, clarifying the Province's position on this issue and committing to finding a provincial lead to manage and administer any provincial funding that may be forthcoming. We look forward to further discussions with the Province and other stakeholders, including the federal government and Vancouver Fraser Port Authority, to find a sustainable solution.

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On the issue of affordable housing, I reiterate our thanks and appreciation for the funding from BC Housing, which is supporting three important housing projects in Delta. Together, the Kin Village, Ladner Willows, and Evergreen Lane housing projects will create nearly 400 housing units in Delta and will help address an urgent need for affordable housing in the community.

Follow-up letters and briefing notes on these issues have been provided to the relevant ministers; however, we enclose additional copies for your reference.

Finally, we thank you again for your leadership and hard work through the pandemic, and extend our gratitude on behalf of Delta's residents to all the front line workers, hospital staff and administrators who have helped, and continue to help, BC through this crisis.

As mentioned during our meeting, I hope to see you, along with Chief Baird and Chief Sparrow, at the opening of the Douglas J. Husband Discovery Centre. Invitations will be sent out early next year.

Yours truly,

George V. Harvie
Mayor

Enclosure

cc: The Hon. Ravi Kahlon, Minister of Jobs, Economic Recovery & Innovation
Delta Council

FUNDING FOR LOCAL CHANNEL DREDGING

KEY REQUEST:

There is an urgent need to address the jurisdictional and financial responsibilities for dredging of the local channels around Delta and Richmond. The City of Delta, together with the City of Richmond, Tsawwassen First Nation, and Musqueam Indian Band, are calling on the BC government to work with the Vancouver Fraser Port Authority to develop a sustainable local channel maintenance strategy for the lower Fraser River. Delta gratefully acknowledges the recent announcement of $1 million from VFPA for dredging; however, a long-term sustainable solution still needs to be found.

BACKGROUND

The Fraser River is British Columbia's largest river, flowing 1,400 kilometres and draining one quarter of the province's land area. Each year, it carries approximately 20 million tonnes of sediment out to the ocean, and deposits a significant amount into the lower Fraser River estuary and secondary channels.

RESPONSIBILITY FOR DREDGING TRANSFERRED FROM FEDERAL GOVERNMENT TO LOCAL PORT AUTHORITIES

For over 100 years, river maintenance was funded by and the responsibility of the federal government under Public Works Canada and later Transport Canada (Canadian Coast Guard). They maintained the deep sea shipping and domestic navigation channels for ocean traffic, and the local navigation channels for fishing vessels, tugs and barges, commercial and pleasure traffic. In 1998, the Canadian Coast Guard determined that dredging was no longer in its mandate, and local port authorities were granted authority, but not responsibility, to dredge channels for safety and navigation.

Since then, the Vancouver Fraser Port Authority (VFPA) has undertaken regular maintenance dredging of primarily the main channel of the lower Fraser. Funding to conduct their dredging activities came from a $15 million settlement from the federal government for early termination of their dredging agreement. Between 1999 and 2002 the port authority dredged some local navigation channels; however, when the settlement funding had been depleted, maintenance dredging of local navigation channels ceased.

VFPA LOCAL CHANNEL DREDGING PROGRAM

In 2009, VFPA established a 10-year, one-time fund of $7 million to help riverfront communities with their dredging needs. River User Associations were eligible to apply for funding of up to $500,000 to dredge each local channel.

Ferry Road Boat Launch, Ladner 2014

In 2012, VFPA, the City of Delta, the City of Richmond, and the Province of BC came together in an unprecedented collaboration to fund a $10 million program to dredge the local channels around Ladner and Steveston. Funding from the two municipalities totaled $4 million.

FUNDING DEPLETED

Both programs are now fully spent. In the meantime, the sedimentation processes of the Fraser River are continuing and, after this year's freshet, the local channels will have received another significant deposit of sediment. Recent channel surveys indicate that the local channels around Ladner and Gunderson Slough are, once again, experiencing significant sediment accumulation at key access point to harbours, marinas and float home communities. Without regular maintenance dredging, the channels will soon revert back to the same condition that prompted remedial efforts in 2013 to restore channel navigability and safety.

LOCAL CHANNELS

Local river channels are navigation routes that lead from the main shipping channel of a river.

They provide critical access from the main river to harbours, float home communities, marinas and local businesses. They are also important areas for recreational fishing, boating and kayaking.

Local channels are also important habitat for many species of fish and and other aquatic animals.

ENGINEERED DIVERSIONS

In the 1990s, Transport Canada placed diversions at critical locations along the lower Fraser River to divert more water into the main shipping channels and reduce the need for dredging in those channels. The project was successful in saving millions of dollars in dredging costs; however, it came at the expense of some of the local channels which were inundated with silt that has dramatically reduced water depths.

ECONOMIC IMPORTANCE OF THE FRASER RIVER

The economic impact of the Fraser River is comparable in importance to the St. Lawrence Seaway in terms of annual cargo tonnages, employment and wages. A report commissioned by the Richmond Chamber of Commerce in 2014 identified local channel dredging as one of several key challenges that could jeopardize future growth and cause financial losses in the region.

Boat Grounded Mid-River, Delta

FUNDING INEQUITY WITH ST. LAWRENCE RIVER

The local navigation channels of the St. Lawrence River require ice-breaking to maintain open and safe navigation channels in this important sea way. Unlike the Fraser River, the St. Lawrence local channels continue to receive funding for ice-breaking services in order to keep those channels open and safe for navigation. In 2020/21, the Canadian Coast Guard budget included $20.4 million for icebreaking and $6.7 million for waterways management, including dredging. Most of this money is spent in eastern Canada. It is important that the significant economic, social and cultural benefit of the lower Fraser River is recognized similarly to that of the St. Lawrence and that it receives the same level of federal commitment, to ensure all reaches of the river are accessible throughout the year.

MOVING AHEAD

Responsibility for local channel dredging remains unclear; however, it is clear that municipalities do not have, and never have had, any mandate to dredge or otherwise maintain local river channels. The municipal contributions to the 2012 dredging agreement were intended to be one-time 'seed' funding to attract senior government funding contributions. The BC government, through the Ministry of Forests,

DFO SMALL CRAFT HARBOURS

Ladner Harbour is one of 750 core small craft harbours owned by Fisheries & Oceans Canada (DFO). The harbor is accessed via a local navigation channel off the Fraser River. Withought regular dredging, the harbour becomes accessible only at high tide, and it is not uncommon to see vessels stranded and run-aground. Boats, docks and other structures in the harbour are regularly seen sitting askew as the tide drains to leave them sitting on the river bed.

DFO OCEAN DISPOSAL FEES

Dredged sediment that cannot be beneficially reused is subject to DFO ocean disposal fees of 47 cents per cubic metre of sediment to be disposed of. Of the $10 million budget for local channel dredging in 2012, almost $200,000 was paid to the federal government in ocean disposal fees.

Lands, Natural Resources and Rural Development, is responsible for water lot tenure along the Fraser River and for in-river works.

VFPA already manages the contract to undertake regular maintenance dredging of the primary channels of the Fraser River. One option would be to expand the existing dredging program to encompass the local channels. This would be an efficient and effective solution to maintain the local channels and keep them clear for navigation.

In 2020, VFPA provided the following preliminary annual cost estimates for dredging the priority secondary channels:

- Delta channels - $900,000
- Richmond channels - $575,000
- Channels up-river of Annacis Island - $250,000

For context, in 2020 VFPA imported 3.5 million containers through Vancouver. A levy of 50 cents per container would generate the required $1,750,000 annually and help ensure that the impacts of shipping activity in the region is mitigated for local river users.

CONCLUSION

In June 2021, the elected leaders of the City of Delta, City of Richmond, Tsawwassen First Nation, and Musqueam Indian Band came together to urge senior governments to take steps to resolve the longstanding local channel dredging issue. In the absence of regular maintenance dredging, the local channels will continue to silt-up and access to key waterfront businesses, residences and communities will be compromised. Inevitably, channel conditions will reach a point where critical dredging work is required as a matter of urgency. The Province has a shared responsibility with VFPA to address this predictable, but resolvable, issue.

Attachment: June 17, 2021 l letter to Prime Minister and Premier

CANADIAN COAST GUARD

The Canadian Coast Guard is responsible for channel bottom monitoring, dredging specific segments of the St. Lawrence River (under a cost recovery model), and providing water-level forecasts in the St. Lawrence River, the Fraser River, and the Mackenzie River. VFPA relies on annual underwater soundings to determine where and when dredging is required.

STAKEHOLDERS

There are numerous business and community stakeholders involved in this issue, including:

- Fraser River Industrial Association (Fraser Surrey Docks, Seaspan Ferries, Fortis BC, Catalyst Paper Corporation)
- Fraser River Residential and Commercial Working Group
- North Delta Harbour Association
- Ladner Sediment Group
- Moray Channel User Society
- Shelter Island Sediment Group

Office of Mayor George V. Harvie
City of Delta

MAYOR'S OFFICE | Delta

June 17, 2021

The Right Honourable Justin Trudeau
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

The Honourable John Horgan
Premier of British Columbia
PO Box 9041 Stn Prov Govt
Victoria, BC V8W 9E1

Dear Prime Minister and Premier,

Re: Local Channel Dredging in the Lower Fraser River

As elected leaders of our respective communities, we are writing collectively to both levels of senior government to request, as a matter of some urgency, collaborative action to resolve a long-standing problem that impacts all of our communities – Fraser River sediment - and the need for a sustainable dredging program to mitigate the economic, social and environmental impacts that occur when it is allowed to accumulate and block important local waterways.

There is a long and complex backdrop to this issue, involving Vancouver Fraser Port Authority, the Province of BC, Fisheries and Oceans Canada, Transport Canada, and the various local harbour authorities and community groups that have formed to advocate for action on dredging. A collaborative effort is required to resolve this issue since jurisdictional responsibility for local channel dredging is unclear; there is no comprehensive plan for maintaining the local channels of the lower Fraser River; and there is no dedicated funding.

In 2013, the cities of Delta and Richmond, the Vancouver Fraser Port Authority (VFPA) and the Province of BC came together in an unprecedented $10 million collaboration to dredge the secondary channels around Ladner and Steveston. These channels provide access to businesses, marinas, and float home communities, and it is critically important that the channels are maintained in a safe and navigable condition.

The initial dredging effort undertaken in 2014-15 was successful in restoring the local channels to pre-1990 levels. Since then, VFPA has been using residual funding to undertake 'spot' dredging in some of the channels; however, funding is now exhausted and the program is complete.

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In the meantime, the natural sedimentation processes of the Fraser River are continuing and, after this year's freshet, the local channels will have received another significant deposit of sediment. Without further action, we will soon be back to square one and emergency dredging will be needed to address critical situations as they arise.

Preliminary estimates of the costs to dredge the priority channels in the lower Fraser River are under $2 million annually. We recognize the environmental sensitivity around dredging these channels, which are critical habitat for many species of fish, including salmon and sturgeon, and steps must be taken to ensure fish and their habitat are protected to the greatest extent possible.

This issue will not go away and, year over year, it will only get worse. It is time to come together and address this matter once and for all.

Yours truly,

Mayor George V. Harvie
City of Delta

Mayor Malcolm Brodie
City of Richmond

Chief Ken Baird
Tsawwassen First Nation

Chief Wayne Sparrow
Musqueam Indian Band

cc: The Hon. Carla Qualtrough, Minister of Employment, Workforce Development and Disability Inclusion
The Hon. Ravi Kahlon, Minister of Jobs, Economic Recovery and Innovation
Ian Paton, MLA Delta South
Robin Silvester, President and Chief Executive Officer, VFPA
Delta Council
Sean McGill, City Manager

Office of Mayor George V. Harvie
City of Delta

MAYOR'S OFFICE | Delta

September 1, 2021

Robin Silvester, President and CEO
Vancouver Fraser Port Authority
100 The Pointe, 999 Canada Place
Vancouver, BC V6C 3T4

Dear Mr. Silvester,

Re: Funding for Local Channel Dredging

We welcomed the announcement that Vancouver Fraser Port Authority would be contributing $1 million to support the local channel dredging program, and would like to express our thanks and appreciation on behalf of our communities which will benefit directly from this funding.

We recognize that this is an interim step towards a longer-term and more sustainable dredging program, the details of which have yet to be developed. To this end, we would appreciate an opportunity to meet with you and Chair Judy Rogers to discuss the recent funding announcement and explore options for moving forward with a long term dredging strategy. It is important to continue to work collaboratively for the benefit of all communities impacted by sediment in the lower Fraser River.

Please contact Mayor Harvie's office at 604-946-3210 or MayorHarvie@delta.ca to schedule a convenient time. We look forward to meeting with you.

Yours truly,

Mayor George V. Harvie
City of Delta

Mayor Malcolm D. Brodie
City of Richmond

Chief Ken Baird
Tsawwassen First Nation

Chief Wayne Sparrow
Musqueam Indian Band

... 2

cc: The Hon. Carla Qualtrough, Minister of Employment, Workforce Development and Disability Inclusion
The Hon. Ravi Kahlon, Minister of Jobs, Economic Recovery and Innovation
Ian Paton, MLA Delta South
Delta Council
Sean McGill, City Manager

Office of Mayor George V. Harvie
City of Delta

MAYOR'S OFFICE | Delta

May 11, 2021

Dr. Victoria Lee, President and CEO
Fraser Health Authority
Suite 400, Central City Tower
13450 - 102nd Avenue
Surrey, BC V3T 0H1

Dear Dr. Lee,

Re: Lease for Harold & Veronica Savage Centre for Supportive Care

With the reopening of the Irene Thomas Hospice on April 15, 2021, critical hospice care services for patients and their families was restored to the Delta community. We are extremely appreciative of all your efforts to reach this milestone and applaud and look forward to the results of the planned community consultation relating to these services.

With respect to the Harold & Veronica Savage Centre for Supportive Care, we confirm our interest in exploring options for the City of Delta to acquire a head lease. Delta's intent would be to sublet the building to the Heron Hospice Society of Delta, to continue the long history of community-involved support for the provision of comprehensive end of life services at the hospice.

As you know, the construction and operation of the hospice and supportive care centre relied heavily on significant donations from the local community and community support, inclusion and volunteer involvement. It is very important that this relationship be maintained, regardless of whether Delta is provided a head lease for the Harold & Veronica Savage Centre for Supportive Care. Both the Irene Hospice building and the administrative building should continue to support end of life services for Delta residents, consistent with the intent of the many who contributed and supported their formation and operation.

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I look forward to hearing from you. If you have any questions, please contact me at 604-946-3210.

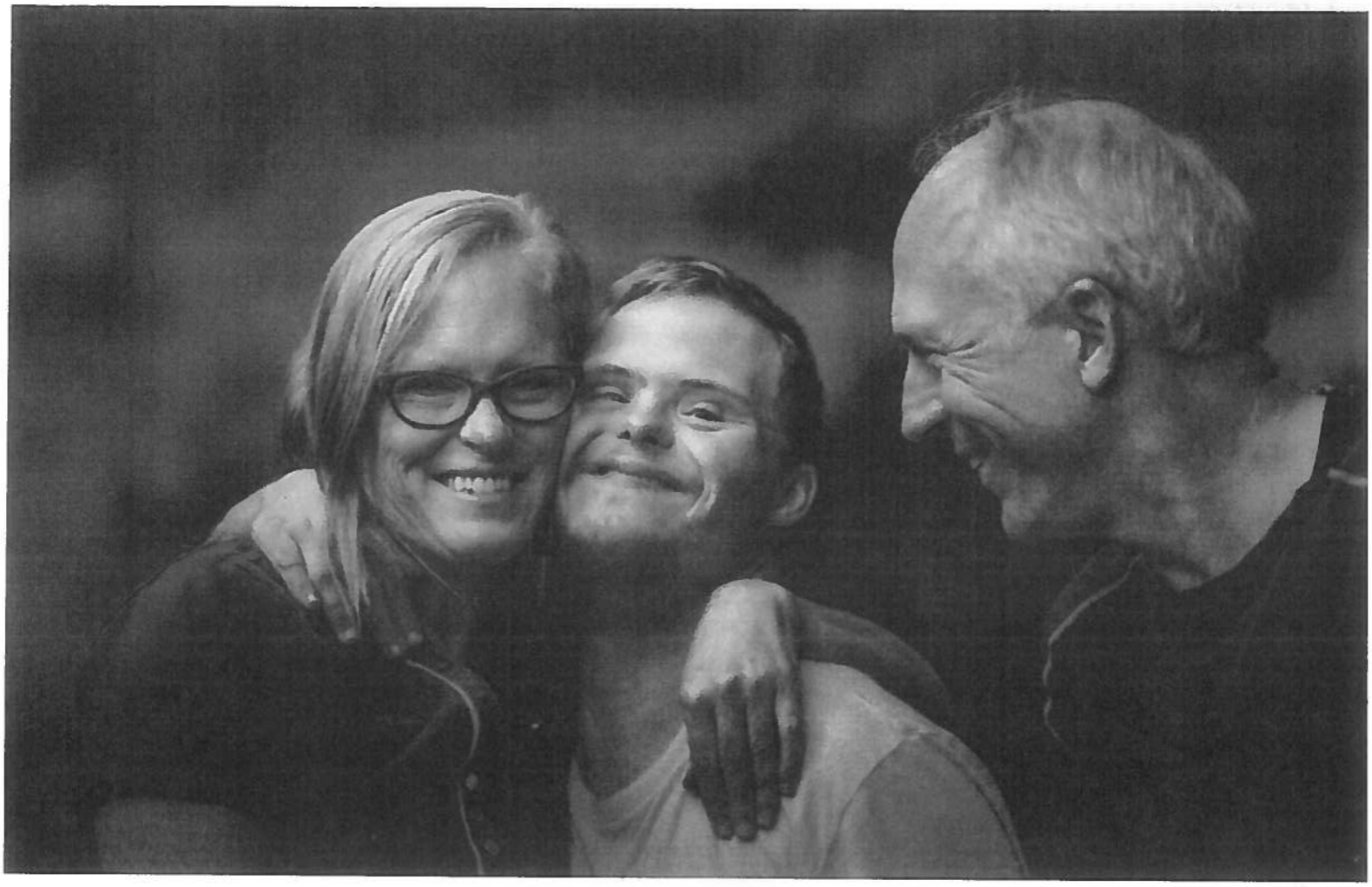
Yours truly,

George V. Harvie
Mayor

cc: The Hon. Carla Qualtrough, Minister of Employment, Workforce Development & Disability Inclusion
The Hon. Adrian Dix, Minister of Health
The Hon. Ravi Kahlon, Minister of Jobs, Economic Recovery and Innovation
Ian Paton, MLA Delta South
Chris Pettypiece, President, Heron Hospice Society of Delta
Sharon Farrish, Secretary, Heron Hospice Society of Delta
Delta Council
Sean McGill, City Manager

AFFORDABLE HOUSING FOR ADULTS WITH DIFFERING ABILITIES

Delta



KEY REQUEST:

There is a pressing need for affordable, inclusive and supportive housing for adults with intellectual and developmental disabilities. In B.C., there are more than 5,000 people in need of this type of housing, at least 425 of whom live in Delta. Individuals with differing abilities need the full range of housing options as other segments of the population do. Inclusive housing is the key to independence, stability and belonging.

As the Province deals with the ongoing housing crisis, it must ensure that the full spectrum of housing needs is considered and planned for into the future, and that funding and housing subsidies are flexible to ensure maximum impact. The provincial government is requested to look at ways to encourage and support innovative housing solutions for inclusive housing, including the potential to use surplus provincial lands for new housing projects.

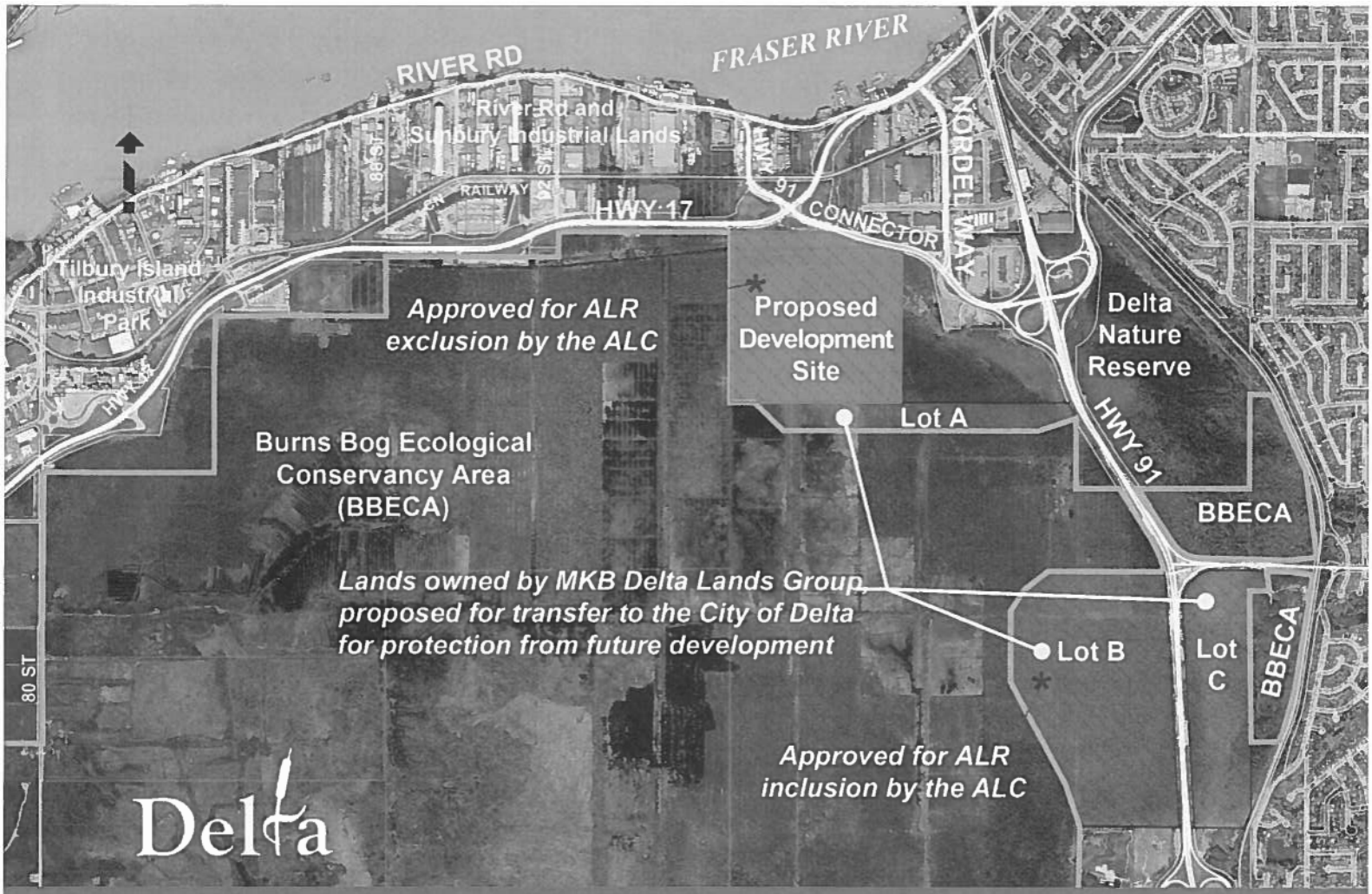
BACKGROUND

The Delta Housing Be Mine Society (DHBMS) is a registered BC non-profit society, established in 2011 by a group of parents who became increasingly concerned about housing issues for their adult children living with intellectual disabilities. DHBMS advocates for the development of affordable, inclusive and appropriate housing for adults with diverse abilities (approximately 425 in Delta), including individuals with intellectual disabilities and low-income seniors currently renting in Delta who require minimal support.

Access to housing is intrinsically tied to the well-being of a community's citizens. For those living with intellectual disabilities, the need for housing that is appropriate, inclusive and affordable is critical. As the population of Canada ages, seniors living on low-incomes are also increasing feeling the strain of the housing crunch. Overall 90% of individuals with developmental disabilities and needing housing are living with their family or a caregiver. Conversations with these families demonstrate the variety of housing needed and the strong desire for Delta families to remain in Delta with their children living independently.

Providing affordable, inclusive and appropriate housing options that meet the needs of adults with diverse abilities comes with multiple benefits for individuals, families and communities. People living with intellectual disabilities have long been excluded from community life, in large part due to segregated housing. Inclusive housing options should acknowledge and reflect the desire of those living with intellectual disabilities to be active participants in their communities and should be designed to support genuine and meaningful inclusion. While there is no one-size-fits all model for inclusive housing, agreed upon best practice includes developing person-centred housing options that provide safety, security, and promote a sense of belonging.

As the Province deals with the ongoing housing crisis, it must ensure that the full spectrum of housing needs is considered and planned for into the future, and that funding and housing subsidies are flexible to ensure maximum impact. The provincial government is requested to look at ways to encourage and support innovative housing solutions for inclusive housing, including the potential to use surplus provincial lands for new housing projects.



Proposed MKB Delta Lands Development

The proposed MKB Delta Lands industrial development at 7969 Highway 91 Connector received approval for Agricultural Land Reserve exclusion from the Agricultural Land Commission and approval from Metro Vancouver for an amendment to the Regional Growth Strategy.

This development would create $2.6 billion of direct and indirect economic benefits, provide more than 2,700 jobs post-construction, and develop 155 acres of land for industrial purposes while protecting 328 acres of land currently zoned as I3 extraction industrial for environmental conservation.

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604.946.4141
www.delta.ca

Current Project Status

In 2019, the proposed MKB Delta Lands development at 7969 Highway 91 Connector received approval for Agricultural Land Reserve exclusion from the Agricultural Land Commission and approval from Metro Vancouver to amend to the Regional Growth Strategy to change the land use designation of the property from agricultural to industrial and to include the property in the urban containment boundary. Metro Vancouver also approved extension of the Fraser Sewerage Area to include the subject property. The application bylaws require final consideration and adoption by Delta City Council. Before Council can consider these bylaws, approval from the Ministry of Transportation and Infrastructure is required.

Industrial Land and the Economic Benefits of the Development

Metro Vancouver has a shortage of industrial land. The most recent figures for 2020 indicate that Greater Vancouver has an industrial land vacancy rate of 2.9% and Delta's vacancy rate is even lower at 2.1%. Because this type of land is in such short supply, innovative approaches are required to preserve, enhance, and add industrial land to the region's supply. The proposed MKB Delta Lands development does just that.

7969 Highway 91 Connector is a 155 acre parcel ideally located along key transportation routes close to port industries and related businesses. The location of this property allows the development to leverage recent and upcoming transportation infrastructure investments such as Highway 17, Alex Fraser Bridge improvements, and interchanges at Tilbury and Sunbury. This location offers the potential for locally and regionally significant economic benefits.

A 5 acre highway dedication would be provided by MKB Delta Lands for the Sunbury interchange, and a portion of the industrial development site is being offered as staging grounds for overpass construction at no licensing cost to the Province.

The proposed MKB Delta Lands development would result in an estimated $2.6 billion in direct and indirect economic benefits and provide an estimated 2,700 jobs post-construction. Construction works would produce, on average, 200 full time construction jobs over 5 to 7 years.

Environmental Benefits

Any development adjacent to the Burns Bog Ecological Conservancy Area must be sensitive to the ecology of the Bog. The proposed development at 7969 Highway 91 Connector includes important environmental features that protect the integrity of the adjacent conservancy area.

Buffers around the perimeter of the proposed development will protect the Burns Bog Ecological Conservancy Area by keeping development run-off and bog water separate. An environmental effects assessment prepared for the project found that habitat loss as a result of clearing the developable lands will result in a loss of approximately 121 acres of existing ecosystems and habitat; however, this habitat loss is compensated with the transfer to the City of Delta of 328 acres of other environmentally significant land for preservation. The result is a net gain of 233 acres of broad ecosystem types. Environmental approvals from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development will be required for some infrastructure improvements.

328 acres of land to be transferred into public ownership for conservation purposes

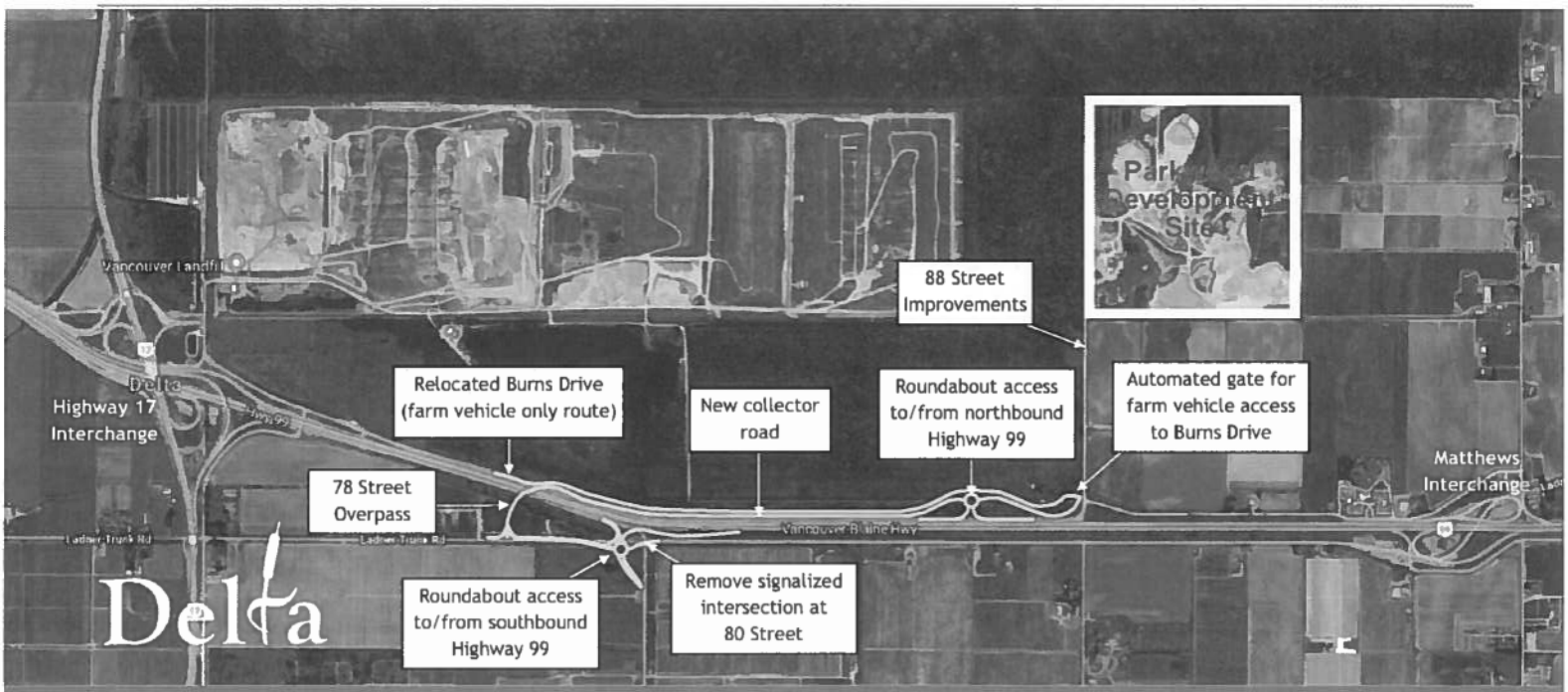
Land Transfer & Amenity Contribution

The proposed development property is 155 acres. Protection and enhancement areas, including a perimeter environmental buffer, along with road and utility areas bring the developable area of the property to just over 108 acres. As partial consideration for developing this property, MKB Delta Lands is transferring 328 acres of land at three locations currently zoned as I3 extraction industrial (Lots A, B, and C on the map) for protection from future development. Since the 155 acre property at 7969 Highway 91 Connector was excluded from the Agricultural Land Reserve, Lot B, which is 193 acres, has been included in the Agricultural Land Reserve.

This proposal allows for the industrial development of land best suited for that purpose and the preservation of more than twice that amount of land in areas where preservation is more appropriate. The proposal also offsets the 155 acre Agricultural Land Reserve exclusion with an Agricultural Land Reserve inclusion of 193 acres. Further, MKB Delta Lands is contributing $6 million for agricultural drainage and irrigation improvements for Westham Island and East Delta and $5 million for transportation and community amenity improvements in North Delta.

Conclusion

The proposed development of 7969 Highway 91 Connector for industrial purposes will create important economic benefits for the region and protect a significant amount of land for conservation purposes. The project represents an innovative approach to meeting the need for industrial land while acknowledging the importance of protecting environmentally significant land from future development.



Parkwood Development Project

A new industrial business park was approved by Delta Council in 2018, which develops a 130 acre property located just north of Highway 99. Called "Parkwood", this project will provide over 2,400,000 square feet of new industrial buildings leading to approximately 950 new permanent jobs. In addition, the construction on the new industrial park will generate approximately 100 construction jobs annually over 5 to 10 years and provide a significant economic driver for Delta and the Province. Historically, the site had been used for peat extraction and soil deposit. Previous proposals to redevelop this property into higher end industrial uses were stymied by the challenging road access to the site.

Benefits of a New Overpass

The Parkwood development project is providing the financing and construction of a new overpass at 78 Street which will provide direct access from the property to Highway 99 (and from there to Highway 17). The existing Matthews Interchange (further west on Highway 99) is already a busy junction and with existing traffic congestion would require upgrades in the future if the proposed 78 Street interchange does not proceed. The new overpass will reduce truck traffic along Burns Drive alleviating conflicts with farm vehicles, improve access to industrial lands at Boundary Bay Airport, and reduce response times for the new Boundary Bay Fire Hall and Emergency Operations Centre. The new overpass could also provide secondary access to the Vancouver landfill.

The Parkwood development project is committed to delivering the 78 Street Overpass as soon as possible, paving the way for new industrial development to help address the regional industrial land shortage. Delta staff continue to engage with the Ministry of Transportation and Infrastructure to advance this project and hope to receive approvals to undertake the work within the Highway 99 corridor in the near future.

Delta

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Office of Mayor George V. Harvie
City of Delta

MAYOR'S OFFICE | Delta

September 1, 2021

The Honourable Rob Fleming
Minister of Transportation & Infrastructure
PO Box 9055 Prov Stn Govt
Victoria, BC V8W 9E2

Dear Minister,

Re: 78 Street Interchange in Delta, BC

In 2018, a new industrial business park was approved by Delta Council which develops a 130 acre property located just north of Highway 99. The Parkwood development project will provide over 2,400,000 square feet of new industrial space leading to an anticipated 950 permanent jobs. In addition, the development will generate approximately 100 construction jobs annually over 5 to 10 years and provide a significant economic driver for Delta and the Province.

Previous proposals to redevelop this property into higher-end industrial uses were stymied by the challenging road access to the site. The Parkwood development project is facilitating the financing and construction of a new interchange at 78 Street which will provide direct access for the property and surrounding lands, including Boundary Bay Airport, to Highway 99 and from there to Highway 17.

As noted, the new interchange would provide considerable benefits to the Provincial highway system in this region, including alleviating future congestion at the existing Matthews Interchange and offsetting future upgrade needs. Other immediate benefits would include improving access to industrial lands at Boundary Bay Airport, reducing response times for the new Boundary Bay Fire Hall and Emergency Operations Centre, and eliminating truck traffic along Burns Drive in front of the Delta View Care Centre.

The Parkwood development project is committed to delivering the 78 Street Interchange as soon as possible, paving the way for new industrial development to help address the regional industrial land shortage.

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Delta and the developer have been engaging with the regional Ministry of Transportation and Infrastructure office to advance this project. Regional office staff have made the Ministry's approval for this work to proceed contingent on a project agreement. Although 100% funding for this project has been committed by the developer, the draft project agreement continues to be unresolved, despite numerous iterations. The delivery of the 78 Street Interchange is the major outstanding item preventing the Parkwood development project from proceeding, and from delivering its many benefits for multiple stakeholders.

I am writing to request assistance from your office in prioritizing the delivery of the 78 Street Interchange project. Specifically, Delta urges the Ministry to consider delivering the 78 Street Interchange project, similar to the recent announcement of the new interchange being delivered by the Ministry on Highway 99 in Richmond. Given that the Ministry is typically responsible for the construction of interchanges and Provincial highways, and has extensive expertise in managing and delivering such projects (in contrast to municipalities and private entities), there are significant benefits to the Ministry assuming responsibility for construction in this case. Such benefits include a considerable reduction in legal and contractual complexities and risk for all parties.

We believe that there is the opportunity to work together on the delivery of this interchange, with the funding provided by the Parkwood development, and we would appreciate the opportunity to meet to discuss this option and other ways to facilitate this important infrastructure project and realize the significant benefits it would bring. We look forward to further dialogue on this project.

Yours truly,

George V. Harvie

George V. Harvie
Mayor

cc: The Hon. Ravi Kahlon, Minister of Jobs, Economic Recovery and Innovation
Delta Council
Sean McGill, City Manager

MINISTRY OF EMERGENCY MANAGEMENT AND CLIMATE READINESS
TRANSITION INFORMATION NOTE

ISSUE: Sumas River Watershed Flood Mitigation Plan (SRWFMP) and Transboundary Flood Initiative (TFI)

BACKGROUND:

- The Sumas Prairie was created in the early 1920s by draining Sumas Lake, which was a main source of sustenance for local First Nations.
- On November 16, 2021 (i.e.: the Atmospheric River event) overflow from the Sumas and Nooksack Rivers refilled the lake, forcing the evacuation of 1,100 homes in Abbotsford and resulting in approximately 630,000 animals perishing.
- Following the Atmospheric River event of 2021, the Province of BC, represented by EMCR and WLRS, participates in two tables to develop flood mitigation measures for the Sumas Prairie to prevent or lessen impacts from future flooding events:
    - In 2023, the Province entered into a collaborative framework with Semá:th, Matsqui and Leq'á:mel First Nations, the City of Abbotsford and the City of Chilliwack to develop the SRWFMP.
    - In 2023, the Province collaborated with Washington State (WA) and local and First Nation governments from both sides of the border on the TFI to develop solutions to address flood risk and ecosystem restoration in the Sumas and Nooksack River watersheds.
- In WA, the Floodplain Integrated Planning (FLIP) process, which began in 2017, provides the framework for achieving the integrated floodplain management goals for the Lower Nooksack River and its floodplain. The TFI works to integrate and align the outcomes of FLIP and SRWFMP.
- Federal government participation has been limited at both tables. The Province would like to see the federal government engaged, strongly supporting funding solutions, and following through on their commitments around this area. SRWFMP Leadership sent a letter on July 2, 2024 to six federal ministers, including the Honourable Harjit Sajjan expressing these sentiments.
- The Province continues its cross-ministry engagement at both tables as well as providing administrative and financial support at the SRWFMP. Ministries of Agriculture and Food, Transportation and Infrastructure, and the Intergovernmental Relations Secretariat are active participants in these tables.

DISCUSSION:

<u>Sumas River Watershed Flood Mitigation Plan (SRWFMP)</u>

- First Nations have expressed interest in expanding the scope to include "fish first" through water quality and fish and aquatic habitat considerations broader than improvements in water quality that will accompany flood mitigation measures and to the Chilliwack and Fraser Rivers.
- Nations have raised concerns about not receiving compensation for the loss of Sumas Lake (1924), when the lakebed was sold to private interests. EMCR is meeting with MIRR to explore other avenues for these discussions, which are outside the plan's scope.

- Co-management of a hydraulic model (between local governments and First Nations) has been a persistent topic at all tables. The Province is planning to be the custodian of the hydraulic model to help resolve this issue. Interests of an Indigenous People; Intergovernmental Communications

Transboundary Flood Initiative (TFI)

- The SRWFMP needs to understand the magnitude of floodwaters from Nooksack overflows to model options in the Sumas Prairie and determine the feasible range of mitigation measures to propose.
- Intergovernmental Communications Intergovernmental Communications is the legal protections in place for fish species at risk and Tribal rights – particularly the risk of contaminated flood waters impacting Lummi Nations' fishing sites downstream of the flow split.
- WA-based parties often point to "historic" flows heading north, the previous function of Sumas Lake, and the "transfer" of risk versus sharing of risk.
- The FLIP process is exploring options on managing the Nooksack River, including how to "widen the funnel" where it typically overflows at Everson, broadening the room for the Nooksack River to flow where it has become constrained by development over time, including alignment of a bridge.
- Another option is an "overflow corridor" (which includes ring dikes around several WA communities) for directing flood water into the Sumas watershed in B.C. and has raised concerns for the City of Abbotsford.

INDIGENOUS PEOPLES CONSIDERATIONS:

- Semá:th, Matsqui and Leq'á:mel First Nations all have interest due to the historical impacts that resulted from the draining of Sumas Lake as well as having reserve lands that could be impacted by future flooding events.
- The collaborative approach of the SRWFMP table and the process being undertaken aligns with DRIPA and all parties have acknowledged that the principles have been incorporated into the project.

OTHER MINISTRIES OR JURISDICTIONS IMPACTED/CONSULTED:

- Water, Land and Resource Stewardship (WLRS)

MAJOR DECISION NEEDED/NEXT STEPS:

SRWFMP – Decisions Required

- Interests of an Indigenous People; Intergovernmental Communications

- January 2025 represents a critical deadline for the City of Abbotsford to have a conceptual plan presented to leadership.
- BC's SRWFMP partners are recommending that the collaborative process should jointly undertake public engagement in late November, 2024. Pressure is being

generated from the B.C. Agriculture Council, B.C. Dairy, farmers, and other community members to make more information publicly accessible.

TFI – Next Steps

- A TFI leadership virtual meeting is anticipated in early 2025. This meeting will focus on discussing the TFI Technical Status Report, which presents an overview of opportunities for cross-border flood mitigation strategies, and providing direction on next steps

KEY FACTS AND FIGURES:

- To date, SFN has received the following funding to support their work with the SRWFMP:
    - Three grants from EMCR:
        - One grant ($600K) assigned specifically for technical expertise (Ebbwater)
        - Two grants ($2.483M & $400K respectively) that are open to interpretation from SFN on how they use it.
    - IFP funding
        - $200K from WLRS in FY 2022/2023 (used for SFN staff to attend meetings)
        - 100K from WLRS in FY 2023/2024 (assigned for biological expertise and the collection of Indigenous knowledge
    - $150K from CEPF for Risk assessment (assessment has not yet started, anticipated in Oct/Nov 2024).
- To date, the CoA has received the following funding to support their work with the SRWFMP:
    - One grant for $500K from EMCR for technical expertise (KWL)
        - The grant has been fully expended and CoA is now paying their technical experts out of pocket. This is direct result of the division of work between KWL and Ebbwater (with KWL taking on the majority of the workload).
    - Phase 2 Hydrological Modelling contributions (work is underway)
        - 150K from CEPF
        - $150K from EMCR (JV from MOTI)
- To date, Leq'á:mel has received the following funding to support their work with the SRWFMP:
    - $1.2M from EMCR to support the goals of:
        - A holistic watershed health approach in Leq'á:mel Territory, grounded in a recognition of Leq'á:mel rights, title and interests and governing authority
        - An increase in Leq'á:mel Lands Governance Capacity to offset time, effort and other costs required for participation in this project, to ensure existing LFN priorities and obligations are met
        - The initiation of multiple collaborative planning tables (e.g. Hatzic, Sumas, Nicomen) with relevant stakeholders, rights holders and jurisdictions, promoting a holistic and integrated view of the Fraser

River outflow, and identifying a path forward to complete necessary projects, actions, authorizations, monitoring and reporting related to Atmospheric River recovery and response
        - Creating pathways for collaboration and a shared effort by engaging LFN members, residents, stakeholders and neighbours (Fraser Valley Regional District, CoA, City of Mission, other First Nations) and Provincial and Federal agencies on relevant watershed projects
        - Innovative (i.e. climate-informed, ecosystem management-based) holistic, multi-jurisdictional approaches to developing and completing watershed recovery projects in the Sumas, Hatzic and Nicomen areas
        - Increased safety and resiliency for LFN communities and all residents located in these watersheds and associated floodplains and longer term climate resilience planning
        - Demonstrated progress of recovery work occurring within LFN territory, expressed by active and productive multi-agency working groups, tables and task forces, and project results
    - $150K from EMCR for technical expertise
    - $100K from WLRS' Indigenous Funding Program (IFP) ($50K in FY22/23, $50K in FY 23/24) for attending meetings
- To date, MFN has received the following funding to support their work with the SRWFMP:
    - $50K from WLRS IFP in FY22/23
- The City of Abbotsford has received several major investments from the Province to support post-Atmospheric River recovery.
- Building on the $3.2M announced in April 2023, to help protect people, communities and farmland in the Sumas Prairie from future flood events, the Province committed an additional $76.6M in February 2024 to support critical capacity upgrades to the Barrowtown pump station in Abbotsford. Upgrades to the Barrowtown Pump Station will increase its capacity and resilience to flooding.
- With this latest investment, the Province has committed over $220M to support Abbotsford's recovery. This includes funding for infrastructure repair projects, including:
    - the Disaster Financial Assistance (DFA) program has received 118 private sector applications in the Abbotsford (Sumas Prairie) area. Funding has been approved for homeowners, tenants, small businesses, charitable organization, and farms ($13.4M);
    - a new well and water-treatment system to ensure reliable, resilient water service for more than 165,000 people in the Sumas Prairie ($60M);
    - through the Ministry of Municipal Affairs, support for interim housing for people and other initial costs related to flood recovery ($6.9M);
    - 28 infrastructure projects approved through DFA such as repairs to the Lakemount Bridge and Sumas dike ($12.5M); and
    - through the Ministry of Environment's Flood Debris Management Secretariat, support projects in Clayborn Creek, the Sumas River and canal, and the Vedder Canal to remove sediment, repair riverbanks and provide erosion protection ($41M).

ATTACHMENT(S):

- N/A

PREPARED BY:

Carreen Unguran
Executive Director
Recovery, Policy, and Planning
Disaster Recovery

APPROVED BY:

	Initials	Date
DM	TR	10/10/2024
Associate DM	TD	10/10/2024
CFO	DL	01/10/2024
A/ADM	EST	26/09/2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Natural Resource Ministries Permitting Overview

KEY POINTS:

- The Ministry of Water, Land and Resource Stewardship (WLRS) is the primary agency responsible for administering permit decisions related to the management of provincial Crown land, water, fish and wildlife
- Agriculture and Food (AF); Energy, Mines and Low Carbon Innovation (EMLI); Environment and Climate Change Strategy (ENV); Environmental Assessment Office (EAO); Forests (FOR); Transportation and Infrastructure (MOTI), BC Energy Regulator (BCER) [collectively referred to as the Ministries] also issue permits for the use and management of natural resources

BACKGROUND:

- "Permitting" is used to describe various forms of government authorizations that grant permissions for the use or impact to Crown natural resources and activities on the land base including use/occupancy of Crown land, impacts to/use of water, harvesting of timber, fish and wildlife, mine development and extraction of gravel and minerals, activities within a Provincial Park, waste discharge, contaminated site remediation, road building and range use.
- Projects and activities are authorized through a variety of statutes including but not limited to the *Land Act, Water Sustainability Ac*t, Riparian Areas Protection Regulation, *Forest Act, Forest and Range Practices Act, Environmental Management Act, Wildlife Act, Heritage Conservation Act, Transportation Act* and the *Environmental Assessment Act.*
- Permitting plays a critical role in land and resource management to support a thriving economy, environmental stewardship and reconciliation objectives. Permitting enables construction and maintenance of critical infrastructure, clean energy projects, housing developments, natural resource extraction, connectivity improvements, natural disaster recovery and restoration.
- For decades, the pace at which new applications are submitted has generally exceeded the pace with which government can review and make decisions on applications, resulting in a queue of applications waiting to be reviewed. This queue, in addition to the applications actively in the review process, creates what is known as the "caseload".
- Permitting agencies experience a high volume of applications with over 10,000 received annually through FrontCounter BC alone. Caseload backlog has gradually increased to over 12,800 across the Ministries currently.
- In 2022/23, the Province invested $77M over three years and dedicated 203 full-time employees across the Ministries to show demonstrable progress in reducing the application backlog and driving forward strategic solutions. Progress has been made across Ministries towards addressing application backlogs primarily related to government's priority areas of housing and connectivity.

DISCUSSION:

- FrontCounter BC serves as a single point of contact for natural resource permitting. It provides support in handling general enquiries, offers pre-application guidance and manages application intake on behalf of roughly 70 percent of BC's natural resource permitting agencies.
- Applications are reviewed by technical staff to ensure the proposed use is consistent with the legislation, is environmentally sustainable and/or in the public interest, and to consider any existing policy guidance.
- Applications generally trigger First Nations consultation under Section 35 of the Constitution Act, necessitating review, consultation and mitigation or accommodation of impact to rights or title.
- Applications can also be sent to stakeholders and advertised to the public for comment.
- If satisfied with all the information provided and gathered, a Statutory Decision Maker (SDM) may issue an authorization to the applicant. If unsatisfied, the SDM may refuse the authorization, or may request additional information or amendments from the applicant. Changes to an existing permit often require an amendment which undergoes a similar process to new applications.
- Statutory Decision Makers (SDMs) make their decisions based on administrative law: A clear understanding of relevant statutes and regulations, procedural fairness and discretion is exercised independently and is consistent with the purposes of the statutory power being exercised.
- Acquisition, occupancy and use of Crown Land is regulated by the *Land Act*, including purchases, grants, leases (including foreshore leases), licenses of occupation, rights-of-way and easements. The *Land Act* has been in force continuously since the 1870's and was last rewritten in 1996.
- Use, storage and diversion of surface water and groundwater resources are regulated by the *Water Sustainability Act* (WSA). WSA was brought into force on February 29, 2016, replacing the *Water Act* of 1909. WSA introduced licensing for groundwater for non-domestic use.
- WLRS accepts applications and issues permits for over 85 different fish and wildlife uses including licences for hunting, freshwater fishing, angling and hunting guides, wildlife export permits, scientific fish collection, nuisance animal removal, and trapping licences.

INDIGENOUS PEOPLES:

- The Province has a legal duty to consult and accommodate First Nations, where required, on decisions that could impact claimed or established First Nations rights and title, or treaty rights. The Province may not issue authorizations until the duty has been fully discharged. In some cases, circumstances may require that the Province seek or obtain the consent of the First Nation in order to make a decision about a potential authorization.
- The extent of the Crown's obligation to consult will vary with the circumstances, and the nature and scope of the First Nations Interests impacted. The level of consultation anticipated can inform the engagement activities and, generally, the amount of time that may be required to engage.

FINANCIAL IMPLICATIONS:

- NRM permitting has far-reaching impacts to BC's citizens, municipalities, industries, and institutions including municipal water works, agriculture, mining, housing development, and recreational activities.
- Government Financial Information

- Advice/Recommendations; Government Financial Information

SUMMARY:

- NRM permitting has far-reaching impacts to BC's citizens, municipalities, industries, and institutions.
- Natural Resource Sector permitting is complex and interconnected and many projects require numerous permits from multiple ministries to move forward.
- Delays in permitting impacts BC's economy and government's priority areas of housing and connectivity.

PREPARED BY:

Jane Nicol
Director, Strategic Permitting Solutions
Permitting Solutions Branch
(250) 302-5697

REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024
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ADM	JA	Oct 9, 2024
Program Dir/Mgr.	KS	

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Natural Resource Permitting Solutions

KEY POINTS:

- The Ministry of Water, Land and Resource Stewardship (WLRS) was established in April 2022 and mandated to lead cross-government work to identify policy, legislative, systems, people and process shifts to improve natural resource permitting.
- Permitting by the Natural Resource Ministries (NRMs) plays a critical role in land and resource management to support a thriving economy, environmental stewardship and reconciliation objectives. Permitting enables critical infrastructure, critical minerals, clean energy, natural resource extraction, housing, connectivity, natural disaster recovery and restoration.
- Permitting Solutions work completed over the past two years has been successful in advancing government priority projects, reducing lengthy application processing backlogs in priority projects, and removing permitting requirements in low-risk scenarios.
- More must be done to significantly shift land and resource management towards an approach that eradicates the backlog in applications, builds confidence, clarity, and predictability in permitting and prevents a future backlog of applications.
- Legislation, regulation and policy changes are needed to enable solutions to reduce the complexity of permitting work. Without these changes, further progress will be modest at best.

BACKGROUND:

- The provincial statutory framework, permitting systems and processes do not adequately support provincial priorities, and do not adequately support reconciliation commitments with First Nations' interests in decision-making.
- Permitting agencies experience a high volume of applications (over 10,000 received annually through FrontCounter BC alone), an unacceptable level of caseload backlog (over 12,800 across the NRMs currently) and a lack of adequate capacity and meaningful investment in policy, data and systems.
- In 2022/23, the Province invested $77M over three years and dedicated 203 full-time employees across the NRMs and the Ministries of Tourism, Arts, Culture and Sport and Indigenous Relations and Reconciliation to show demonstrable progress in reducing the application backlog and driving forward strategic solutions.
- In addition to Permitting Solutions, WLRS is the primary agency responsible for administering permit decisions related to the management of provincial Crown land, water, fish and wildlife.
- Significant progress has been made across NRMs towards addressing application backlogs primarily related to government's priority areas of housing and connectivity where efforts have been focused.
- Strategic permitting changes have also been realized that decrease the time needed to process applications, improve government-government permitting and remove permit requirements in low-risk scenarios.
- Achievements and metrics from the past two years are summarized in Attachment 1.

DISCUSSION:

- Advice/Recommendations; Government Financial Information

- Durable decisions, that consider legal obligations, the environment, public interests, economy along with consultation obligations are critical to prevent project delays from appeals or court processes. The confidence of British Columbians on government's ability to deliver on public priorities, economic growth and adapt to changing needs and expectations of Indigenous communities, clients, and the broader public depends on transformation and solutions to reduce the complexities of natural resource permitting.
- Achievements and successes over the past two years provide clear evidence that prioritization and focused cross-ministry efforts in targeted permitting areas lead to significant advancements and impactful results.
- New priority projects, including disaster recovery and restoration, can be addressed by building on solutions from the existing projects of Housing, Connectivity and Electrification. For example, the housing navigator service which links homebuilders to government permitting staff who coordinate project-specific permitting needs across multiple permit types and ministries has been particularly successful and is poised to be scaled and expanded into additional priority areas.
- Without legislation, regulation and policy changes further progress on permitting will be modest at best. These changes are needed to enable solutions to reduce the complexity of permitting work. The first phase of legislative and policy changes required focus on the Water Sustainability Act, Land Act and Significant Projects Streamlining Act while also aligning work of the Heritage Conservation Act Transformation Project.
- The first detailed quantitative analysis of cost-recovery performance across NRMs permit fees was created in July 2024 providing an evaluation of where and how fee changes could better support permitting efforts. Advice/Recommendations; Cabinet Confidences; Government Financial Information
  Advice/Recommendations; Government Financial Information

- Currently, NRMs have their own data and systems for permitting, not designed for cross-program ministry processes or performance. This creates data errors, increased manual calculations and an inability to identify challenges requiring solutions. A cross NRM data standard and connected systems enhancements are required. Use of Artificial Intelligence in future analytics and scenarios will be hindered without this work.

INDIGENOUS PEOPLES:

- Consultation with First Nations continues to be a focus within priority projects.
- Government is legally required to consult and cooperate with First Nations on legislative and regulatory changes. Consultation plans need to be jointly developed with First Nations to further advance NR permitting solutions.

FINANCIAL IMPLICATIONS:

- Reductions in permitting application processing time has significant positive economic implications. Permitting delays across BC result in lost revenue and economic activity each year.
- Current complex permitting processes, lack of clear policy or direction, and non-integrated data add unnecessary delays and require significant staff resources to review and make decisions on permits. Reducing the complexity of permitting processes, clearer direction and more integrated data will reduce internal permitting costs.

- Advice/Recommendations; Cabinet Confidences; Government Financial Information

Advice/Recommendations; Cabinet Confidences; Government Financial Information Industry has indicated they are willing to pay more if permitting regime timelines are predictable and faster. Resourcing of permitting transformation initiatives could be found in increased fees.

NEXT STEPS:

- Advice/Recommendations

- Advice/Recommendations; Business Information

- Scale and expand the navigator service which has been effective in coordinating cross-ministry requirements for housing-related permits into the additional priority areas of connectivity and electrification.
- Advice/Recommendations

Attachment(s): Attachment 1 – Permitting Solutions Achievements & Metrics 2022-2024

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Attachment 1: Permitting Solutions Achievements & Metrics 2022-2024

Enhanced Processing for Housing Related Applications:

- Since March 2023, 98% of the 914 backlog applications have been addressed.
- Decisions on new applications for housing projects are now being processed faster than they are being received.
- Average processing timelines for housing related applications has been reduced by 19% resulting in approximately $16M in savings for developers and up to 210,000 new housing units.
- The number of housing-related WLRS applications that are one-year or older has been reduced from 81 to 44 (46%) from June 2023 to August 2024.
- In January 2023, MOTI created a dedicated Strike Force to expedite priority files and implemented strategic process improvements, reducing the average turnaround time for housing files in the lower mainland from 60 days to 9 days.

Less, and Faster Permitting with Better Outcomes:

- MOTI delegations to local governments for rezoning approvals have been signed with 3 Local Governments reducing applications by 50 per year. Another 2 agreements are pending which will further reduce applications by another 50 per year. This will fast track developments within 800 m of MOTI infrastructure.
- Delegation of the Water Sustainability Act from WLRS to MOTI is providing a project-cost overrun savings of approximately $30M per year. MOTI's WSA authorizations team has completed 103 decisions since February 2024.
- Elimination of permits for 38 trusted utility companies who have been granted blanket approvals for standard work practices within ROWs for standard, repetitive, and low risk utility work.
- Expanded BCER one window approach to include delegated authorities under the Land Act, Forest Act and Forest & Range Practices Act for restoration activities in the Northeast, to support rapidly diminishing cumulative effects as a commitment from the Yahey decision.
- The backlog of over 1,200 Riparian Area Protection Regulation (WLRS) assessments has been cleared, and since June 2023, 56% of new applications are being processed within 30 days of receipt.
- Sub-tenuring agreement with BC Hydro has reduced approximately 100 Land Act permits that were duplicative between the province and BC Hydro.
- Cross-ministry expert teams have been established to prioritize connectivity-related permits. Since the teams were established in June 2023, 121 decisions have been made on 198 connectivity-related permits received, with an average turnaround time 70% lower than before the teams were created.
- The number of decisions made by Archaeology Branch increased by 158% from 2018 to 2023 (478 to 1,235) largely due to reconfiguration of the branch to bring focus and priority to residential development.
- EMLI has reduced Major Project permit review timelines from an average of 259 business days to 164 business days since 2019.

- EMLI has reduced the backlog of regional mine permit applications by 56% since 2020 and the average processing time for mineral exploration files has been reduced from 164 to 148 days.
- The Environmental Management Act's Public Notification Regulation was amended on July 6, 2024, with changes coming into effect immediately. This decreases the need for public notification and engagement for minor changes to operational certificates associated with Waste Management Plans issued to municipalities.
- FOR Archaeology Branch has put 3 area permits in place to support the rebuilding of homes damaged in the 2023 wildfires rather than individual site by site archaeology assessments.
- Development of a focused team within WLRS to work on the Agriculture Water Infrastructure Program (AWIP) to support the sector in adapting to climate change through water infrastructure. To date, AWIP has approved $20M across 53 projects for water infrastructure.

Data Standards:

- Internal dashboard reporting for Housing and Connectivity to better support and prioritize projects was launched in May 2023.
- Internal NRM Dashboard provides first-ever line of sight on caseload and processing times became available in October 2023.
- Advice/Recommendations

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024
PREPARED FOR: Minister of Water, Land and Resource Stewardship
TOPIC: Permitting for Housing

KEY POINTS:

- In January 2023, over 900 permits were backlogged related to housing across four separate ministries. The Ministry of Water, Land and Resource Stewardship (WLRS) took the lead for the cross-sector permitting of housing across the following Natural Resource Ministries: Environment and Climate Change Strategy, Forests and the Ministry of Transportation and Infrastructure (collectively referred to as 'the Ministries').
- Since January 2023 the Ministries have demonstrated success in addressing the backlog of housing-related permits, while simultaneously remaining focused to incoming, new applications. This success was made possible through dedicated resourcing, focused leadership, clear analytics and accountability across the Ministries. Moreover, business process and systems improvements supported the efforts.
- It is recognized that taking a 'project-focused' approach to developments supports better outcomes, rather than a permit-by-permit siloed approach.
- In order to maintain these results, strategic permitting solutions such as investments in systems, regulatory changes and continued process improvements are required.

BACKGROUND:

- In 2023 the following Provincial Government commitments were made: establish a Housing Action Taskforce (HAT), establish a single window for housing, and develop a single application for housing.
- HAT was tasked to address the backlog of housing permits and develop strategic permitting solutions, including a coordinated application approach.
- In early 2023, HAT undertook an intensive manual exercise across siloed ministry data systems to identify key natural resource permits associated with a housing project. The key permits that HAT is currently tracking are associated with the Heritage Conservation Act, the Water Sustainability Act, Riparian Area Protection Regulation (RAPR), Contaminated Sites - site remediation, Land Act, and Subdivision and zoning permits under the Ministry of Transportation and Infrastructure (MOTI). The data and processes for housing permits are siloed across the 4 Ministries with different data requirements and processes for permitting which creates inefficiencies in identification, tracking and permitting of housing projects.
- In January 2023, MOTI created a dedicated Strike Force to expedite priority files and implemented strategic process improvements, reducing the average turnaround time for housing files from 60 to 9 days in the Lower Mainland, this Strike Force became a key part of the HAT and cross-sector efforts.
- The backlog of over 1,200 RAPR assessments has been cleared. RAPR was a key performance indicator to turnaround riparian assessment reviews in 30 days, 90% of the time.
- The Site Remediation Branch of the Ministry of Environment and Climate has reduced the total applications received by approximately 8% (36 permits) due to changes in policy.
- There continues to be a need to move forward with legislative and regulatory changes to reduce the overall permitting requirements for homebuilders related to a housing project and that work is ongoing.

DISCUSSION:

- Through the addition of resources and by prioritizing permitting for housing across the Ministries the backlog of housing applications was prioritized and eliminated, permitting was accelerated and policies established to reduce the number of applications.
- Housing permit decisions are estimated to support the development of over 210,000 housing units across the province and represents approximately $16M in savings against permitting related delays[1]. Sustained focus is required on new applications to mitigate a new backlog from forming.
- The Application & Authorizations Insights Tool (AAI), an internal housing activity-based dashboard was released in March 2023 to track and measure progress on housing-related applications across the Ministries (Appendix I). Ongoing improvements to the data and tools are imperative to future solutions for housing permitting and into other priority projects to link and verify data across Ministry systems that are associated with individual housing projects, ensure Ministry data definitions are consistent and to realize staff resourcing savings due to the largely manual exercise of identifying and tracking permits across ministries monthly.
- Interested parties representing Industry, Social housing and Aboriginal housing groups were engaged in early 2023 to understand the permitting issues facing home builders. Engagement is ongoing with the development of new products and testing of strategies to accelerate permitting.
- The single window (Home - Permit Connect BC (gov.bc.ca)) for Housing was released in March 2023 hosting project-specific (housing) permitting information in one place for natural resource applications. An enhanced single housing application service was launched in September 2024 to identify and coordinate applications across Ministries into a single housing project. The service will allow increased functionality for homebuilders and link multiple applications as one project.
- The single housing application service continues to grow in functionality to link homebuilders with Navigators that support the entire project across the ministries. The successes of the Navigator model are being scaled to bring additional functions for electrification and connectivity onboard to support a single window and project-specific focus.
- Following the 2023 wildfire season, it became apparent that additional strategic approaches had to be developed to enable housing rebuilds that included a change in regulation or legislation. While policy remedies were surfaced to address innovative approaches to 2023 rebuilds, a more lasting solution is sought when it comes to post-catastrophic event rebuilding:
    - Landscape level approach to RAPR to remove the need for over 300 individual site assessments-focusing on a broader landscape approach and outcomes for rebuilding waterfront homes destroyed in the wildfires.
    - Since 2023, Archaeology Branch has cleared the backlog of housing-related permits and made 317 decisions. In addition, the branch developed 3 area permits to support the rebuilding of homes damaged rather than individual site by site assessments.

[1] $Cost/day provided by Housing developers estimated at $25000/day, Reduction in permitting timelines as of September 30th, 2024 is 49 days (since measurement began April 1, 2023), Estimated number of large housing developments from housing dashboard (13). Calculation $25,000/day savings x 49 days x 13 large housing developments = $16M estimate

INDIGENOUS PEOPLES:

- The Aboriginal Housing Management Association (AHMA) advocates and provides representation and support for affordable housing for Indigenous people for BC AHMA was one of the housing societies that participated in the Housing Engagement sessions in early 2023.
- In 2021, over 1 in 6 Indigenous people (17.1%) lived in crowded housing that was considered not suitable for the number of people who lived there. A right to adequate housing and protection from forced eviction was identified in the United Nations Declaration on the Rights of Indigenous Peoples.

FINANCIAL IMPLICATIONS:

- Housing permit decisions are estimated to support the development of over 210,000 housing units across the province and represents approximately $16M in savings against permitting related delays[1].

SUMMARY:

- Housing represents a complex natural resource ministry project type due to the variety of proponents, ministries, permit types and municipalities involved. A housing-project focused approach that considers all regulatory requirements as one coordinated permitting package is being piloted for the housing priority. The project-based approach has demonstrated the best results in achieving improved client experience and reduced permitting timelines and is recommended across other sectors.
- The Navigator Service has demonstrated opportunities for a project-based approach through coordination and sequencing of permits and maintaining communications with proponents on the status of their projects and permits.
- To realize efficiencies in permitting for housing the current focus on resourcing particularly for system investments to link and automate data across ministries with the subsequent resulting requirement for updates to legislation/regulation that governs the data requirements must be maintained or increased. The resulting savings to government and proponents as a result of improved timelines on housing projects are anticipated to balance the investment.

Attachment: Attachment 1 – Applications & Authorizations Insights Tool (Housing Dashboard)

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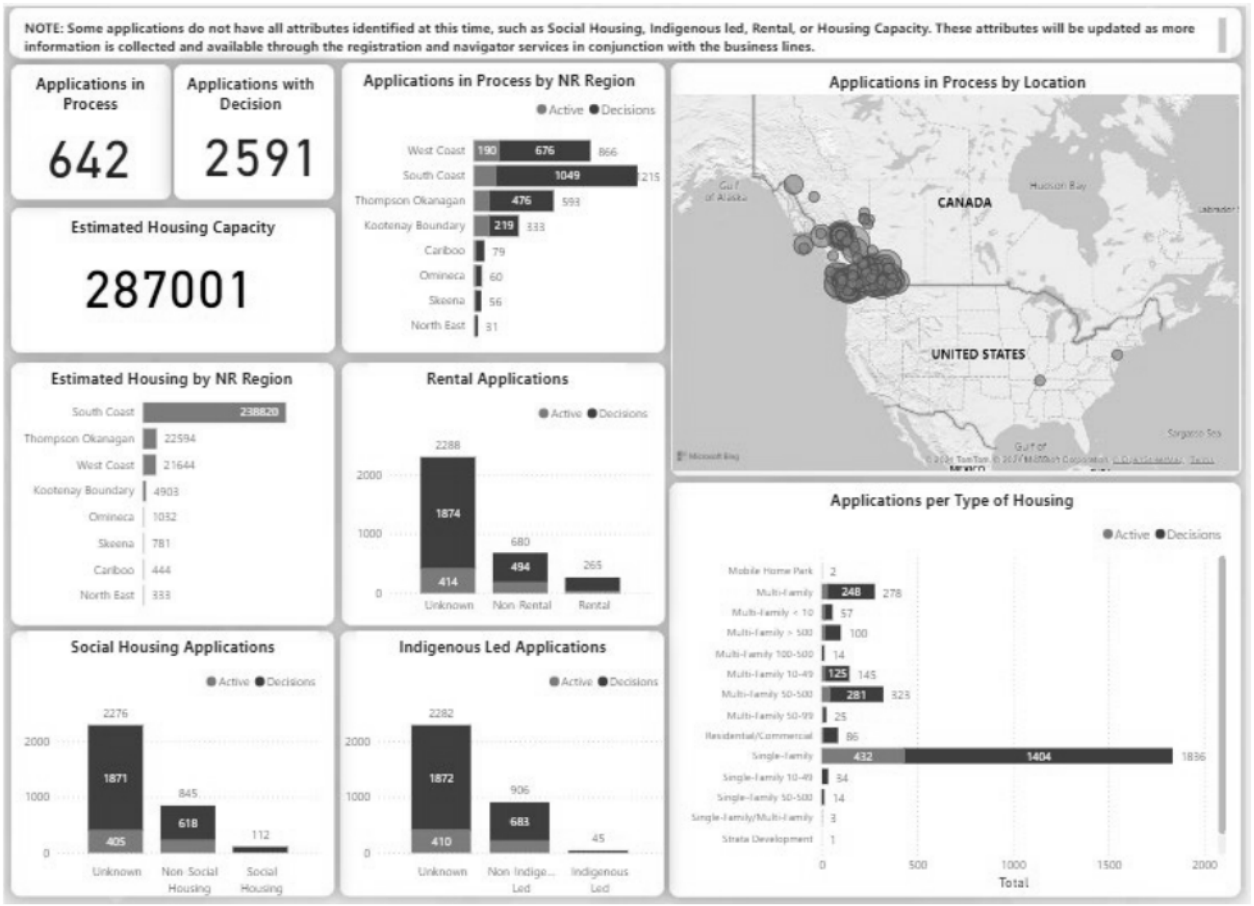
Attachment 1 – Applications & Authorizations Insights Tool (Housing Dashboard)



Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Permitting for Electrification

KEY POINTS:

- The Ministry of Water, Land and Resource Stewardship (WLRS) has dedicated resources to support BC Hydro's (BCH) electrification plan to reduce greenhouse gas emissions in the province by 900,000 tonnes per year by April 2026.
- BCH has identified more than 100 Capital Projects, the proposed North Coast Transmission Line (NCTL) connecting Prince George to Terrace, and Business Information Business Information will receive Energy Purchase Agreements through BCH 2024 Call for Power. These projects are anticipated to require hundreds of permits from across the Natural Resource Ministries (NRM) over the next five years.
- WLRS is applying successful approaches demonstrated in other priority projects, for Housing and Connectivity to accelerate and focus permitting efforts for electrification projects. These include modifications to processes, centralizing resources to an Area Hub team, dedicating a single decision-maker across linear projects and ensuring that best standards are utilized to minimize a permit-by-permit approach.
- WLRS has expanded the service of the Housing Navigators to Electrification and will apply cross-ministry support and strategies to accelerate permitting for BC Hydro Capital Projects, including the North Coast Transmission Line, and Clean Energy Projects from the 2024 Call for Power.

BACKGROUND:

- BCH has announced $36B in capital investment to sustain and expand BC's green hydroelectricity system and has issued a Call for Power for 3,000 GWh/year of clean energy from IPPs. Electrification Projects include all projects that generate electricity via clean or renewable resources as defined under the *Clean Energy Act* (wind, solar, hydropower, geothermal, ocean energy, etc.). IPPs directly support BCH initiative to aid in the electrification of the province and meet CleanBC emissions reductions targets.
- These projects require numerous permits from multiple NRMs to move forward including permits under the *Land Act, Water Sustainability Act, Wildlife Act, Heritage Conservation Act* and *Transportation Act*. Data, permits and processes related to electrification are currently siloed in individual NRM systems. Permits are not identified as electrification-related or prioritized consistently across ministries and may get lost in the system without focused attention. WLRS is leading the work to prioritize, coordinate and accelerate permitting solutions across the NRM together with the Ministries of Environment and Climate Change Strategy, Forests, Energy, Mines and Low Carbon Innovation, and Transportation and Infrastructure and working closely with the Environmental Assessment Office (EAO) on these projects.
- Business Information; Government Financial Information

DISCUSSION:

- BC Hydro expects electricity demand to increase 15 percent by 2030, driven by population growth, construction, and industrial development. A lack of supply and price certainty could negatively impact industrial project investment in BC and hinder future economic growth. Permitting is a process requiring predictability and certainty.
- Strategies demonstrated in the Housing and Connectivity projects will be applied to support efforts to accelerate permitting to deliver clean, affordable electricity across BC, addressing BCH Call for Power, North Coast Transmission Line and Capital Projects.
- Strategies that include providing Navigator Services to proponents to help them through the provincial process, coordinate projects across the NRM, identifying and tracking projects, establishing area hub teams to coordinate the review of authorizations, and synchronizing permitting with the EAO to accelerate permitting on projects that require Environmental Assessment Certificate.
- There are numerous identified priorities across the NRM such as Housing and Connectivity in addition to expectations that Ministries support provincial emergencies such as fire, drought and flood recovery. Government Financial Information Government Financial Information . Even as a priority project, resourcing to address provincial priorities such as electrification is finite and expectations for accelerated timelines are very high.
- Much can be learned from recent significant linear projects such as the Trans Mountain Pipeline Expansion, Coastal Gaslink and other projects such as LNG Canada Phase I and Site C. Work is underway to build a “one-window” approach for NCTL informed by these lessons. Expanding BC Energy Regulator’s authority to undertake this responsibility is being explored.
- In order to meet expectations for permitting, continued sustained focus on tactical and strategic permitting solutions targeting electrification is required. There will be legislative, regulatory and policy changes needed to necessitate the changes required to permit electrification projects.

FINANCIAL IMPLICATIONS:

- N/A

INDIGENOUS PEOPLES:

- BCH Call for Power required that every project have a minimum 25% First Nations equity ownership.
- Numerous First Nations will be impacted from the proposed projects and there is an expectation that their consent is required to move forward.
- Significant, high level strategic government support is required to advance these projects.

SUMMARY:

- The Permitting Transformation Division is working closely with BC Hydro and the Natural Resource Ministries to accelerate permitting processes for both the Capital Projects and the Call for Power projects.
- WLRS is working closely with BC Hydro and the Ministry of Energy, Mines and Low Carbon Innovation to confirm the appropriate leadership and composition for a dedicated, single-window approach on NCTL.
- Prioritization of the projects along with strategic solutions are required to meet the necessary timelines for permitting.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: FrontCounter BC

KEY POINTS:

- The FrontCounter BC (FCBC) program is a proven model for delivering services to the public for more than 18 years.
- Under the new structure, there are opportunities to consider expanding and enhancing the role FCBC plays in permitting efforts.
- Business process and policy opportunities are providing ongoing benefits in streamlining services, which will, over time, reduce application intake backlogs, improve turn-around times, and lead to improved client satisfaction and employee satisfaction/retention.
- Modernized technology could improve service delivery and program performance but would require substantial capital investment

BACKGROUND:

- FCBC launched in 2006 to serve as a single point of contact for natural resource permitting in BC; it provides support in handling general enquiries, offers pre-application guidance to clients, and manages application intake on behalf of roughly 70% of BC's natural resource permitting agencies.
- The creation of FCBC was a key recommendation of the May 2004 study - A Single Point of Contact Service for Clients of Provincial Natural Resource Agencies. The study found that a clear majority (72%) of natural resource clients indicated a need for a single point of contact service that would make it easier to submit applications to natural resource regulatory agencies.
- FCBC offers a range of interactive technologies to provide information services to clients including phone, email, text chat, and the FCBC virtual/online platform, and has moved away from a paper/PDF application process to data-driven application systems.
- FCBC handles an average of 70,000 enquiries and receives and reviews 20,000 applications annually; services are coordinated and delivered by roughly 150 FTEs across 30 locations and a provincial contact centre.
- FCBC supports the following primary business lines:
    - WLRS: Land, Water, Fish & Wildlife
    - FOR: Compliance & Enforcement
    - ENV: BC Parks, Recreation Sites & Trails
    - AF: Aquaculture, Farmgate
    - FCBC also provides secondary support to: Forests, ENV for Environmental Protection, Ministry of Transportation and Infrastructure (MOTI), and Energy Mines and Low Carbon Innovation (EMLI) for mines files.
- The average active caseload of applications with FCBC can range from 2,000 to 3,000 at any given time, with roughly 85% of the workload with four of the eight regions. There are opportunities to continue taking a centralized approach to workload management in addition to increasing cross-regional support to balance work pressures and minimize performance disparity across regions.
- FCBC is recognized for recruiting employees into the public service with promising succession opportunities within the natural resource sector, yet as a result, experiences a relatively high and consistent turnover rate of 15%.

- FCBC is guided by citizen-centered service delivery principles and tools, supported by robust staff training and public-facing service standards. Service performance is measured through client satisfaction surveys that are administered by BC Statistics. Regular metrics on a wide range of performance drivers informs service improvement and allows for benchmarking against like organizations across Canada.
- FCBC maintains numerous systems to manage client interface and application processing without suitable IT funding to pursue modernization. FCBC, itself, does not maintain expertise or authority to lead the development of more cost-effective and functional technologies to modernize service delivery. The failure of the Natural Resource Permitting Project (NRPP) to deliver on its mandate created a void in cross-Ministry coordination on IT solutions.

DISCUSSION:

- The recent Ministry reorganization between FOR and WLRS (Oct 2023) introduced a more centralized operating structure for FCBC, with regional offices now reporting alongside the FCBC Provincial Team up to a single Executive Director. The new structure better positions the organization for:
    - managing performance and achieving balance in work distribution
    - improving responsiveness to provincial priorities
    - leading and implementing operational changes, including novel workload management approaches (e.g., work centralization, application blitzes, and standardizing best practices across regions).
- FCBC's primary partners are its downstream internal 'client', the Authorizations teams it provides comprehensive application packages to for technical review, referral, and decision (i.e., statutory decision makers in Lands, Water, Fish & Wildlife, and BC Parks). Most of these internal partners currently struggle with application turn-around times and backlogs. As FCBC improves its own performance, it will seek to increase support and capacity towards downstream backlog reduction.
- Of the 13,400 applications awaiting decision in the NRM, 3,401 are currently under the purview of the FCBC in-take process.
- FCBC is currently pursuing a systems modernization strategy. Requirements/objectives include modern & cost-effective technology (to avoid vendor "lock-in"); simplified user experience; efficient workflow management; customizable reporting; reduced systems duplication; and systems to support co-management with First Nations.
- FCBC maintains an ongoing partnership with its larger counterpart, Service BC, where it is also informed of IT systems opportunities. It is apparent that BC could be investing in common IT solutions across its public-facing service delivery agencies to achieve service standardization and cost savings through economy of scale (e.g., Client Relationship Management software, client self-serve computer terminals and video conferencing access, appointment booking software, knowledge management platforms, and central call centre management systems/tools).
- Through an internal survey that was conducted in 2021, 90% of respondents supported the idea of rebranding FCBC to something more intuitive to the public and reflective of the business, such as Natural Resources BC. Although not a current priority, recommendations and implications of rebranding the business are being explored.

FINANCIAL IMPLICATIONS:

- Annual program costs (net of $550K in internal recoveries):
    - $12M in salaries & benefits
    - $250K in systems maintenance and enhancements
    - $160K in operational costs

CONCLUSION:

- FCBC represents an opportunity to modernize and transform the service delivery across the natural resource sector permits that it currently supports; with improved and broadened navigation services focused not only on the permit type, but across project types.
- Enhanced models of permit review, First Nations consultation and opportunities to support addressing caseload continue to be reviewed.
- Unchanged, FCBC will continue to deliver average performance relative to public expectations and will continue to implement service delivery improvements and business standardization.
- With adequate funding towards systems modernization, FCBC would be positioned to downsize its need for staff over time and maintain performance.

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ADM	JA	Oct 2, 2024
Program Dir/Mgr.		

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Land and Water Authorizations Caseload

KEY POINTS:

- There are over 13,000 land and water applications in caseload awaiting review and decision. The caseload has grown year-over-year as new applications are received at a rate that exceeds provincial capacity to move them to decision [273/month incoming versus 206/month decisions over the last five years].
- Authorizations staff currently prioritize applications based on the established provincial priorities of housing, electrification, connectivity, and agricultural water infrastructure. Applications that address matters of public safety, support public infrastructure, or advance the interests of First Nations are also generally prioritized as resourcing allows.
- The ability to eliminate the caseload and absorb additional applications is strained under the current resourcing and regulatory framework.
- Eliminating the need for decisions, delegating decisions and finding more rapid paths to decision are critical to addressing the imbalance between applications received and decisions made. Impactful legislative and policy changes are required across the statutory regime to see the necessary shifts and these changes will need to be accompanied by an investment in systems, change management and people.

BACKGROUND:

Land and Water Permitting Overview

- Acquisition, occupancy and use of Crown land is regulated by the *Land Act*, including purchases, grants, leases (including foreshore leases), licences of occupation, rights-of-way and easements. The *Land Act* has been in force continuously since the 1870's and was last rewritten in 1996.
- Use, storage and diversion of surface water and groundwater resources are regulated by the *Water Sustainability Act* (WSA): including, for example, non-domestic drinking water wells, fish ladders and barriers, and diversions for industrial use. The WSA was brought into force on February 29, 2016, replacing the *Water Act* of 1909. Updates to the legislation were required to address increasing pressures on water resources, from climate change, drought, and population growth. The WSA introduced licencing for groundwater for non-domestic use, new fees and rentals for water use, stronger protection for aquatic ecosystems, expanding protection of groundwater related to well construction and maintenance, and increasing dam safety and awareness.
- An individual or company must submit an application to obtain the necessary authorization (e.g. a licence) to use land or water resources. Applications are made through FrontCounter BC and reviewed by technical staff to ensure the proposed use is consistent with the legislation, is environmentally sustainable and/or in the public interest, and to consider any existing policy guidance. Applications generally require First Nations consultation under Section 35 of the *Constitution Act,* necessitating review and mitigation or accommodation of impact to rights or title, and applications are also generally advertised to the public for comment. If satisfied with all the information provided and gathered, a Statutory Decision Maker (SDM) may issue a resulting authorization to the applicant. If unsatisfied, the SDM may refuse the authorization, or may request amendments by the applicant. Changes to an existing

authorization often require an amendment which undergo a similar process to new applications.

- Application packages can range in size from tens to thousands of pages, depending on the complexity of the proposed land or water use and potential. They often include information such as project descriptions, survey information, environmental data, and impact assessments – in addition to any forms required for business processing.
- Project complexity varies depending on the risks to local environments, social and cultural rights and interests, and scope. Successful application processes also depend on the quality of the application, relationships with First Nations and stakeholders, schedules and flexibility, costs, and resource availability by government, First Nations, and applicants.
- The pace at which an application can be moved from receipt to decision depends on a variety of factors, including:
    - the complexity of the proposed land or water use;
    - the quality and breadth of information provided by the applicant;
    - the existence of landscape or watershed-level plans which provide guidance as to the balance of interests in the application area;
    - the complexity of First Nations relations in the application area (number of Nations with overlapping territory, existence of Treaties or Reconciliation Agreements, etc.);
    - the degree to which the land or watershed has been impacted by cumulative effects;
    - the tools available to accommodate impacts to First Nations rights or title; and
    - the existence of clear provincial policies or frameworks providing guidance to the SDM.
- Over the past several decades the pace at which new applications are made to government has generally exceeded the pace with which government reviewed and made decisions on the applications, resulting in a queue of applications waiting to be reviewed. This queue, in addition to the applications actively in the review process, create what is known as the "caseload".
- *Land Act* applications are generally assigned to staff for review dependent on their meeting a hierarchy of provincial criteria. Applications supportive of provincial priorities such as housing, electrification, connectivity, and agricultural water infrastructure are moved to the front of the queue, as are applications supportive of First Nations interests and public safety. The result is that applications not related to these priorities may sit for months or years before being assigned for review and decision.
- The WSA is premised on the First in Time, First In Right (FITFR) principle and basis. This means water use rights are blind to concepts of "highest and best use" and decisions are made permit by permit based on date of application. This limits the degree of prioritization across water decisions, as well as the ability to consider the best use of the resource in the context of today's complex landscape.

<u>Land and Water Permitting Caseloads and Durations</u>

- Provided in Attachment 1, Table 1 shows the caseload and average durations for October 2023 and August 2024. Figures 1 and 2 further show the trends for caseload, applications received, and decisions made for land and water applications from October 2023 to August 2024. Figure 3 shows the estimated caseload trend, applications received, and decisions made for land and water applications from 2018 up to August 31, 2024.
- The key insights are as follows:
    - In 2023-24, the overall caseload for active applications remained relatively constant at over 13,400 applications and expired land tenures in the caseload. This means that, overall, applications are being processed at the same rate they are coming in.

- Average application durations remained relatively constant at approximately one year. Application durations include any time that a file sat between being received and assigned for review because land and water officers were fully assigned to other files. As such, application durations are not necessarily reflective of the actual time it takes to process a file.
- When the WSA was brought into force in 2016, existing groundwater users were required to obtain licenses by March 2022 in order to comply with the new law. Despite outreach efforts to encourage early application, many users did not apply until the deadline. This resulted in an influx of over 2,300 applications in early 2022 for existing use groundwater (EUGW) licenses (increasing the overall EUGW caseload to approximately 6,500 at the time).
- Progress in the overall caseload (-249) was seen largely due to dedicated efforts in processing EUGW applications (-528). However, remaining EUGW applications will take 2.5 to 3 years to process. This is due to the volume of applications in the queue. Once an EUGW application is picked up by reviewers, it takes approximately 63 days to process.

DISCUSSION:

Prioritization in Key Areas

- Of the 99 land and water housing applications originally identified in the baseline in March 2023, 82% (81) have been addressed. Further, overall application processing time has been reduced by 11%.
- There have been 66 land and water applications submitted for connectivity projects since April 2023 and 69% (38) of the applications have had decisions made.

Legislative and Policy Changes

- Government Financial Information; Intergovernmental Communications

Government Financial Information; Intergovernmental Communications MOTI has made decisions on 117 of the 142 applications received since March 2024 with an average processing time of 21 days.

- Under section 22 of the WSA, water applications are currently processed on the principle of FITFR. This means that a simple authorization should not be issued until a preceding complex authorization is issued first, therefore, creating bottlenecks. In order to adjust this, government may want to consider mandating a legislative review to shift to a system that considers highest and best use as a foundational principle going forward.
- Advice/Recommendations; Cabinet Confidences

Existing Use Groundwater

- Prior to February 2024, EUGW applications were processed by each region where EUGW files were processed at a rate of approximately 160 files per year. A centralized taskforce of 9 resources was established in February 2024 to prioritize this caseload. Of the 5,234 applications that have been assigned to the taskforce, 483 files have been processed since then (as of October 15, 2024) – or approximately 744 files per year (4.5 times faster than before).

INDIGENOUS PEOPLES:

- The Province has a legal duty to consult and accommodate First Nations, where required, on land and water decisions that could impact claimed or established First Nations rights and title, or treaty rights (First Nations Interests). The Province may not issue authorizations until the duty has been fully discharged. In some cases, circumstances may require that the Province seek or obtain the consent of the First Nation in order to make a decision about a potential authorization.
- The extent of the Crown's obligation to consult will vary with the circumstances, and the nature and scope of the First Nations Interests impacted. The level of consultation anticipated can inform the engagement activities and, generally, the amount of time that may be required to engage.
- The effectiveness with which BC works with First Nations to review applications in a timely manner varies. It is generally dependent upon the strength of the government-to-government relationship, the strength of local regional relationships, the capacity of the Nation to commit resources to review, the effectiveness and clarity of any Treaty provisions or protocol agreements that may be in place, and the tools available to accommodate impacts to rights or title.

FINANCIAL IMPLICATIONS:

- Delays to land and water permitting have far-reaching impacts to B.C.'s citizens, municipalities, industries, and institutions: including municipal water works, agriculture, mining, housing development, and recreational activities. These delays ultimately impact B.C.'s economy and ability to attract and retain global investments across the natural resource sector. Advice/Recommendations; Government Financial Information

Advice/Recommendations; Government Financial Information

Land Applications

- Delays in processing *Land Act* tenures and replacements result in delayed revenues, deferred payments, decreased rent payments and overall slowing down of economic opportunities- these factors are external to any additional impacts from project-delay costs, inflation etc.

Water Applications

- Government Financial Information

The ability for applicants to appropriately plan projects and anticipate costs is greatly impacted by delays in authorizations under the WSA.

SUMMARY:

- The overall caseload for land and water permitting applications remains at over 13,000.
- Positive movement has been made through prioritization of key sectors such as housing, meaning that homes can be built faster, and through the establishment of an existing use groundwater taskforce.
- Government Financial Information; Intergovernmental Communications
- Advice/Recommendations; Cabinet Confidences
- Government Financial Information
- The ability to eliminate the caseload and absorb additional applications is strained under the current resourcing and regulatory framework. Eliminating decisions, delegating decisions and finding more rapid paths to decision are critical to addressing the imbalance between applications received and decisions made. Impactful legislative and policy changes are required across the statutory regime to see the necessary shifts and these changes will need to be accompanied by an investment in systems, change management and people.

Attachments: Attachment 1 – Caseload Tables and Figures

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	Initials	Date
DM	LH	Oct 16, 2024
CFO/EFO (if required)		
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Attachment 1: Caseload Tables and Figures

Table 1: Breakdown of Land and Water Caseloads and Durations for October 2023 and August 2024

	Active Caseload (count of applications)			Average Processing Time (calendar days)		
	October 2023	August 2024	Change	October 2023	August 2024	Change
Land Applications – Overall	1,854	1,983	+129	353	365	+12
Number on hold with applicant		(312)				
Number of tenures expired before replacement	2,567	2,740	+173			
Water Applications – Overall	9,046	8,671	-375	383	411	+28
Number on hold with applicant		(484)				
Total active applications:	**10,900**	**10,654**	**-249**			
Total including tenures expired before replacement:	**13,467**	**13,394**	**-73**			
Water Applications – By Type						
Change Approval for Works in and About a Stream	559	530	-29	229	235	+6
Change Approval for Works in and About a Stream - Amendment	62	54	-8	209	176	-33
Existing Groundwater License	5,601	5,073	-528	972	1,173	+201
Groundwater License Amendment	0	0	0	414	414	0
New Groundwater License	40	36	-4	522	552	+30
Use Approval	106	92	-14	186	186	0
Use Approval - Amendment	9	11	+2	388	417	+29
Water License	1,871	2,035	+164	544	613	+69
Water License Abandonment	250	227	-23	411	417	+6
Water License Amendment	548	613	+65	560	607	+47

Note: October 2023 is used as the baseline as this is when data clean up efforts and consolidation first enabled higher-quality data comparisons.

Figure 1: Lands Applications Caseload, Number Received, and Decisions Made from October 2023 to August 2024

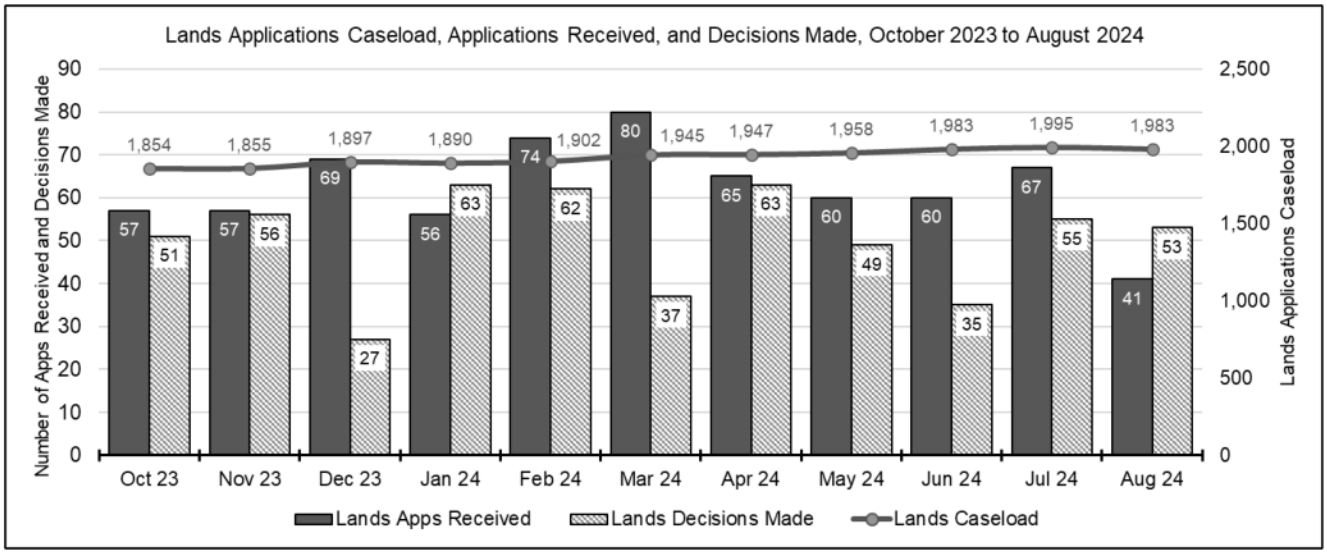


Figure 2: Water Applications Caseload, Number Received, and Decisions Made from October 2023 to August 2024

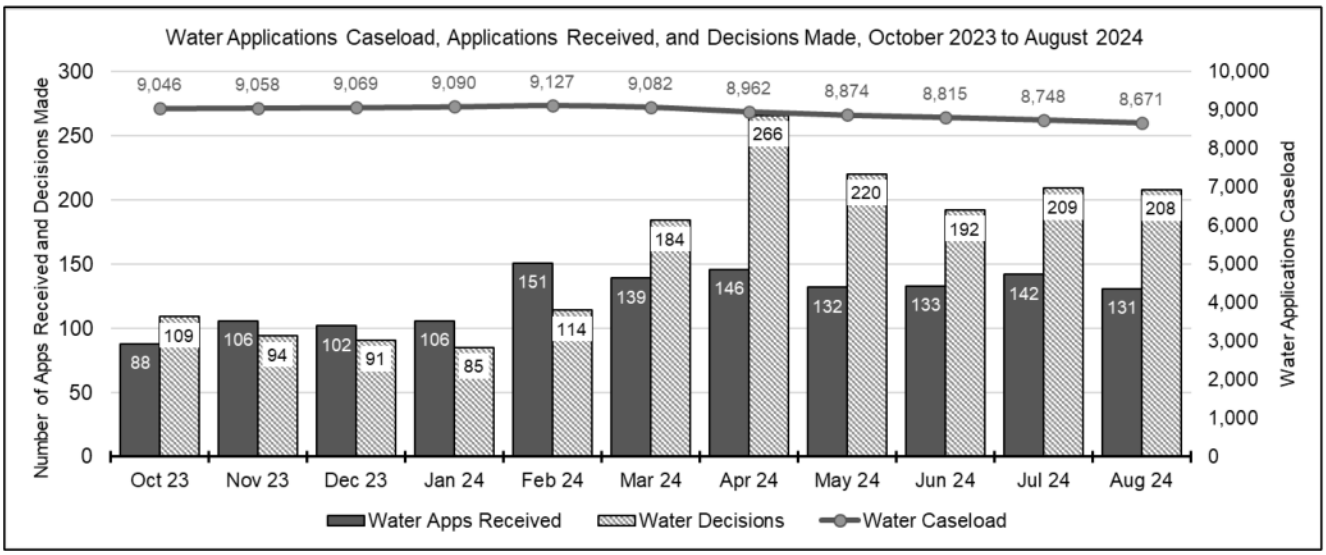
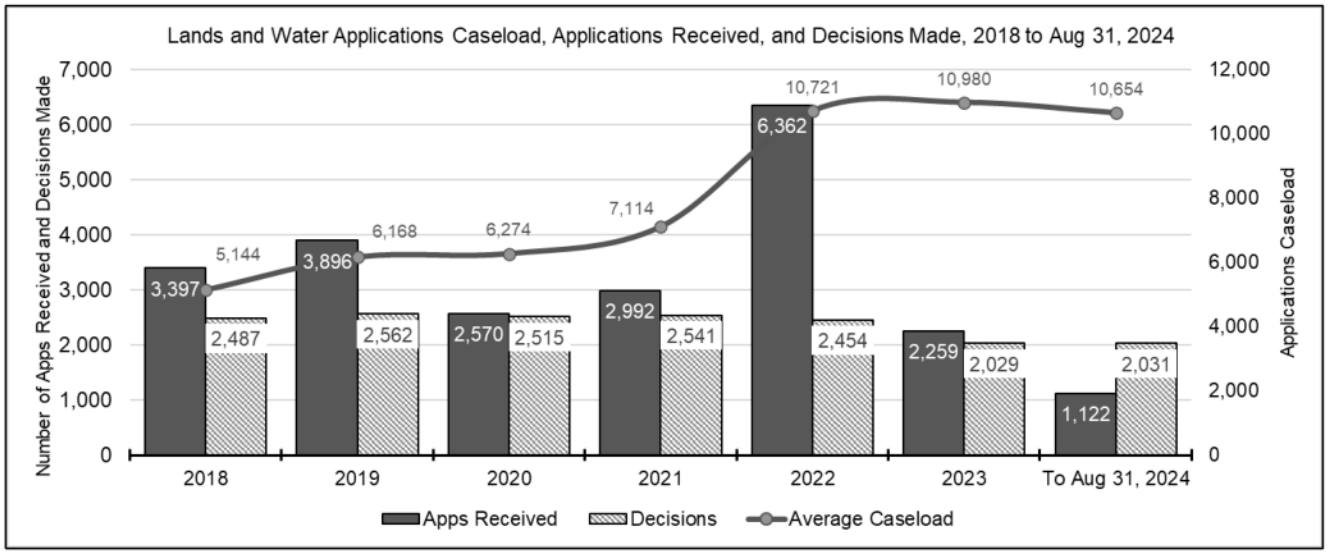


Figure 3: Land and Water Application Caseload, Number Received, and Decisions Made from 2017 up to August 31, 2024



Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Crown Land Cleanup – Unfunded Risks and Liabilities on Crown Land

KEY POINTS:

- The Land Program has $500,000 allocated as a Crown Land Cleanup Fund, which was approved in 2022, required due to the need to address trespass, dumping, forfeitures and escheats on Crown land.
- The Crown Land Cleanup Fund is not sufficient to address the increasing costs, risks and liabilities created for the Provincial government. In addition, the expectations of the public and First Nations to address these issues is receiving greater attention and criticism.

BACKGROUND:

- Trespass in the form of illegal dumping, illegal structures, and unregistered abandoned vessels continues to be an issue on Crown land which comprises 94 percent of the province.
- Historically, Land Act Regional Offices did not receive budget allocation specifically for cleanup of illegal dumping, illegal camps or forfeiture/escheated properties whose cleanup exceeds the value of the propery when sold. The cleanup was managed on a priority basis and Regions would then seek year-end funding from local operational budgets or the Ministry, as available.
- Subsequently, a $20,000 vote in the Crown Land Special Account (CLSA) was approved to address Crown Land cleanup costs. In spring 2022, Land Programs requested and received a $500,000 allocation in funding to be applied to the cleanup of Crown land sites in FY 2022-2023 which has been continued each year since.

DISCUSSION:

- Previously, the Ministry had a $20,000 vote in the CLSA to address Crown Land cleanup costs related to illegal dumping, illegal/abandoned structures, and unregistered abandoned vessels. Additionally, forfeiture and escheats see private ownership of land revert to the Crown, with associated costs of cleaning up the property. The $20,000 was increased to $500,000 to address the growing list of properties that required cleanup.
- Sites that have been cleaned up may be available to generate recurring government revenues and would have the potential for economic stimulus in the region affected, should the property be sold for development. In some areas of the province, cleanup of sites will contribute to First Nations reconciliation.
- The list of potential Crown land sites requiring clean up throughout the Province far exceeds the allotted annual $500,000. In 2024, the fund will be completely consumed by two sinking derilict float homes on the coast of Vancouver Island from which the associated floating debris and environmental impact has drawn the attention of the public and First Nations, a situation which is increasing in frequency.
- Implications and considerations related to the increasing frequency of sites include:
    - Liability and public safety hazards;
    - Environmental impact;
    - Increased costs to clean up in the future;
    - Trespass will continue requiring Compliance and Enforcement and RCMP involvement;
    - Illegal activities will continue to occur; and
    - Eyesore and public nuisance.

- To date, project prioritization has been completed at the provincial level by the Crown land Cleanup Fund Committee based on the submission and Guidance Document criteria (as above). The Executive Director, Land Programs has provided approval of the spending prior to the allocation of the funds.

INDIGENOUS PEOPLES:

- In some areas of the province, cleanup of sites will contribute to First Nations reconciliation. Alternatively, First Nations are critical of the Province not addressing the cleanup in a timely manner.

FINANCIAL IMPLICATIONS:

- Currently, the Ministry has a $500,000 vote in the Crown Land Special Account to address Crown Land cleanup costs related to illegal dumping, illegal/abandoned structures, and unregistered abandoned vessels.
- The entire FY 2022-2023 and 2023-2024 $500k allocation was spent to clean up Crown land sites identified by the Regional Offices (i.e unauthorized structures in Kootenay Region, forfeitures/ escheats in Prince George and Thompson Okanagan, garbage and derelict vehicles in trespass in West Coast Region etc).
- Some sites that have been cleaned up may be available to generate recurring government revenues and would have the potential for economic stimulus in the region affected, should the property be sold for development.
- Advice/Recommendations

- Although the total funding required to address the full scope of existing Crown land cleanup has not been calculated since the effort in of itself requires substantial funding for site identification, assessment and surveying, approximately 30 sites have undergone a preliminary cleanup assessment with ;Advice/Recommendations; Government Financial Information
Advice/Recommendations; Government Financial Information

SUMMARY:

- WLRS manages an annual allocation of $500,000 to address the cleanup of illegal dumping, illegal structures, and unregistered abandoned vessels.
- The current amount is insufficient to address a growing list of properties that require cleanup.
- The public and First Nations are raising issue with various sites throughout the Province due to environmental, safety or viewscape concerns.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Lakeview Trailer Park – Ownership Issue and Next Steps

KEY POINTS:

- The Province became the owner of a trailer park outside Fraser Lake, BC, due to parallel legal processes of property escheatment and forfeiture.
- The trailer park has had failing water and sewer infrastructure for a few years, making living conditions for 63 residents challenging and puts the Province at risk of receiving health orders. Repair of the infrastructure is needed in 2025, and this commitment has been made to residents.

BACKGROUND:

- As landlord, the Province is legally required to provide and maintain the trailer park in a reasonable state of repair, and comply with housing, health and safety standards (like safe drinking water).
- The Province has spent roughly $2.400M on trailer park repairs and maintenance since it defaulted to the Province in 2018. Monthly costs to keep failing infrastructure limping along, ensure resident potable water access, and similar services is approximately $37,000 for the 63 residents and approximately 26 trailers.
- Residents and local government have been frustrated by years of substandard trailer park living conditions. Legal action has been threatened by a few residents, while others have attempted to get the ministry responsible reprimanded through a health order via Northern Health.
- The previous provincial position was to maintain the affordable housing option (rather than pursue eviction), fix the water and sewer infrastructure to meet health, housing and safety standards, then dispose of the property to a willing party.
- In September 2024, residents received a verbal and written commitment that the Province would proceed with infrastructure repairs.

DISCUSSION:

- Cabinet Confidences

- A detailed site assessment to be completed by early December 2024 will determine the extent of repairs and the approximate costs. This information will be used to procure the goods and services appropriate to complete the work.
- Advice/Recommendations; Cabinet Confidences; Government Financial Information

- Once repairs are completed, the property could be sold at market pricing or could be granted to a willing recipient.

INDIGENOUS PEOPLES:

- Intergovernmental Communications

- First Nations consultation will be part of the property disposition process.

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Government Financial Information

- Advice/Recommendations; Cabinet Confidences; Government Financial Information

- Advice/Recommendations; Government Financial Information

NEXT STEPS:

- Advice/Recommendations; Cabinet Confidences; Government Financial Information

-

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DM	LH	Oct 7, 2024
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Program Dir/Mgr.	MK	Sept 26, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Lower Mainland Industrial Land Development and Wetland Strategy

KEY POINTS:

- The pressure for light industrial development in the Lower Mainland and Fraser Valley is pushing developers to propose projects in or adjacent to wetlands.
- Wetlands are a limited and important ecosystem resource. Ministry statutory decision- makers can approve impacts from development to them, under certain conditions.
- The Province requires a wetlands strategy that sets out standards and policy to support and guide provincial staff, proponents and other stakeholders and rights holders, in the permitting process. This is immediately required to support equity, transparency and clarity on standards and values at the outset of the process leading to durable decisions regarding wetlands for the area, which do not unnecessarily deplete this valuable ecosystem but maintain or enhance overall wetland presence and functioning.

BACKGROUND:

- Wetlands are valuable ecosystem features for their contributions to biodiversity, habitat, water retention and filtration, and carbon sequestration. There has been significant wetland loss due to development and other factors over the past several decades. In the lower Fraser Valley, approximately one percent of historic wetlands remain today.
- Reduced industrial land availability in the Lower Mainland and Fraser Valley is pushing development proposals into wetland or wetland adjacent ecosystems.
- Development applications impacting streams and wetlands require approval under the *Water Sustainability Act* by designated statutory decision makers.
- Bogs, such as the region's well known Burn's Bog, are not treated the same as a wetland under legislation, and clarity is required as currently the legislation remains silent on its application to bogs.
- The Province does not have clear, current policy direction on how to value wetland impacts or wetland loss (including bogs), which has impeded statutory decision making.
- The provincial Environmental Mitigation Policy and Procedures (EMP) is being applied in absence of a wetlands policy and strategy. The EMP provides high level guidance for such situations, where projects should apply a mitigation hierarchy by first avoiding impacts, then minimizing them, then completing restoration on-site, and finally apply an impact offset (e.g., in lieu payment).
- Significant delays to several industrial development applications proposed to impact wetlands in the region in early 2024 led to advocacy by proponents and the Greater Vancouver Board of Trade, and a subsequent ministry commitment to remove a regionally developed policy regarding wetland infills and make statutory decisions using the EMP by end of October 2024.

DISCUSSION:

- Six industrial development applications proposed to impact wetlands are being test trialed using a combined landscape level assessment, social and economic values and the EMP to generate new policy recommendations for Lower Mainland and Fraser Valley wetlands.

- A new wetlands strategy is required, comprised of a wetlands policy along with companion guidance and direction for stakeholders, like light industrial project proponents, and provincial staff, to ensure durable decisions involving wetland impacts can be made in a predictable and time bound manner.
- In preparation for the likelihood that some projects, either part of the six under current review, or other applications submitted, may require offsets to address the wetland impacts proposed, the provincial team is exploring options for an offsetting approach or 'fund' including benefits and drawbacks. This will be part of the wetlands' strategy.
- Industrial land availability across the Lower Mainland and Fraser Valley is viewed as a significant pressure to the Province's economic growth and potential. Industrial land in BC is at approximately four percent currently, falling well below competing jurisdictions such as Alberta and Washington State where each respective jurisdiction holds almost double the available industrial land inventory.
- Intergovernmental Communications

- There are several proponents eager to get their light industrial applications reviewed quickly, after seeing the ministry move quickly to trial the six existing projects within a few months. The timing and completeness of a wetlands strategy will have to be balanced with the business pressures to come to make further project decisions without a new wetlands strategy in place.

INDIGENOUS PEOPLES:

- First Nations consultation on project applications is active.
- Should further substantive on-site mitigations or offsets be proposed, First Nations will be engaged further.
- Any formal, future wetlands strategy would require some First Nations consultation, as required under the Declaration on the *Rights of Indigenous Peoples Act*.

FINANCIAL IMPLICATIONS:

- N/A

NEXT STEPS:

- The Province requires a wetlands' strategy for the Lower Mainland and Fraser Valley, to inform project applications and decision making where wetland impacts are proposed.
- A wetlands strategy will support predictable, timely decision making for projects with their positive economic and social impacts, and environmental benefits for wetland investments.

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Program Dir/Mgr.	MK	Oct 1, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Southeast Initiatives Secretariat Overview

KEY POINTS:

- Resource development in southeast (SE) British Columbia (BC) is critical to the provincial economy and offers tangible and meaningful opportunities to advance reconciliation with Indigenous nations. The region – and Elk Valley (Qukin ʔamakʔis) specifically – is subject to numerous complex, overlapping and interrelated initiatives, projects and authorizations that demand coherent and timely strategic action
- A primary goal of the Southeast Initiatives Secretariat (SEIS) is to address concerns and leverage opportunities which help establish conditions in the SE that could enable continued responsible mining supported by key stakeholders and First Nations. If these conditions do not form, EA decisions on expansions to Elk Valley Resources (EVR) mining operations will be extremely challenging and there is a very real risk that EVR will ramp down their operations resulting in substantial impacts to BC and local economies and communities.
- A short-term priority is to develop a strategy to support the Environmental Assessment Office with an upcoming decision on whether to allow an environmental assessment of a proposed EVR expansion to proceed.

BACKGROUND:

- SE metallurgical coal deposits are a high-quality, strategic resource held by BC, critical to the provincial economy. In 2023, the four operating EVR mines in the SE accounted for 83% of total coal production and 81% ($663.5M) of all mineral tax collected from coal and metal mines in B.C, as well as providing 12,820 direct, indirect and induced jobs in BC and 30,490 across Canada.
- Mining and other natural resource extraction in the Elk Valley have resulted in substantial adverse environmental impacts on water quality and aquatic ecosystems from elevated levels of selenium and other contaminants. There are also significant impacts on the land including rare ecosystems (i.e., high elevation grasslands) and bighorn sheep. Indigenous rights held by the Ktunaxa First Nation (KFN) are adversely impacted by the current condition of the land and water.
- The Elk Valley is part of the transboundary Kootenai/y watershed with water flowing through Koocanusa Reservoir and into Montana and is in the core of Ktunaxa territory. This region is now the focus of an International Joint Commission Reference on water pollution.
- EVR plans to submit a revised Detailed Project Description to the EAO for the Fording River Extension (FRX Project) in early 2025 which, if approved, may enable sustained production for several decades.

DISCUSSION:

- SEIS was formed as a two-year pilot in July 2024 to enable a coherent strategic approach in Southeast BC, supporting strong cross-ministry provincial governance and clear accountability. It includes representatives from the Ministries of Environment and Climate Change Strategy (ENV), Water, Land and Resource Stewardship (WLRS), Forests (FOR), Energy, Mines and Low Carbon Innovation (EMLI, and Indigenous Relations and Reconciliation (MIRR) under the leadership of a dedicated ADM who provides relationship

continuity, accountability and functional authority, oversight and leadership for the development and implementation of a cohesive strategy.

- SEIS will ensure a team BC approach to manage and drive timely strategic-level approaches and decisions in SE BC, including the development and implementation of an aligned cross-ministry strategy. The strategy will identify and prioritize initiatives to allow for the continuation of responsible metallurgical coal mining in the Elk Valley while improving environmental quality, managing cumulative effects, healing the land, and advancing models of shared decision-making with First Nations.
- Recent outreach initiated by Canada has re-opened discussions regarding transfer of the Dominion Coal Blocks and trilateral meetings with BC, Canada and KFN governments are commencing soon.
- SEIS has conducted significant outreach to local municipal governments, KFN governments, stewardship organizations and various provincial and federal departments to introduce SEIS as well as hear about their concerns and initiatives. This outreach will assist in developing strong relationships, developing a strategy and prioritizing actions.

INDIGENOUS PEOPLES:

- Intergovernmental Communications

- SEIS will engage with Ktunaxa in response to governance evolution and continue to work with the KFN and the Ktunaxa Nation Council Society in a transparent and inclusive manner

FINANCIAL IMPLICATIONS:

- The SEIS ADMO is jointly funded by EMLI, ENV, MIRR, FOR and WLRS and reports directly to Deputy Minister Committee of Natural Resources. As SEIS was created in July 2024, there is no Estimates budget at this time. It will be considered via the Budget 2025 process.
- A working budget of Government for the 2025 Fiscal Year End includes salary and operating expenses. Travel of the ADM to SE BC is essential for establishing and maintaining relationships with key stakeholders.

NEXT STEPS:

- Priority next steps include:
  - Build out strategy to clearly identify approach, priorities and sequencing.
  - Advance priority initiatives to manage existing environmental impacts, mitigate future impacts, leverage broader stewardship opportunities, and advance reconciliation.
  - Continue to build bilateral relationships with the Ktunaxa First Nation Governments.

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DM	LH	Oct 16, 2024
CFO/EFO (if required)	N/A	
ADM	LN	Oct 15, 2024
Program Dir/Mgr.		

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Dominion Coal Block Tripartite Negotiations (SEIS Lead)

KEY POINTS:

- Canada has initiated an engagement process with Ktunaxa First Nations Governments to hear their views regarding possible options for the future of the Dominion Coal Blocks (DCBs), including options for conservation.
- Advice/Recommendations; Intergovernmental Communications

BACKGROUND:

- The DCB's are federal lands located in the Elk and Flathead valleys. Both parcels are within an area for which Ktunaxa First Nations are considered to hold a strong assertion for Aboriginal Title.
    - Parcel 73 is 2,024 ha in size and is located entirely within the Elk Valley. The coal resources are believed to be economically viable and surface mineable. Parcel 73 is surrounded by Glencore's Elk Valley Resources (EVR) division private lands and is adjacent to their Coal Mountain II development, which previous owner Teck suspended in 2017.
    - Parcel 82 is 18,212 ha in size, has limited opportunity for economic coal development and is surrounded by provincial and private lands. Approximately 3,000 ha of the parcel extends into the Flathead Valley. The Flathead Valley portion is subject to the 2011 Flathead Watershed Area Conservation Act prohibiting coal mining in the Flathead Valley.
- The Ktunaxa First Nations, non-government organizations, ECCC, and British Columbia (BC) have long expressed interest in advancing conservation in the Elk and Flathead Valleys. B.C. has implemented conservation measures through the *Forest and Range Practices Act,* the *Wildlife Act* and the *Park Act.* The area is also well suited to support the "30 by 30" nature conservation commitment made by BC and Canada. Intergovernmental Communications
  Intergovernmental Communications
- In 2013, Canada engaged with BC regarding a divesture of the DCBs through the sale of both parcels. Intergovernmental Communications
  Intergovernmental Communications
- Intergovernmental Communications
- Intergovernmental Communications

DISCUSSION:

- The DCB parcels may have utility and provide more robust options in the development of a provincial Southeast comprehensive strategy for long-term mining. Advice/Recommendations; Advice/Recommendations; Interests of an Indigenous People; Intergovernmental Communications

-

INDIGENOUS PEOPLES:

- Intergovernmental Communications

- Interests of an Indigenous People; Intergovernmental Communications

- Interests of an Indigenous People; Intergovernmental Communications

- Interests of an Indigenous People; Intergovernmental Communications

FINANCIAL IMPLICATIONS:

- Government Financial Information; Intergovernmental Communications

-

NEXT STEPS:

- Letters have been sent to Ktunaxa First Nation Governments inviting them to tripartite meetings in September 2024, meetings have commenced. It is proposed that Canada will send similar correspondence to other Indigenous Organizations in October 2024. Advice/ Advice/Recommendations; Intergovernmental Communications

Attachment(s): Intergovernmental Communications
Intergovernmental
Communications

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ADM	LN	Oct 11, 24
Program Dir/Mgr.	KVG	Sep 18, 24

Page 0600 of 1021

Withheld pursuant to/removed as

Intergovernmental Communications

Page 0601 of 1021

Withheld pursuant to/removed as

Intergovernmental Communications

TRANSITION NOTE (2024) Ministry of Environment and Climate Change Strategy Southeast Initiatives Secretariat October 2024	**Elk Valley Area Based Management Plan**

KEY FACTS

- Decades of metallurgical coal mining in the Elk Valley in Southeastern B.C. has led to significant waste rock accumulation, alteration of land and water courses, degrading water quality (WQ) trends and other environmental impacts.
- In 2013, the Minister of Environment and Climate Change Strategy (ENV) issued a Ministerial Order under Section 89 of the *Environmental Management Act* (EMA) requiring Teck Coal Ltd. (Teck), operator of the five active coal mines in the Elk Valley, to develop an Area Based Management Plan (ABMP) to stabilize and reduce mine-related contaminants in the watershed.
- The ABMP titled the Elk Valley Water Quality Plan is a comprehensive strategy to improve water quality in the Elk River watershed. It was developed using the best available science and information and is intended to be implemented in an adaptive manner. The ABMP:
    - Serves as a strategic policy framework that must be considered in all decisions in the Plan area;
    - Establishes short-, medium- and long-term WQ targets for selenium, nitrate, sulphate, cadmium and calcite at locations throughout the Elk Valley and in Koocanusa Reservoir; and
    - Provides a regional management approach that allows localized environmental effects as part of an overall strategy to address the most significant historical watershed-scale impacts.
- Having an approved ABMP has supported ministry decision makers to allow continued mining in the watershed while clean-up efforts proceed. Discharges are uniquely regulated on a watershed-wide basis from Teck's four operating (and one closed) mines.
- ABMP implementation efforts are ongoing and Teck is now authorized by permit to operate four water treatment facilities, with additional facilities required in the future. Operating facilities have a combined capacity of 77,500 m^3/d and are removing record amounts of selenium and nitrate from mine-influenced waters.
- Two of these facilities rely on innovative Saturated Rock Fill (SRF) technology that does not exist anywhere else in the world and has been thoroughly vetted through robust provincial permitting processes.
- Some treatment facilities were delayed for a range of reasons, resulting in ongoing water quality non-compliances. ENV's Compliance and Environmental Enforcement Branch (CEEB) conducts regular inspections and holds Teck accountable for meeting permit requirements like all dischargers in B.C. CEEB has issued significant Administrative Monetary Penalties

(AMPs) to Teck, the largest of which is the biggest penalty issued to date in B.C. and has been appealed by Teck. More large penalties are under review and consideration by the ministry statutory decision maker.

- Six new water treatment facilities need to be designed, constructed and permitted between 2024 and 2027 to achieve full compliance with WQ limits by 2028. This will be a significant workload for permitting agencies and Ktunaxa's technical reviewers.
- In July 2024, the majority sale of Teck's coal mines to Glencore was completed, and the mines are now operated under the name EVR (Elk Valley Resources) Operations Ltd. Regulatory requirements and obligations were not affected by the sale.
- In July 2024 the ENV Minister issued an Order under Section 90.2 of EMA requiring development of amendments to the ABMP. The amendments will update the plan to make sure it reflects the latest science and information. The amendments will:
    - Establish a government-led framework that will inform decision-making and clarify regulatory requirements in a designated area that includes multiple dischargers and describe the process for future updates to the plan based on new science and information (Amendment #1, to be complete summer 2025); and
    - Review the Koocanusa Reservoir selenium target in consideration of new information and science (Amendment #2, to be complete 2026).
- Intergovernmental Communications Intergover, but an independent facilitator has been retained to support an efficient and inclusive process over the next two years.
    - ENV will continue deep engagement with Ktunaxa First Nations individually and collectively (as indicated by Ktunaxa), seeking consensus on recommendations.
    - EVR and other proponents will be included throughout the amendment process in strategic and technical discussions.
    - Independent experts will be retained to support scientific analyses.
    - A venue will be established for U.S. Agency and Tribes participation in the transboundary Koocanusa portion of the work (Amendment #2).
    - Local governments, NGOs and key stakeholders will receive updates, and there will be a public comment period once draft recommendations are ready.
    - Information will be posted regularly on ENV's Elk Valley Water Quality Hub website to support transparency: https://elkvalleywaterquality.gov.bc.ca
- ENV is engaging significantly with U.S. Agencies in response to transboundary water quality concerns and U.S. Agencies have regular opportunities to receive updates and review information including permit applications. The International Joint Commission (IJC) is now engaged to assist in resolving transboundary concerns – see IJC Transition Note.
- ENV is a member of B.C.'s new Southeast Initiatives Secretariat, and is coordinating with other agencies on all efforts in the Southeast – See Southeast Initiatives Transition Note.

TRANSITION NOTE (2024) Ministry of Environment and Climate Change Strategy Strategic Services October 2024	**International Joint Commission (IJC) Reference in the Elk Valley Watershed**

KEY FACTS

- The IJC is a bi-national organization established by the federal governments of the United States and Canada with two main responsibilities: approving projects that affect water levels and flows across the boundary and investigating transboundary issues and recommending solutions.
- Canada and the United States, in partnership with the transboundary Ktunaxa Nation, have initiated the IJC through a joint reference. The objective of the IJC reference is to reduce and mitigate the impacts of water pollution in the Elk-Kootenai/y watershed, as committed to in the Joint Statement of President Biden and Prime Minister Trudeau on March 24, 2023. The reference was transmitted to the IJC on March 11, 2024.
    - The Elk/Kootenai/y watershed is located in the Rocky Mountains of southeastern British Columbia (B.C.), and includes waters flowing through B.C., Montana, and Idaho.
    - Metallurgical coal mining has been present in the Elk Valley for over 120 years and remains a major contributor of jobs and economic assets for the province.
    - Waste rock generated in association with coal mining is the leading source of selenium and other water contaminants in the Elk Valley, which is a longstanding issue in the region.
- The reference instructs the IJC to assist governments in the establishment of a formal governance structure (Governance Body) to support information sharing and co-development of options for future action.
    - The Governance Body has a consensus Terms of Reference (TOR) as of June 30, 2024. The TOR was approved by government representatives from B.C., Canada, the United States, Idaho, and Montana, and six Ktunaxa Nation Governments.
    - Canada's approval is conditional to a signed Order in Council, which Canada anticipates completing in the fall of 2024.
    - B.C. representatives that approved the TOR were the Ministers of Environment and Climate Change Strategy (ENV), Energy Mines and Low Carbon Innovation (EMLI) and Indigenous Relations and Reconciliation (IRR).
    - B.C.'s three Governance Body members are the Deputy Ministers of ENV, EMLI and the Intergovernmental Relations Secretariate.

- In addition to the establishment of a Governance Body, the reference also requests the IJC to establish a two-year Study Board to convene experts and knowledge holders, with the aim of supporting a common understanding of pollution in the Kootenai/y watershed.
    - The Study Board is an independent body which reports directly to the IJC.
    - The Study Board will provide the IJC with a plan of study, an interim report in September 2025, and a final report September 2026. These reports will provide an analysis of the current science available and identify data and research gaps to improve understanding of the water quality issues in the watershed.

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Developing Valued Component Objectives and Targets for Elk Valley Cumulative Effects Management Framework

KEY POINTS:

- The Province and Ktunaxa Nation (the Ktunaxa First Nation Governments (KFNGs) and the Ktunaxa Nation Council Society) are jointly developing objectives, performance measures and targets for the six Elk Valley Valued Components (VC) (Grizzly Bear, Bighorn Sheep, Westslope Cutthroat Trout, High Elevation Grasslands, Riparian Ecosystems, and Old and Mature Forests). This is a key step towards implementing cumulative effects management in the Elk Valley and is a priority project being delivered through the Southeast Initiatives Secretariat (SEIS).
- The objectives and targets along with the VC current condition assessment will form the foundation from which statutory decision makers can evaluate a proponent's development/application and determine if proposed mitigation(s) adequately manage for cumulative effects.
- The performance measure targets are non regulatory and are to be considered as "policy" given they represent the desired future condition from both the province and KFNGs perspectives. A fulsome review and feedback session(s) of the proposed objectives, performance measures and targets with statutory decision makers and key proponents will be completed Interests of an Indigenous People; Intergovernmental Communications

Interests of an Indigenous People; Intergovernmental Communications

BACKGROUND:

- The Elk Valley Cumulative Effects Management Framework (CEMF) was initiated in 2012 as an Environmental Assessment certificate condition for Teck's (now Elk Valley Resources) Line Creek LCO2 project. The Province and Ktunaxa Nation Council (KNC) assumed co-chair roles for CEMF delivery in 2015.
- In 2017, the province published VC technical reports and an overarching Cumulative Effects Assessment and Management Report. The reports highlighted that present-day conditions of Grizzly Bear, Bighorn Sheep, Westslope Cutthroat Trout, Riparian Ecosystems, and Old and Mature Forests VCs are within a moderate to high hazard range, with the greatest impacts and risks occurring in valley bottoms and in watersheds where mining and forestry developments have occurred.
- In 2021, the KNC requested a pause to current Environmental Assessments in the Elk Valley, citing the level of existing cumulative impacts and the lack of management tools as key reasons for the request. KNC also highlighted the parallels between the Elk Valley and the North-East where the *Yahey* decision ruled the Province failed to adequately manage cumulative effects.

Interests of an Indigenous People; Intergovernmental Communications

DISCUSSION:

- Development of VC objectives and performance measure targets are necessary to adequately assess project impacts and evaluate proponent mitigations. The targets are intended to be policy statements representing desired conditions rather than managing to an absolute or regulatory compliance standard. The targets are intended to be used for cumulative effects analysis for operational permitting as well as major projects requiring an environmental assessment.
- Intergovernmental Communications

- Interests of an Indigenous People; Intergovernmental Communications

INDIGENOUS PEOPLES:

- In 2021, the Province and the KNC established a government-to-government Elk Valley Cumulative Effects Working Group (WG) to establish management objectives and targets using best available western science in combination with Ktunaxa laws, values, and cultural practices.
- Representatives from Yaq̓it ʔa·knuqƛi'it have participated on the WG since 2023.

FINANCIAL IMPLICATIONS:

- Financial implications of the performance measure targets will be assessed once the final draft objectives are completed.

NEXT STEPS:

- CE working group to complete draft objectives, performance measures and targets in October 2024.
- Internal statutory decision maker feedback sessions are scheduled for mid-October to be followed by proponent feedback sessions late-November 2024.
- Interests of an Indigenous People; Intergovernmental Communications

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Lands and Resource Stewardship

TOPIC: Fording River Extension EA Readiness Decision

KEY POINTS:

- Elk Valley Resources (formerly Teck Coal Ltd.) has indicated that Fording River Extension project (FRX) is critical for sustained metallurgical coal mining in southeast British Columbia.
- FRX entered the environmental assessment process in April 2020.
- In February 2023, the Chief Executive Assessment Officer (CEAO) issued a readiness decision that required Teck (previous proponent) to revise the Detailed Project Description in collaboration with Ktunaxa Nation Council and the Yaq̓it ʔa·knuqƚi'it First Nation to mitigate potential extraordinarily adverse effects due to the cumulative effects of mining over decades.
- Elk Valley Resources (the current proponent) plans to submit a revised Detailed Project Description in Q1 2025 for another readiness decision that will determine if FRX can proceed to an environmental assessment.
- Cumulative effects to water quality, big horn sheep, high elevation grassland ecosystems and Ktunaxa rights remain a major challenge for decision making in the Elk Valley.

BACKGROUND:

- The Project entered the readiness decision phase of the environmental assessment on July 29, 2021, when Teck submitted a Detailed Project Description under Section 15 of the *Environmental Assessment Act* (2018) (the Act). In this phase, the CEAO must either:
  - Require revisions to the Detailed Project Description;
  - Make a recommendation to the Minister of Environment and Climate Change Strategy (Minister) to exempt or terminate the Project from an environmental assessment; or,
  - Determine that the Project can proceed to an environmental assessment.
- The Ktunaxa Nation Council (KNC) initiated Dispute Resolution on June 8, 2022, disputing the recommendation to proceed to an environmental assessment.
- The Readiness Decision to revise the DPD and not proceed to the environmental assessment was issued in February 2023 after the completion of Dispute Resolution.

DISCUSSION:

- In their reasons for the readiness decision, the CEAO stated that existing cumulative effects are substantial and that the Project as described in the Detailed Project Description had the potential to result in extraordinarily adverse effects on the environment and Ktunaxa rights.
- The CEAO also described how Teck had not clearly identified any potential mitigations of extraordinarily adverse effects of the Project on Ktunaxa and its rights, in particular, impacts caused by the combination of existing cumulative impacts and the location of the Project in a relatively undisturbed area that is of importance for cultural practices, and the impact these factors have on transmission of place specific knowledge.
- The CEAO provided engagement recommendations for the revision of the Detailed Project Description premised on Teck and Ktunaxa both being willing to engage in a timely manner and in good faith in support of providing the required information.
- The CEAO also withheld the right to rescind or revise the requirements to revise the Detailed Project Description if either party is not engaging in good faith.

INDIGENOUS PEOPLES:

- Interests of an Indigenous People; Intergovernmental Communications

- Teck Coal and now Elk Valley Resources have collaborated with Ktunaxa Nation Council and the Yaq̓it ʔa·knuqƛi'it First Nation to re-design the project, to mitigate extraordinarily adverse effects, and gain support for an environmental assessment of the project since the readiness decision.
- Business Information; Intergovernmental Communications

- The EAO reached consensus with Kainai, Shuswap Band and Siksika Nation on the recommendation for the Readiness Decision to require Teck to submit a revised the Detailed Project Description. In addition to Ktunaxa Nation Council and Yaq̓it ʔa·knuqƛi 'it the EAO did not reach consensus with Piikani Nation, Stoney Nakoda Nation.

FINANCIAL IMPLICATIONS:

- Elk Valley Resource's four coal mines in southeast BC directly employ 3,600 workers and support over 7,200 workers. Over the past three years, these mines have contributed approximately 85% of the Province's mineral taxes with an average of $330M in annual mineral taxes. The mines have an estimated annual economic impact of $11B.
- The Fording River Extension Project if approved, would enable sustained production for another 50 years.
- Advice/Recommendations; Business Information

NEXT STEPS:

- Business Information; Interests of an Indigenous People; Intergovernmental Communications

- Once received, the EAO will start a second Readiness Decision phase and solicit review and comment by technical advisors and participating Indigenous nations.
- If consensus is reached efficiently on an initial recommendation for the readiness decision, the Readiness Decision phase may take 60-90 days and if the decision is to proceed to the environmental assessment, the EAO will initiate the Process Planning phase that includes a legislated 120-day timeline.
- Interests of an Indigenous People; Intergovernmental Communications

-

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Reconciliation Priorities with Ktunaxa First Nations

KEY POINTS:

- Significant reconciliation opportunities exist as the Province explores new relationships with the Ktunaxa First Nation Governments and the Ktunaxa Nation Council Society in response to evolving governance.
- Government Financial Information; Intergovernmental Communications

BACKGROUND:

- The Province has historically worked through the Ktunaxa Nation Council Society (KNC) as the representative body for the four Ktunaxa First Nations (KFNs): ʔakisq̓nuk, ʔaq̓am, Yaqan nuʔkiy (Lower Kootenay Indian Band), and Yaq̓it ʔa·knuqƛ̓it (Tobacco Plains Indian Band).
- Yaq̓it ʔa·knuqƛ̓it (YQT) has declared exclusive s.35 Aboriginal rights and title over *ʔakanuxunik̓ ʔamakiś*, and the Province has been building a bilateral relationship with them, including the development of a Vision and Principles document and a bilateral relationship agreement. Other Ktunaxa First Nations have also expressed an interest in building stronger bilateral relationships with the Province.
- The Province has recently signed two key agreements:
  - a new Ktunaxa Nation Bridging Agreement
  - a new Yaq̓it ʔa·knuqƛ̓it ʔusmik kuktqapnam (New Beginning) Relationship Agreement.
- Interests of an Indigenous People; Intergovernmental Communications

DISCUSSION:

- Interests of an Indigenous People; Intergovernmental Communications

- The Province continues to work with both the KNC and the individual KFNs in response to how leadership has indicated they want to be engaged, and as guided by the recently signed government to government agreements.
- The Province is working to engage more directly with the four KFNs to build relationships, better understand community interests and aspirations, and to ensure transparent information sharing.

<u>Bridging Agreement</u>

- The Bridging Agreement, signed by the KNCS and all four KFNs, provides a clearer definition to governance between KFNs and the KNCS and confirms an approach to their Nation's representation, subject to their on-going governance work.
- As the desired pathways to reconciliation become clearer, the Parties will work collaboratively to advance reconciliation through new approaches to relationships and agreements during and beyond the term of the Bridging Agreement.

- To support emerging government-to-government arrangements, the Bridging Agreement will also include mechanisms for any KFN to enter into a separate agreement with The Province, and if desired, withdraw from the Agreement.

ʔusmik kuktqapnam (New Beginning) Relationship Agreement

- The three-year ʔusmik kuktqapnam (New Beginning) Relationship Agreement with Yaq̓it ʔa·knuqƚi'it will provide leadership and senior staff bilateral structures for engaging on the future of mining in the Elk Valley, consultation and engagement processes that enhance the ability of YQT to clearly and directly respond to BC when desired versus collectively through the KNCS, and a framework for pursuing reconciliation between the parties, including the establishment of a Leadership Table.
- Natural Resource Sector agencies have been engaging directly with YQT on strategic initiatives, such as the Area Based Management Plan, and on key permitting.
- Intergovernmental Communications

Fiscal Relationships

- Government Financial Information; Interests of an Indigenous People; Intergovernmental Communications

INDIGENOUS PEOPLES:

- BC shares Ktunaxa's interests in strong governance and stewardship in their territory and has been taking steps to better understand Ktunaxa's stewardship, social, political and economic aspirations, and how we can support the Ktunaxa to achieve their vision.

FINANCIAL IMPLICATIONS:

- No enhanced fiscal commitments are made beyond the extension of current forest revenue sharing arrangements, and capacity funding that continues at current levels centrally to the KNC.

NEXT STEPS:

- Priority work is centred around implementing the Bridging Agreement and the New Beginning Relationship Agreement with Yaq̓it ʔa·knuqƚi'it, continuing to advance collaborative strategic initiatives and exploring a new fiscal relationship.

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SOUTHEAST INITIATIVES SECRETARIAT

(SOUTHEAST COAL)

Additional Ministries:

- Water, Land, and Resource Stewardship (WLRS; Lead)
- Environment and Climate Change Strategy (ENV)
- Environmental Assessment Office (EAO)
- Forests (FOR)
- Indigenous Relations and Reconciliation (IRR)

Issue:

- Metallurgic (or steelmaking) coal mining in the Elk Valley region of Southeast British Columbia (BC) is critical to the economy with Elk Valley Resources' (EVR) four operating mines accounting for 83 percent of total coal production in BC (Governm and sustaining more than 3,600 direct and 7,200 in-direct jobs in the province.
- The Elk Valley is subject to numerous complex and interrelated issues that result in a challenging regulatory environment for continued metallurgic coal mining. A cross-ministry Southeast Initiatives Secretariat (SEI Secretariat) has been established by BC to advance a coordinated strategy to establish conditions necessary to support continued responsible metallurgic coal mining in the Elk Valley. EMLI contributes resources to the SEI Secretariat.

Background:

- EVR operates four metallurgic coal mines in the Elk Valley: Fording River Operations, Greenhills Operations, Line Creek Operations and Elkview Operations with an additional site, Coal Mountain Mine, in care and maintenance since 2019.
- The four operating EVR mines are important economic drivers for BC. In 2023 they:
    - Accounted for 83 percent of total coal production.
    - Generated ~Govern in total production value.
    - Accounted for 81 percent (Government of all mineral tax collected.
- Decades of historic mining activity and the ongoing development of EVR's mines in the Elk Valley have led to significant waste rock accumulation, alteration of land and water courses, and impacts on the environment. As a result, the Elk Valley is a complex regulatory environment for mining due to the environmental impacts with significant interest from Indigenous Nations, the public, United States (US) tribes, and US federal and state agencies.
- Given the complex regulatory environment, EVR and other proponents' ability to advance mine expansions through the Environmental Assessment (EA) process to sustain operations (e.g., EVR's Fording River Extension) or develop new mines (e.g., NWP Coal's Crown Mountain EA) has been limited.

*This briefing note outlines a major corporate issue for the Ministry of Energy, Mines and Low Carbon Innovation that was not included in the Corporate Transition Binder.

- In July 2024, Deputy Minister's Committee on Natural Resources established a Southeast Initiatives Secretariat (SEI Secretariat) comprised of representatives from the Natural Resource Sector (NRS) Ministries, including EMLI, under the leadership of a dedicated Assistant Deputy Minister (ADM) to develop and implement a coordinated and aligned cross-ministry strategy to establish conditions necessary to support continued responsible metallurgic coal mining in the Elk Valley.
    - It is expected that the development of the strategy by the SEI Secretariat will be a refinement of existing ministry strategies for the Elk Valley to align actions with the short-term priority of supporting EAO with a decision on whether to proceed to an EA on the FRX Project.
- In addition to supporting the work of other NRS Ministries and the collective priorities of the SEI Secretariat, EMLI is advancing ministry-specific work around permitting, bonding, and reclamation and closure.

<u>Permitting</u>

- Mining is a highly regulated industry requiring many authorizations from multiple different provincial permitting agencies.
- EMLI, through the Major Mines Office, manages the coordinated authorizations process for major applications to streamline, avoid duplication of efforts, and harmonize a single consultation process with Indigenous Nations for proposed projects requiring multiple provincial authorizations.
- Dedicated staff from permitting agencies (EMLI, ENV and WLRS) are assigned to administer the regulatory processes associated with EVR's Elk Valley mines. Given the complexity and scale of EVR's mines, EVR advances, and BC staff adjudicate a high volume of permitting work. In 2023, 57 authorizations were issued to EVR, each requiring review and assessment by BC staff.
- BC's permitting priorities in the Elk Valley are water quality mitigation projects, and mine expansions.
    - EVR's ability improve water quality conditions is needed to mitigate environmental impacts of historic and current mining, and to establish support for continued responsible mining in the Elk Valley.
    - Until the broader SEI Secretariat strategy is implemented and BC is positioned to consider large, EA-level expansions, smaller mine expansions under EA thresholds need to be advanced by EVR and considered by BC to maintain operations at the mines.

<u>Bonding</u>

- Under the *Mines Act*, the Chief Permitting Officer has the authority to set the amount and form of security reflective of the reclamation, environmental, and closure liability obligations present at a mine.
- The current liability assessed for EVR's five Elk Valley mines is $2.495B which has

*This briefing note outlines a major corporate issue for the Ministry of Energy, Mines and Low Carbon Innovation that was not included in the Corporate Transition Binder.

been fully bonded: $1.9B in surety bonds and the remainder through the exploration incentive security.

- Advice/Recommendations; Intergovernmental Communications

Reclamation and Closure

- BC and EVR's ability to demonstrate and plan for effective, long-term, mine reclamation and closure is critical for establishing support for continued mining in the Elk Valley.
- Mines in BC are required to submit updated Reclamation and Closure Plans (5 Yr RCPs) every five years, which include updated reclamation liability cost estimates.
- The 5 Yr RCPs for each of EVR's five Elk Valley sites have been reviewed by technical staff from BC and the Ktunaxa Nation Council (KNC).
- EMLI has initiated a process to amend the EVR 5 Yr RCP requirements to ensure reclamation and closure planning and reporting are effectively demonstrating EVR's reclamation and closure obligations and total liabilities.

Implications / Considerations / Opportunities:

- EVR's four operating metallurgic coal mines in the Elk Valley are important to the BC economy and are a major employer in the region. However, decades of development have resulted in negative environmental impacts which makes authorizing further mine expansions challenging.
- To support establishing the conditions necessary to enable continued mining, EMLI will continue to advance priority work related to permitting (water quality mitigations and non-EA mine expansions), bonding, and reclamation and closure, in addition to the broader SEI Secretariat strategy.

Decision(s) Required / Next Steps:

- EMLI is putting substantial effort into amalgamating and modernizing the Elk Valley permits and closing the gap between estimated liabilities and security held for those sites in the next 6 months.
- There are no decisions or next steps required by the incoming Government specific to EMLI's mandate in the Elk Valley.

*This briefing note outlines a major corporate issue for the Ministry of Energy, Mines and Low Carbon Innovation that was not included in the Corporate Transition Binder.

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Crown Land Policies and Programs

KEY POINTS:

- Crown land policies under the *Land Act* provide a framework for managing Crown land providing guidance from a strategic level as well as specific operational functions and covering a broad range of land uses implemented by hundreds of delegated decision makers throughout the Province.
- The Ministry of Water, Land and Resource Stewardship (WLRS) staff develop and update the policies. Recreation/Adventure Tourism, Clean Energy and Residential land use program areas are current areas of focus due, in part, to issues raised by stakeholders or to address provincial priorities.

BACKGROUND:

- Crown land comprises 94% of the land in the Province of British Columbia, including submerged lands. The *Land Act* administers all Crown land except for land specifically under the administration of another minister or agency of government. The *Land Act* and *Ministry of Lands, Parks and Housing Act* are also a "catch all" for administration of Crown lands or activities on Crown land that aren't managed under other legislation, such as parks, highways, or forestry.
- The Province of British Columbia operates within a framework of policies that govern the disposition, administration and management of Crown land. These policies are developed in consultation with other provincial agencies and in the context of numerous other provincial statutes operating on the land base. The policies are developed through engagement with stakeholders, First Nations and the public.

DISCUSSION:

- The *Land Act* provides decision makers with broad discretionary powers (notably the public interest) to dispose of Crown land, rather than a detailed set of criteria or tests. Consequently, Lands Branch provides land allocation and administration guidance through strategic and operational policies and procedures.
- Crown land policies include strategic level policies, general policies, land use specific policies and administrative procedures. Strategic policies include Crown Land Allocation Principles and Crown Land Sales. General policies include policies that apply to all land uses such as Pricing, Eligibility and Restrictions, Form of Allocation (i.e. lease, licence of occupation and statutory right of way), and Permissions. Land use policies cover 24 program areas and include a range of uses such as Industrial, Commercial, Utilities, Community/Institutional and Residential.
- There are several land use program areas where there has been recent engagement with tenure holders and stakeholders/industry groups, and policies have been under review. This includes Recreation/Adventure Tourism, the Clean Energy policies (Waterpower, Wind Power, Ocean Energy, and Interim Directive for Solar Power), and Residential.
- The Adventure Tourism Industry Coalition consisting of 17 associations, has been lobbying the Executive to request that their members have more business certainty for tenures, compensation for tenure taking and a dedicated program within the ministry.

- BC Hydro released a Call for Power (CFP) in April 2024 to seek proposals from independent clean or renewable power producers. WLRS staff are currently reviewing the Clean Energy policies, as many of the potential projects require Crown land. There is significant interest in developing wind power and solar power projects. Before the CFP, there were very few solar power applications, thus a lack of specific land use policy. As a temporary measure, a variance to the wind power policy has been used. Due to the increasing interest in solar power, Lands Branch staff are currently developing a specific solar power policy and associated pricing.
- The Residential Policy and Pricing Policy have been recently updated to clarify direction and pricing for permanent and seasonal residential tenures. Rent prices were under review from 2021-2024 due to complaints about large rent increases by residential tenure holders. The new residential pricing took effect on May 1, 2024. Seasonal residential tenures are now charged an annual rent of 3% of land value, while permanent residential tenures are charged an annual rent that is the lesser of 3% of land value or the previous year's rent plus the allowable increase specified under the *Residential Tenancy Act*.

INDIGENOUS PEOPLES:

- The Crown Land Policies and Programs support decision-making in relation to Crown land tenures for specific purposes.
- As part of the decision-making processes, applications for a tenure under one of the Policies or Programs is referred to applicable First Nations for review and comment as part of the Crown fulfilling its duty to consult.
- Intergovernmental Communications

FINANCIAL IMPLICATIONS:

- N/A

SUMMARY:

- Crown land policies, procedures and related guidance provide an important framework for decision making and administration of Crown land under the *Land Act* or the *Ministry of Lands, Parks and Housing Act*. Lands Branch staff provide advice, training and lead updates to this framework.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: First Nation Land Transfers

KEY POINTS:

- Over 95 percent of land in British Columbia (BC) is provincial Crown land, the majority of which is subject to inherent Aboriginal rights and title.
- Negotiated approaches to title (e.g. Treaty or Comprehensive Reconciliation Agreements) are less costly and provide more certainty than court declarations or threat of litigation.
- Given that court declarations lack clear guidance on the implementation of title and treatment of interests, including on third parties, post-declaration title often is subject to lengthy negotiations, without clear policy and legislative tools and direction.
- Reconciliation negotiations between BC and First Nations including treaties, Comprehensive Reconciliation Agreements, and incremental approaches to reconciliation are heavily driven by First Nation interests in land, and land has long stood as a primary contribution for BC.
- Land transfer negotiations and agreements require specialized expertise and the transfer of provincial Crown land, which often does not impact the Provincial treasury, incurs implementation expenses.
- Provincial policies for administering Crown land were designed to manage, rather than transfer Crown land, and current policies held by different ministries are fragmented and often seen as competing with reconciliation objectives.
- Advice/Recommendations; Intergovernmental Communications

BACKGROUND:

- Land-based reconciliation can involve the return of provincial Crown land to First Nation ownership in fee simple and as transfers to Canada for Addition to Reserve. Jurisdictional arrangements over land are negotiated through the BC Treaty Process or other comprehensive negotiations where the acknowledgement of Aboriginal title is contemplated (e.g., Haida title legislation).
- While treaty negotiations through the BC Treaty Commission (BCTC) process was the only mechanism to vest First Nation ownership for many years, over the past decade shifts occurred resulting in increased emphasis on provincial land contributions to agreements along with bilateral agreements between First Nations and BC that included land transfers not cost-shared with Canada.
- As a result, land-based reconciliation commitments have increased substantially in the past decade, outstripping provincial capacity.
- Committed agreements involving implementation work across government include ongoing treaty obligations under the eight modern treaties in BC, land transfers committed under comprehensive reconciliation agreement or pathways to comprehensive reconciliation, settlement agreements, and accommodation-related agreements which typically have included land and cash packages.

- To manage and address the growing volume and address identified resourcing gaps, a 2023 organizational re-structuring included the transfer of staff leading the transfer of land through agreements from the Ministry of Indigenous Relations and Reconciliation (MIRR) and the Ministry of Forests (FOR) to form a centralized "First Nation Land Transfers" branch in the Reconciliation, Lands and Natural Resource Policy division of Ministry of Water, Land and Resource Stewardship (WLRS).
- As WLRS holds most legislation used to establish First Nation ownership of former provincial Crown lands and serves as Crown land manager for BC, WLRS is well-positioned to lead the implementation of land-based reconciliation as partner to IRR and identify innovative ways to further manage and expedite implementation.

DISCUSSION:

- IRR holds responsibility for the negotiation of reconciliation agreements, with WLRS responsible for land transfers committed through agreements. MIRR and WLRS have recently agreed to jointly co-sign land agreements. The Province is signatory to treaties, and all provincial ministries and agencies hold responsibility for upholding obligations under treaty.
- Other than treaty, no dedicated legislation is in place for transfers of ownership to First Nations. Legislation primarily employed during the implementation of land-based agreements include WLRS legislation: the *Land Act,* the *Land Title Act*, and the *Ministry of Lands, Parks and Housing Act*. Advice/Recommendations

Advice/Recommendations

- Advice/Recommendations

- This figure includes significant agreements including Treaty Land Entitlement in the Northeast (just under 50,000 hectares), intended to be implemented over the next decade, but does not yet consider resourcing required for treaties recently initialled with Kitselas, Kitsumkalum and K'omoks, if ratified, which will vest a total of 90,000 hectares of provincial Crown land at Effective Date.
- Substantial planning informs resourcing and sequencing of land transfers, and since the organizational re-structuring, WLRS has seen significant success from the creation of a centralized team, increasing land transfers from an average of three parcels per year over five-fold, with the goal of maintaining an average of 50 transfers per year, up from an average of three/year previously. Government Financial Information; Interests of an Indigenous People;

Government Financial Information; Interests of an Indigenous People;

FINANCIAL IMPLICATIONS:

- Reconciliation agreements typically transfer land at zero cost to First Nations, the exception being under Treaty Land Entitlement, where in addition to lands transferred at no cost that were part of a settlement agreement, additional provincial Crown land was offered for purchase at fair market value by the signatory First Nations.
- Implementation costs at the time of mandating, including those borne by WLRS for work such as land surveys.
- In the past, implementation costs have not been adequate to meet the expected timelines, leading to highly resource-intensive planning requirements and the lack of ability to expediently manage implementation needs.

SUMMARY:

- First Nations are primarily seeking ownership and ultimately jurisdiction over land as agreements are initiated with BC.

- The provision of land to First Nations can have significant benefits to all British Columbians, by enabling economic development and increasing predictability by reducing conflict on the land base.
- Agreements committing to the transfer of land and/or jurisdiction helps realize First Nation self-determination and independence, limiting uncertainty on the land-base, and realizing the full economic potential that BC's land and resources can contribute to the broader well-being of the province.
- Specialized expertise is required to implement land-based agreements, and policy and legislative amendments can help remove identified barriers to further expedite land implementation.

Attachment(s): Government Financial Information; Interests of an Indigenous People; Intergovernmental Communications

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DM	LH	Oct 7 ,2024
CFO/EFO (if required)		
ADM	CW	Sept 27, 2024

Withheld pursuant to/removed as

Government Financial Information ; Interests of an Indigenous People ; Intergovernmental Communications

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024 (updated as of November 14)
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Crown Land Opportunities

KEY POINTS:

- Crown Land Opportunities and Restoration (CLOR) consists of two distinct Land programs, which are strategically linked through their management of complex land projects, typically with components of reconciliation objectives and contaminated soil assessment.
  - **Program 1:** The Crown Land Opportunities (CLO) Program specializes in large, complex land disposition projects, and is focused upon meeting government priorities through the delivery of high value, complex projects focussed on Crown land sales that support housing and reconciliation.
  - **Program 2:** The Crown Contaminated Sites Program (CCSP) is focussed upon abandoned, high risk contaminated industrial sites on Crown land, which are prioritized based upon risks to human health and the environment.

BACKGROUND:

- The CLO Program mandate was to proactively lead major Crown land sales projects which were >$1M and considered to be “complex” and were beyond the scope, expertise and resourcing of the Regional Offices and was borne from the Whistler Land Corporation.
- CCSP formed in response to the 2002/2003 Auditor General’s Report, Managing Contaminated Sites on Provincial Lands, which led the development and implementation of the Cabinet-approved Management of Provincial Contaminated Sites Policy. CLO also supports the administration and management of Provincially significant sites, that do not meet the CCSP mandate.

DISCUSSION:

Recently, the Branch has initiated a new CLO mandate aligning the CLO and CCSP programs in a way that strategically addresses provincial Crown land priority business objectives associated with reconciliation, housing, forfeitures and Crown land sites with liabilities.

For CLO, priority projects will now be determined on a case-by-case basis, through engagement with internal stakeholders and under the guidance of the soon-to-be-revised Crown Land Major Projects and Sales Procedure. In addition, CLO will now be assessing potential Crown land contamination and managing the remediation of low to medium risk contaminated sites with high provincial significance (e.g., those with a housing and reconciliation focus). This also includes supporting and leading work on the assessment of contamination on medium and high-risk land transfer projects and assisting the Ministry of Indigenous Relations and Reconciliation (MIRR) and Water, Land and Resource Stewardship (WLRS) Land Transfers Program and to support the updating of MIRR’s Contaminated Sites Procedure. CLO is also undertaking a pilot regarding the coordination and management of the Provincial forfeiture process.

CCSP manages contaminated sites on Crown land for which there is no existing responsible party. Typical sites addressed by CCSP include high risk, remote, unpermitted (pre-dating environmental legislation), historic polymetallic mine sites. With CLO addressing potentially contaminated sites that fall outside of CCSP’s mandate, this will allow CCSP to maintain focus on the highest risk sites as per direction from the Auditor General.

Neucel Specialty Cellulose Ltd. (Neucel) abandoned their pulp mill in Port Alice in February 2019, and ENV responded using its spill authority to prevent imminent risks of spills at the Site. The land is privately owned and Neucel is insolvent and under the *Environmental Management Act* is the "Responsible Person." Under normal circumstances, the property would have returned in a tax sale to the jurisdiction of Port Alice. Instead, the Province appointed PricewaterhouseCoopers Ltd. as receiver and bankruptcy trustee in 2020, and has since stabilized, decommissioning and razed the mill Site at an Cabinet Confidences; Government Financial Information

Cabinet Confidences; Government Financial Information

Advice/Recommendations; Cabinet Confidences; Government Financial Information

INDIGENOUS PEOPLES:

It is anticipated that reconciliation will be further enabled through improved First Nation (FN) considerations by CLO and CCSP related to:

- Land sales and transfers based upon Treaty implementation and other Crown land sales, in coordination with MIRR, will continue and be strengthened.
- CCSP continues to engage with First Nation communities on high-risk sites (i.e., Bralorne-Takla mercury mine remediation, nominated for a Premier's Award).
- First Nations continue to be empowered as stewards of the land and to realize regional benefits through jobs and skills training and economic development associated with site investigations, remediation and long-term monitoring and maintenance.
- Proposed contribution to the Land Return Initiative and to MIRR's negotiated land returns to First Nation through the support to assess and support remediation for lands to be returned.

FINANCIAL IMPLICATIONS:

- CLO:
  - Projects – carry capital development costs that are booked in Crown Land Project Accounts. The capital development costs are recouped from revenue associated with the sale of a property or tenure revenue, depending upon the type of disposition.
  - MIRR Treaty transfers – If CLO can reduce the existing bottleneck associated with the contamination assessment of possible treaty transfers, there could be numerous financial benefits related the reconciliation with the Treaty Nations.
  - Forfeitures – This legislatively-required business line will benefit from central coordination. Financial opportunities could be realized through a structured Provincial forfeitures approach.
- CCSP:
  - Contaminated site liabilities are recognized and accounted for according to the Public Sector Accounting Board standard section PS3260.
  - Government Financial Information

- It is anticipated that the increased ability for CCSP engineers to focus on prioritized, booked PS3260 work will draw down existing risk and the booked PS3260 liability through remediation efforts.

SUMMARY:

The CLO and CCSP programs strategically address Provincial priority business objectives, associated with forfeitures, reconciliation, housing and the remediation of contaminated sites. The CLO and CCSP mandates will be further shaped within the new Division and Ministry.

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DM	LH	Nov 14, 2024
CFO/EFO (if required)		
ADM	CW	Nov 13, 2024
ED	MP	Nov 12, 2024
Dir	LK	Nov 12, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: *Land Act* Review

KEY POINTS:

- In January 2024, the Province announced engagement on proposed amendments to the *Land Act* to enable joint and consent decision-making agreements with Indigenous Governing Bodies pursuant to the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) for *Land Act* decisions. The intent was to introduce legislation in the Spring 2024 session.
- On February 21, 2024, after receiving significant feedback from the public and stakeholders, the Province paused the proposed amendments.

BACKGROUND:

- In 2019, the Province unanimously passed the *Declaration Act*, which authorized the negotiation of joint and consent decision-making with Indigenous governments.
- Consequential amendments to other statutes must be made to enter into *Declaration Act* joint and consent decision-making agreements. Such amendments were successfully made for the *Environmental Assessment Act*, the *Emergency and Disaster Management Act*, the *Child, Family and Community Services Act*, the *Adoption Act* and the *Forest and Range Practices Act* (not yet in force).
- The proposed *Land Act* amendments aimed to continue the implementation of the *Declaration Act* to enable joint and consent decision-making for *Land Act* decisions.
- An engagement was held between January 2024 and February 21, 2024, but due to a significant response from the public and stakeholders, the Province decided to pause the amendments.

DISCUSSION:

- In January 2024, Government initiated engagement with the public, stakeholders and First Nations and established a public website on the EngageBC website to collect input. Despite the postponement, the site and inbox remain live.
- The inbox received over 1,400 emails, the majority of which were from individual citizens. Common themes in the emails included requests for clarity on the decision-making process, more time for consultation, and clarification on potential economic impacts. Some of the feedback included statements harmful to Indigenous peoples that contained both overt and systemic racism.
- The Province met with over 650 representatives of stakeholder groups representing tens of thousands of British Columbians, from mining, forestry, oil and gas and clean energy, cattle ranchers, to adventure tourism operators, snowmobilers, hunters and anglers, and many others. During each discussion session, the policy intent of the proposed amendments was discussed, and stakeholders provided input and asked questions.

- Stakeholders generally supported reconciliation but raised concerns regarding possible impacts on *Land Act* authorizations (tenures and renewals), public access to Crown land, broader economic implications and the need for more engagement. Specifically, some of the concerns expressed during the discussions included the suggestion that the amendments would empower the Nations to veto decisions. Still, the Province clarified that the amendments would make space for the recognition and implementation of the First Nations' governance rights.
- Some stakeholders raised the issue of potential compensation opportunities where their tenures might be impacted by the proposed legislative amendments.
- Stakeholders also raised concerns about delays in processing *Land Act* authorizations, which may be addressed through the joint and consent decision-making with Indigenous governments, as contemplated by the amendments.
- The Province met with representatives from approximately 40 First Nations and First Nation organizations who were generally supportive and clear on why the proposed amendments were necessary after the 2019 passage of the *Declaration Act.*
- Intergovernmental Communications

- During the discussion sessions, the Province received feedback that insufficient efforts were made to inform the public, stakeholders and other partners about the proposed amendments.
- Following the postponement, the Province considered lessons learned, and at present, there are no plans for further work.

INDIGENOUS PEOPLES:

- First Nations were generally supportive of the proposed *Land Act* amendments.
- On February 22, 2024, after the postponement, the First Nations Leadership Council expressed their deep frustration with the opposition to the *Land Act* amendments. They continue to advocate that the Province advance the amendments, despite facing anti-Indigenous backlash and harms.

FINANCIAL IMPLICATIONS:

- The current pause on the amendments does not have any financial implications.
- Should the amendments be reinitiated, work can be undertaken within the existing budget.
- Costs associated with negotiating and implementing agreements resulting from the proposed amendments will be evaluated during agreement mandate approvals.
- Impacts on BC small and large businesses supported by +40,000 *Land Act* tenures will vary depending on the specific geography of a proposed agreement and will need evaluation.
- Negotiated outcomes redirect funds from costly protracted court battles towards economic reconciliation solutions that stimulate local economies.

NEXT STEPS:

- Advice/Recommendations

Attachments: Advice/Recommendations; Intergovernmental Communications

PREPARED BY:

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Government Financial Information

REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024
CFO/EFO (if required)		
ADM	CW	Oct 10, 2024
Program Dir/Mgr.	KM	Aug 30, 2024

Page 0627 of 1021

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Advice/Recommendations ; Intergovernmental Communications

Page 0628 of 1021

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Advice/Recommendations ; Intergovernmental Communications

Page 0629 of 1021

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Page 0630 of 1021

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Page 0631 of 1021

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Page 0644 of 1021

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Page 0645 of 1021

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Advice/Recommendations ; Intergovernmental Communications

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Impacts of Reconciliation Agreements and Regulatory Actions to Tenure Holders

KEY POINTS:

- The Province negotiates various agreements with First Nations that may impact *Land Act* authorizations including: treaties, court declared and negotiated title, and incremental treaty agreements where Crown lands are transferred to a First Nation.
- Impacts to legally protected land rights of those who hold *Land Act* authorizations (tenures) are considered and engagement with tenure holders is undertaken.

BACKGROUND:

- Existing *Land Act* authorizations are considered during negotiation of any agreement regarding land. These include, but are not limited to treaties, Incremental Treaty Agreements that transfer land in fee simple, and should legislated amendments be proposed again in the future, *Land Act/Declaration Act* joint/consent decision-making agreements for *Land Act* decisions.
- There are +40,000 *Land Act* authorizations across British Columbia (BC) that allow for access to and use of public land for 25 separate land uses that support industry, recreation, research and includes programs such as grazing, communication towers, aggregates and clean energy projects.
- When lands are considered for negotiation of an agreement, analysis is done to identify the number and type of *Land Act* authorizations on the lands in question. Provincial staff with legal, policy and financial expertise advise on resolution of these *Land Act* authorizations and holders are engaged.
- Authorizations associated with numerous other statutes that authorize activity on the land pertaining to forestry, transportation, mining, water, wildlife and more, are similarly addressed.

DISCUSSION:

- Prior to implementation of negotiated agreements with First Nations regarding lands in BC, consultation with *Land Act* tenure holders is conducted to discuss and clarify potential impact.
- Regardless of the proposed land agreement type (e.g. treaty, fee simple transfer) similar processes for consultation and negotiations and executive approvals is followed.
- One of reasons the Province negotiates land agreements is to support efficiency, durability, and timeliness of various regulatory decisions including, but not limited to, *Land Act* authorizations.

INDIGENOUS PEOPLES:

- Negotiations with First Nations regarding lands with existing *Land Act* authorizations are subject to the Province's legal obligations to consult with First Nations to uphold their constitutionally protected s.35 rights and title.

FINANCIAL IMPLICATIONS:

- Depending on the specific geography of a proposed agreement, there are varied impacts to small and large businesses supported by BC's +40,000 *Land Act* tenures.
- Financial statutory obligations for public accounting require that the value of the land and forgone revenues associated with impacted tenures be accounted.

- The *Land Act* does not include a statutory right to compensation, which was raised by stakeholders during the engagement on the Act.
    - *Land Act* tenure contracts have provisions that set out rights with respect to termination of the tenure, which have been agreed upon by both the tenure holder and the Province. Legal Information
      Legal Information

- Natural resource tenures that convey a right to extract and market a resource (e.g. forest licenses, mineral rights) may contain provisions regarding compensation. The *Forest Act* prescribes compensation for takings that impact harvest rights, including where land is subject of a negotiation with a First Nation. The *Mineral Tenure Act* includes provisions for compensation where mineral claims are impacted, but only where impacts result from the establishment of a park or conservancy.
    - Intergovernmental Communications

- Government Financial Information

SUMMARY:

- Throughout the varied types of First Nations agreement negotiations pertaining to lands, the Province follows the same approach for engaging with those who hold *Land Act* authorizations.
- Engagement is intended to mitigate unintended consequences and advance negotiated outcomes that benefit all British Columbians.

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024
CFO/EFO (if required)	SM	Oct 3, 2024
ADM	CW	Sept 23, 2024
Program Dir/Mgr.	Dir Mgr KM	Aug 30, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Pacific Place Development

KEY POINTS:

- In 1988, the Province signed various legal agreements to facilitate the sale of the former EXPO 86' lands (the Site) to a single developer, Concord Pacific Developments Ltd. ("Concord"). The Province provided a guarantee and indemnity to the purchaser for costs associated with historic contamination present on the Site.
- The indemnity is managed via a Soils Agreement, a Guarantee and Indemnity Agreement, as well as the Protocol Agreement and Memorandum of Understanding (MOU).
- The Province, through WLRS's Crown Contaminated Sites Program (CCSP), continues to manage its contamination remediation obligations for the Site via the procurement of the Pacific Place Remediation Group (PPRG), which manage the Province's obligations and responsibilities for remediation of the Site.

BACKGROUND:

- To provide an appropriate location for EXPO 86', the Province purchased former industrial lands and railyards on the north shore of False Creek in Vancouver from the Canadian Pacific Railway and others. In 1988, the Province sold the land to allow for redevelopment of the Site as residential, recreational, commercial and other development needs. The Province selected a single developer, Concord, to facilitate a coordinated development plan for the Site.
- Due to concerns over historic contamination from the past industrial uses of the Site (such as coal gasification), the Province agreed to pay for remediation of any contamination required to make the Site fit for future development uses. These obligations are contained in two agreements, the 1988 Soils Agreement and the Provincial Guarantee and Indemnity Agreement.
- The Province indemnified Concord, in perpetuity, for any third-party claims and expenses associated with historic, pre-purchase contamination. The Province retained risks associated with contamination and the developer assumed development risks. Following the sale of the Site, the City established official development plans for False Creek North in 1990.
- The Pacific Place Remediation Project (PPRP) resulted from the various agreements made by the Province with Concord regarding the Site, and remediation activities are now administered by the PPRG. The PPRG is comprised of three contractors: Dillon Consulting Ltd. (Dillon), WSP Canada Inc. (previously Golder Associates Ltd.) and Jaycorp Engineering & Management Ltd (Jaycorp).

DISCUSSION:

- The PPRP is very complex and was anticipated to take decades to complete, as the building out of the Site is based on market conditions. The work plan and budget are developed annually and are generally consistent from year to year.
- The scope, schedule and budget for the three contracts have been extended via Modification Agreements for each subsequent year since the start of their respective contracts, since 2005 for the Dillon and Golder/ WSP and 2014 for the Jaycorp contract. There is an annual, internal financial review of the three contracts.

- The PPRG has extensive involvement with the Site since the early 1990s. The Site is a complex project stretching over decades, which includes external legal counsel, a former Ministry of Attorney General (MAG) solicitor, previously internal counsel for the file.
- WLRS is responsible for approval of Certificates of Completion (CoC) following remediation.
- Once all development is completed, several activities (such as environmental monitoring of engineered structures, operating the permanent groundwater treatment facility and managing various legal agreements with the City), will need to continue in perpetuity.
- Legal Information

INDIGENOUS PEOPLES:

- The lands are currently privately-owned, excepting the permanent water treatment plant located on land purchased back from Concord.
- CCSP is not aware of any Indigenous consultation having been completed for the Site, nor has the PPRG engaged with any First Nation in the past.

FINANCIAL IMPLICATIONS:

- The Province has conditionally indemnified Concord under the Provincial Guarantee and Indemnity Agreement, in perpetuity, against all costs and third-party claims arising from the presence of contaminants on the Site, as approved by government.
- The Province has a booked liability, PS3260, for the Site remediation and long-term monitoring and maintenance through the Province's pooled liability for contaminated sites.
- Business Information

SUMMARY:

- The CCSP continues to manage the provincial obligations associated with the remediation and long-term monitoring and maintenance of the Site sold to Concord following EXPO 86'.
- The PPRP has a long and complex history and represents a procurement and resourcing challenge for the Province. CCSP continues to work to improve our understanding of the Site regarding the requirements and obligations of the Province.
- Advice/Recommendations; Intergovernmental Communications

Advice/R These sites will be remediated under the supervision of the PPRG and have CoC's issued by WLRS following the completion of remediation.

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DM	LH	Oct 08/2024
EFO/CFO (if applicable)		
ADM	CW	September 27, 2024
Executive Director	MP	September 26, 2024
Program Dir/Mgr.	LK	September 20, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Land Title and Survey Authority 10-year Operating Review

KEY POINTS:

- Responsibility for the *Land Title and Survey Authority Act (LTSA Act),* and oversight of the LTSA agency per the Operating Agreement (OA) was recently transferred from the Ministry of Water, Land, Resource Stewardship (WLRS) to the Ministry of Finance (FIN).
- WLRS retains all other related statutes such as the *Land Title Act* and, as a matter of ongoing business, are coordinating with the LTSA to consider possible legislative amendments including post -earthquake procedures and the assurance fund.
- The OA includes a requirement to undertake regularly scheduled five-year "performance" and ten-year "sufficiency of revenue" reviews. The next reviews are scheduled for early 2025.
- Advice/Recommendations; Intergovernmental Communications

BACKGROUND:

- The LTSA was established in 2005 as an independent statutory, not-for-profit corporation responsible for operating BC's land title and survey systems. It is neither a Crown corporation nor a part of the government's reporting entity. In 2023, responsibility for the *LTSA Act* and oversight of the agency per the OA was transferred from WLRS to FIN.
- The relationship between government and the LTSA is governed by the OA. The agreement guides the LTSA's management, operation and maintenance of the land title and survey systems in BC, the agency's fee structure and the process for changes to the fee structure, and the establishment of performance measures.
- The OA requires the LTSA and the government to schedule formal reviews every five-years to consider the results of an independent review of both parties' obligations under the OA, and every ten-years to review the LTSA's performance with respect to defined "turnaround" targets and the sufficiency of LTSA's revenues to sustain its operations.
- Advice/Recommendations; Intergovernmental Communications

DISCUSSION:

- Operating Agreement, Article 2.03 between the Province and the LTSA requires that the Parties meet on each successive tenth anniversary of the LTSA's commencement date to review the sufficiency of LTSA's revenues and its obligations to deliver land title and survey services, and those related to Crown Grants, in accordance with average processing times stipulated by the Agreement under Article 3.02.
- The ten-year review is in addition to an obligation that every five years, the LTSA and the Province (the Parties) jointly appoint an independent management consultant to review the performance of the Parties during the previous five years. The last five-year review was completed in 2020.
- Advice/Recommendations; Intergovernmental Communications

jointly develop a Terms of Reference for the review and to appoint a jointly agreed to consultant to conduct the review.

- For the current reviews, the LTSA has proposed a narrow scope for the TOR for the upcoming five-year review compared to the previous one completed in 2020. The proposed TOR specifies that each obligation will be evaluated as 'met' or 'not met', and recommendations will only be provided for obligations that were not met. The proposed TOR for the ten-year review is also simpler due to the limited scope required by the OA. LTSA has proposed that, since the ten-year review only focuses on sufficiency of revenue and turnaround times, an independent review by a contractor may not be necessary.
- FIN and WLRS are considering the appropriate scope for the Reviews and will brief Executive on considerations, in coordination with the LTSA.

FINANCIAL IMPLICATIONS:

- N/A.

NEXT STEPS:

- WLRS will support FIN's lead in discussions with the LTSA regarding the scope of the five-year and ten-year Reviews.
- WLRS will participate in the development of the TOR for the five-year and ten-year reviews of the OA.
- WLRS will continue to message to the LTSA that they value the role that the LTSA plays in operating and maintaining the integrity of BC's land title and survey systems seeks the LTSA's continued support and collaboration on on-going mutual priorities and, a strong commitment to operating and maintaining BC's land title and survey systems in a way that is responsive to stakeholders' needs and in line with government's priorities, including government's commitment to reconciliation with Indigenous Peoples.

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 8, 2024
CFO/EFO (if required)		
ADM	CW	September 9, 2024
Program Dir/Mgr.		

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Discriminating and Restrictive Covenants

KEY POINTS:

- Discriminating covenants are restrictive covenants that were historically registered in the provincial land titles office with provisions that are discriminating or racist. They are void, not enforceable, and have no effect.
  When brought to the attention of the Registrar of Land Titles at the Land Title and Survey Authority (LTSA), an endorsement will be added next to the covenant indicating that it has been cancelled pursuant to section 222 of the *Land Title Act,* and the words will be struck through.
- The Province and the LTSA have made sustained efforts to identify discriminatory covenants and amend their records over the years.

BACKGROUND:

- Discriminating covenants are clauses that restrict the sale, ownership, occupation or use of land on the basis of sex, race, creed, colour, nationality, ancestry or place of origin of a person that reflects a different cultural reality in the history of our province. Such covenants appear most often on land title records from the first half of the 20th century.
- Legal Information

- The LTSA receives a small number (usually less than 5) requests annually to strike discriminating covenants from land title documents.
- The Province and the LTSA have both made efforts over the years to address the matter and amend discriminating covenants found in land title records; however, with millions of records, the effort to identify and address documents with discriminating clauses is ongoing.

DISCUSSION:

- The provisions in the *Land Title Act* reflect the Torrens system of land registration which require the Registrar to maintain a complete and unabriged record of dealings with land since the titles' orgin. Conseqently, the Registrar is prohibited from erasing or rendering illegible the original words on a record.
  When requested, the Registrar will, at no cost, make an endorsement by the covenant indicating that it has been cancelled pursuant to section 222 of the *Land Title Act*. In addition, the words are struck through so that it is more apparent on the face of a record that the discriminatory language is void.
- In 2016, the then Ministry of Forests, Lands and Natural Resource Operations collaboarated with the LTSA to communicate with professional bodies responsible for overseeing legal and real estate professions. This was done because discriminating covenants can be an issue during real estate transactions. Communications were sent to the Law Society of British Columbia, the Society of Notaries Public of British Columbia, the Real Estate Council of British Columbia and the British Columbia Real Estate Association. The purpose was to bring attention to the matter and ask for their support in identifying discriminating covenants and reporting them to the Registrar according to the process outlined in the LTSA's Practice

Note (Attachment 1). Attachments 2 and 3 provide further background on this initiative, along with an example of the communications sent.

- In 2022 and 2023, the Union of BC Municipalities (UBCM) membership endorsed resolutions requesting that the Province search for and identify discriminatory language contained in registered covenants; and for them to have the ability to delete and/or redact any occurrences of discriminatory language identified (Attachment 3). The Province's response to resolution 2022-NR51 is provided in the UBCM 2023 Resolutions Book Pg 132 (Attachment 4).
- The LTSA continues to work with Simon Fraser University to explore the use of machine learning techniques to help identify occurrences of these covenants. Once detected, discriminating covenants will be struck. While this work is underway, both the Province and the LTSA continue to encourage anyone who finds a reference to a discriminating covenant to notify the Registrar, so that the covenant can be addressed in accordance with the practice laid out in the LTSA's Practice Note.

FINANCIAL IMPLICATIONS:

- N/A

SUMMARY:

- Discriminating covenants are void, not enforceable, and have no effect.
- A landowner may contact the Registrar of Land Titles at the LTSA if they have questions about discriminating covenants or would like to initiate the process to have an endorsement made on an existing land title record noting that the covenant is void and of no effect.
- When contacted by a landowner, the Registrar will make an endorsement by the covenant indicating that it has been cancelled under section 222 of the *Land Title Act.*
- Because the Registrar is prohibited under the *Land Title Act* from erasing or rendering illegible the original words on a record, the words are struck through so that it is more apparent on the face of a record that the discriminating language is void.
- The LTSA has made sustained efforts to amend records over the years; however, with millions of both physical and digital documents, the effort to identify documents with discriminating clauses is ongoing.
- The LTSA is working with Simon Fraser University to explore digital scanning techniques that assist in identifying occurrences of these covenants.
- The Ministry of Water, Land and Resource Stewardship continues to work with the LTSA on this issue and is monitoring the progress of the digital scanning project.

Attachments:

Attachment 1 – LTSA Practice Note 01-15 – Cancellations of discriminating covenants
Attachment 2 – 2016 Letter to BCREA
Attachment 3 – UBCM 2023 Resolutions Dispositions
Attachment 4 – UBCM 2023 Resolutions Book Pg 132
Attachment 5 – IBN – Restrictive Covenants

PREPARED BY:

Jerrica Mann
Senior Policy Advisor
Lands Branch
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REVIEWED BY:

	Initials	Date
DM	LH	Oct 7, 2024
CFO/EFO (if required)		
ADM	CW	Sept 9, 2024
Program Dir/Mgr.		

Practice Note 01-15

Land Title and Survey Authority of BC Land Title Division

February 21, 2020

Change Record		
Version	Date	Description
1.0	August 7, 2015	Initial Statement
1.1	February 21, 2020	Update Land Title and Survey Authority Contact Information

Land Title Act section 222 - Cancellations of discriminating covenants

1. Background:

Section 222 of the *Land Title Act* specifies that covenants that restrict the sale, ownership, occupation or use of land on account of sex, race, creed, colour, nationality, ancestry or place of origin of a person are void and of no effect. Section 222 is set out below for reference.

The section, which was enacted in 1978, has legal declaratory effect: it operates against any registered covenant that directly or indirectly has a discriminating effect, whenever registered and in whatever form created.

The registrar is authorized to take action to reflect the operation of s. 222, on request from an owner or on the registrar's own initiative. Requests from owners are processed as cancellations done by the registrar on the registrar's own initiative; accordingly, there is no customer fee for cancellation of a discriminating covenant.

2. Practice:

On being made aware of the continuing presence in the register of a discriminating covenant, the registrar will act to amend the register and records to comprehensively reflect that the discriminating covenants are no longer valid.

Instruments containing discriminating covenants typically also contain other provisions that are not affected by s. 222 and which remain valid.

Where the instrument contains non-discriminating provisions that are not affected, the registrar will make an endorsement on the affected title, and original document indicating that the discriminating covenant has been cancelled pursuant to *Land Title Act* s. 222. After making the endorsement on the original document, the amended document will be

rescanned and reloaded into the records, under its original registration number, and will constitute the official record of the document.

Where the entire instrument has been affected by s. 222, the registrar will cancel it from all titles against which it is registered and make an endorsement on the document indicating its cancellation.

In many instances, the covenant documents which are affected by s. 222 are stored on microfilm (generally documents registered prior to 1960). For technology-related reasons, it is not readily possible to remove individual documents from microfilm reels; as such, the original versions of documents containing discriminating covenants that have been affected as described above will continue to be accessible on microfilm. To ensure they access the official record of the document, customers are advised they should always search for the record directly through their myLTSA account before going to microfilm records.

Owners may submit requests to the registrar:

- By email at customerservice@ltsa.ca.
- In writing by mail addressed to the Registrar, Land Title and Survey Authority of British Columbia, Anvil Centre Office Tower, Suite 500 – 11 Eighth Street, New Westminster, British Columbia, Canada V3M 3N7.

The request should include the legal description and/or parcel identification number (PID) of the lands affected by the discriminating covenant, and the registration number of the covenant.

Discriminating covenants are void

222 (1) A covenant that, directly or indirectly, restricts the sale, ownership, occupation or use of land on account of the sex, race, creed, colour, nationality, ancestry or place of origin of a person, however created, whether before or after the coming into force of this section, is void and of no effect.

(2) The registrar, on application, may cancel a covenant referred to in subsection (1) that was registered before October 31, 1979.

(3) If the registrar has notice that a registered restrictive covenant is void under this section, the registrar may, on the registrar's own initiative, cancel the covenant.

Carlos MacDonald

Director of Land Titles

Ref: 222148

June 02, 2016

Deanna Horn, President
British Columbia Real Estate Association
420 – 701 Georgia Street West
PO Box 10123, Pacific Centre
Vancouver, BC V7Y 1C6
Dear Deanna Horn:

The issue of discriminating covenants has been brought to my attention. As you may be aware, provincial legislation, currently found in s. 222 of the *Land Title Act*, makes such covenants void and of no effect. However, while discriminating covenants are legally void and unenforceable, the covenants remain recorded in the land title register and are particularly apparent during real estate transactions.

It is my understanding that the Land Title and Survey Authority of British Columbia (LTSA) has provided the British Columbia Real Estate Association with the Land Titles Practice Note "Cancellations of Discriminating Covenants": https://ltsa.ca/sites/default/files/Practice-Note-01-15.pdf. This information sets out a process on how to bring discriminating covenants to the attention of the Registrar of Land Titles (the Registrar), and what actions the Registrar will take to update land title records to make it clear that the covenants are cancelled. The process is straightforward, does not require an application and does not require payment of a fee.

I am writing to request the continued support of your association on bringing this important matter to the attention of your members so that they have the necessary information available to bring any instances of discriminating covenants to the attention of the Registrar, either directly or by providing the necessary information to their clients, should the circumstance arise. It is a goal of government to ensure that stakeholders and the public are made aware of the process for identifying and addressing land title records that refer to discriminating covenants.

Ministry of Forests, Lands and Natural Resource Operations

Office of the Minister
Mailing Address:
PO BOX 9049 Stn Prov Govt
Victoria, BC V8W 9E2
Location: Parliament Buildings

Tel:(250)387-6240
Fax:(250)387-1040

If you have any questions or require further information please contact Michelle Porter, Director, Land Tenures Branch in the Ministry of Forests, Lands and Natural Resource Operations by phone at 250-387-1832 or by email: Michelle.Porter@gov.bc.ca.

Thank you for your consideration of this request.

Sincerely,

Steve Thomson
Minister
Ministry of Forests, Lands and Natural Resource Operations

Pc: Robert Laing, Chief Executive Officer, British Columbia Real Estate Association

Dave Peterson, ADM, Tenures Competitiveness and Innovation Division, Ministry of Forests, Lands and Natural Resource Operations

NR61	Agri-Industrial Activities	Endorsed
NR62	Prioritizing Local Governments in the Provincial Land Acquisition Process Therefore be it resolved that UBCM lobby the provincial government to consider and prioritize local governments **and Indigenous governments** in the Provincial Enhanced Referral Process when lands are being disposed of in communities.	Endorsed as Amended
NR63	Registering Fees on Title	Endorsed
NR64	Removal of Racist and Discriminatory Clauses from BC Land Titles	Endorsed
NR65	Public Notification for Rural Subdivision Applications	Endorsed
NR66	Jurisdiction of the Surface Rights Board of British Columbia	Endorsed
NR67	Cost Recovery from Upper Watersheds/Privately Managed Forest Lands to Support Watershed Stewardship	Endorsed
NR68	Public Lake Access	Endorsed
NR69	Vacant Property Tax on Commercial and Industrial Properties	Endorsed
NR70	Limitation of Rent Increases on Commercial Properties Therefore be it resolved that UBCM request that the Province establish a rental limit increase on commercially zoned properties **operated by small businesses** similar to the rental increase limitation(s) that govern residential rental properties.	Amendment was Endorsed, but Resolution as Amended was Not Endorsed
NR71	Tax Treatment of Farmland in Municipalities	Endorsed
NR72	Deferment Program for Local Government Parcel Taxes and Utility Fees	Endorsed
NR73	Tax Sale Cost Recovery	Endorsed
NR74	Provincial Sales Tax on Fossil Fuel Combustion Systems	Endorsed
NR75	Increasing the Existing Tax Exemption for Volunteer Firefighters and Search and Rescue Volunteers	Endorsed
NR76	BC Transit Service Delivery Model Flexibility	Endorsed
NR77	BC Transit Share of Expenses on Rural Routes	Endorsed
NR78	Public Transit to Industrial Lands and Business Parks	Endorsed
NR79	Rural Approval for Ride-Hailing Services	Withdrawn by Sponsor
NR80	Zero Emission Vehicles	Motion to Sever two enactment clauses into two separate resolutions was Endorsed
NR80.1	Therefore be it resolved that UBCM lobby the provincial government to recognize the challenges in northern British Columbia and outline their plan for supporting capacity building, improved infrastructure and other upgrades in northern British Columbia to meet zero emission vehicle sales targets.	Endorsed
NR80.2	Therefore be it resolved that if interim zero emission vehicle sales targets for 2030 are not met by the Province, then the Province may reconsider their 2040 objectives.	Not Endorsed
NR81	Fuel Pricing	Endorsed
NR82	Bringing Equity to Traffic Enforcement	Endorsed
NR83	MOTI Required Highway Upgrades	Endorsed
NR84	Building Bylaw Enforcement	Endorsed
NR85	Personal Leaves for Elected Officials	Endorsed

The Resolutions Committee advises that the UBCM membership has not previously considered a resolution calling on the Province to provide local governments the ability to register latecomer fees and local area service on certificates of titles.

Conference decision: _____

NR64 Removal of Racist and Discriminatory Clauses from BC Land Titles **Courtenay**

Whereas there are documents and covenants attached to parcels of land throughout the province that are rooted in racism and discrimination;

And whereas the cost to remove racist documents and covenants from land titles is born by the property owners:

Therefore be it resolved be it resolved that the UBCM request that the Province instruct the Land Titles Office to eliminate any charges to landowners wishing to remove these offensive clauses and restrictions from their titles, and further request the Land Titles Office conduct an audit of land titles and systematically remove racist and discriminatory covenants and documents.

Endorsed by the Association of Vancouver Island and Coastal Communities

UBCM Resolutions Committee recommendation: ***No Action Required***

UBCM Resolutions Committee comments:

The Resolutions Committee notes that the UBCM membership has endorsed resolution 2022-NR51 which made a similar request of the Province to instruct the Land Titles Survey Authority to search for and identify discriminatory language contained in registered covenants; and for them to have the ability to delete and/or redact any occurrences of discriminatory language identified.

In response to resolution 2022-NR51, the Province has advised that:

"Discriminating covenants are not enforceable.

Section 222 of the Land Title Act operates against any registered covenant that directly or indirectly has a discriminating effect, whenever registered and in whatever form created, making discriminating covenants void and of no effect. If a landowner has questions about discriminating covenants or would like to initiate the process to have an endorsement be made on an existing land title record noting that the covenant is void and of no effect, the landowner should contact the Registrar of Land Titles at the Land Title and Survey Authority of BC (LTSA).

When contacted by a landowner, the Registrar will make an endorsement by the covenant indicating that it has been cancelled pursuant to Section 222 of the Land Title Act. There is no cost for this amendment. Because the Registrar is prohibited under the Land Title Act from erasing or rendering illegible the original words on a record, the words are struck through so that it is more apparent on the face of a record that the discriminating language is void.

The LTSA has made sustained efforts to amend records over the years; however, with millions of both physical and digital documents the effort to identify documents with discriminating clauses is ongoing. Most recently, the LTSA has engaged with Simon Fraser University to explore other techniques which assist in identifying occurrences of these covenants."

The Province has indicated that there is no charge to landowners who initiate the process, and that the LTSA has initiated a process to identify these discriminatory clauses, and while prohibited from removing, LTSA does use a strike through process to show that the discriminatory clause is void.

Conference decision: _____

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Restrictive Covenants (Bill 44 - *Housing Statutes (Residential Development) Amendment Act* and land-title covenants that restrict the construction of multi-unit buildings on a property)

KEY POINTS:

- Existing covenants registered under the *Land Title Act* or the *Property Law Act* that restrict residential densities are not affected by the zoning changes required by Bill 44.
- A restrictive covenant may be released by the covenantee or the covenantee's successors. Alternatively, a landowner may apply to the courts for an order that the restrictive covenant be amended or removed from the title to the property pursuant to s. 35 of the *Property Law Act*.
- While these restrictive covenants seem contrary to the government's strategic objective of providing affordable housing, they may be in place to prevent densification for a variety of reasons including health, safety, and the protection of the natural environment. Thus, the intent and necessity of each covenant needs to be examined prior to its cancellation.

BACKGROUND:

- The Province of BC enacted Bill 44, *"Housing Statutes (Residential Development)" Amendment Act* in 2023. Bill 44 amended the *Local Government Act* and *Vancouver Charter* to require local governments, where it applies, to allow small-scale multi-unit housing in areas exclusively zoned for single-family and duplex housing and to conduct proactive zoning based on housing needs documented through reports, official community plans and zoning bylaws.
- The Ministry of Housing has confirmed with the Ministry of Attorney General (MAG) that properties with existing covenants registered under the *Land Title Act* or the *Property Law Act* that restrict residential densities are not affected by the zoning changes required by Bill 44.
- Some real estate experts have estimated that many thousands of these restrictive covenants exist, and most do not have built-in expiry clauses.

DISCUSSION:

- Advice/Recommendations

-

- A restrictive covenant may be released by the covenantee or the covenantee's successors. Alternatively, a landowner may apply to the courts for an order that the restrictive covenant be amended or removed for title to the property pursuant to s. 35 of the *Property Law Act*.

- Legal Information

- The Ministry of Housing is also advising local governments that they should not pursue new covenants, including SBS, that would prevent the prescribed residential densities required under Provincial legislation. However, covenants can still be requested for health, safety, and the protection of the natural environment.

FINANCIAL IMPLICATIONS:

- N/A

Next Steps:

- Advice/Recommendations; Legal Information

-

-

PREPARED BY:

Jerrica Mann
Senior Policy Advisor
Lands Branch
Government

REVIEWED BY:

	Initials	Date
DM	LH	Oct 7, 2024
CFO/EFO (if required)		
ADM	CW	Sept 9, 2024
Program Dir/Mgr.		

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Landslides

KEY POINTS:

- On November 8, 2023, the *Emergency and Disaster Management Act* (EDMA) came into force, replacing the *Emergency Program Act*.
- Under the updated EDMA, the Ministry of Water, Land and Resource Stewardship (WLRS) was designated to lead the administration of hazard assignments including drought and water scarcity, flooding, dam incidents and landslides (other than those affecting provincial Highways which are the responsibility of the Ministry of Transportation and Infrastructure [MOTI]).
- As landslides are unpredictable, a primary focus of this work is on planning for response and recovery, which requires highly specialized technical knowledge and expertise, which up until recently was held by staff at Ministry of Forests (FOR).
- WLRS does not currently have the strategic expertise or capacity to deliver landslide assessments and response support in the province. There is work ongoing to develop clarity around roles and responsibilities between Ministries of Emergency Management and Climate Readiness (EMCR), FOR and WLRS.

BACKGROUND:

- The EDMA legislation reflects the realities of the modern world including global pandemics, security threats and climate change, and shifts from focusing on emergency response to the four phases of emergency management: mitigation, preparation, response, and recovery.
- Responsibilities for landslides have previously been addressed by local governments, with support from MOTI as pertaining to highways, and FOR with respect to response and recovery.
- Local governments and MOTI continue to hold the responsibilities. It was determined that WLRS would be responsible for landslide hazard assignments as the ministry administers the *Land Act* which contains provisions for protecting the public from known hazards such as landslides, including the ability to revoke tenure and create Notations of Interest.
- The Lands Program within WLRS has statutory tools that can be used to establish reservations on Crown land that prohibit disposition due to landslide risk or ensure there is clarity for landowners on their title certificates of any landslide risk.

DISCUSSION:

- The realities of natural disasters and complexities of landslides necessitate policy and response coordination across multiple ministries. This type of coordination can be seen in other multi-hazard events, such as wildfires and floods.
- Skills and expertise of other ministries (e.g., MOTI and FOR) will need to be leveraged, to ensure that any gaps in operational expertise does not challenge implementation.
- Further guidance and risk assessment policy needs to be developed to direct and support future responses to landslide events.
- Government has only had a limited number of geohazard specialists and engineers to support landslide risk assessment in areas outside local governments or along transportation infrastructure.

- As such, prior to EDMA, government did not undertake recovery landslide assessments or provide advice regarding lifting of alerts and orders, because this work involves detailed study, possible sub-surface investigations and long-term monitoring, and requires peer-reviewed assessment to defray liability.
- As an immediate step, WLRS is updating a Provincial Landslide Response Contact List to replace FOR staff who were previously responsible. This will be complete by November 2024.
- WLRS will also work with FOR to continue to provide post-wildfire hazard assessment (e.g. debris flows), which can inform landslide risk.

INDIGENOUS PEOPLES:

- First Nations living in rural areas in the province are disproportionately impacted by landslides potentially sweeping cultural sites, infrastructure, hunting and fishing territories and community infrastructure.
- Access to healthy and culturally appropriate foods are important for First Nations and landslides have the potential to negatively influence migrating salmon access to spawning grounds.

Chilcotin River Landslide

- The Province continues to work closely with area First Nations, to assess and monitor the July 30, 2024, Chilcotin River landslide and subsequent water breach on August 5.
- The Province is also taking measures to preserve fish habitat in the area including impacts to salmon runs, particularly those populations already at a conservation risk level which could lead to negative impacts to stocks. As of September 5, 2024, the Emergency Salmon Task Force Tables are cautiously optimistic that salmon will replenish this year's brood stock.
- As a result of the Chilcotin River Landslide creating a flood risk in the area, the team leading the response was designated to the Water, Fisheries and Coast Division in WLRS.
- While continuing to monitor the area, as of August 29, the Cariboo Regional District (CRD) rescinded the Evacuation Alert for the Chilcotin River Landslide area indicating the threat to life and safety had passed.

Allenby Landslide

- In 2018 and 2019, landslides were observed landslides (the "Allenby slides") adjacent to the Similkameen River near the Copper Mountain Mine Tailings Storage Facility.
- The Upper Similkameen Indian Band (USIB) are concerned that tension cracks in the ground will result in landslides that will block the Similkameen River.
- EMCR and the Ministry of Energy, Mines and Low Carbon Innovation (EMLI) continue to liaise with USIB on this matter. A field review by a research geomorphologist in FOR has indicated no imminent risk of a large-scale slide, but additional study is recommended. Funding will be required for this work.

FINANCIAL IMPLICATIONS:

Landslide risk assessment and response preparedness may require additional capacity.

CONCLUSION:

- Advice/Recommendations

- **Next Steps:**
    1. Establish a WLRS project team with the technical and operational expertise dedicated to managing landslides in the province.
    2. Formalize roles and responsibilities between WLRS, FOR and EMCR regarding post-wildfire hazard assessment (debris flows) in the province and access geomorphology data in a landslide emergency.
    3. Update Provincial Landslide Response Contact List by November 2024.

PREPARED BY:

Ann Garibaldi
Senior Policy Analyst
Strategic Partnerships, Policy & Legislation
Government Financial

REVIEWED BY:

	Initials	Date
DM	LH	Oct 7, 2024
CFO/EFO (if required)		
ADM	CW	September 27, 2024
Program Dir/Mgr.	MG	Sept 18, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	First Nations Leadership Council Protocol Agreement

KEY POINTS:

- The Relationship Protocol was signed by the Minister of Water, Land and Resource Stewardship and the First Nations Leadership Council on August 16, 2024, and work is underway to establish structures to support its implementation.

BACKGROUND:

- The Ministry of Water, Land and Resource Stewardship (WLRS) has a mandate to develop a new vision for water, land and resource management with First Nations that includes government to government collaborative approaches to the management and stewardship of natural resources as part of reconciliation. This mandate also includes working across natural resource ministries to develop solutions to sector wide challenges.
- Led by the Reconciliation, Lands and Natural Resource Policy Division (RLNRP), WLRS has initiated work with the First Nations Leadership Council (FNLC) technical staff to support the development of a process to develop tools that advance co-management of lands and resources.
- To advance this work and to ensure that WLRS advances work in a manner consistent with its obligations under the *Declaration Act*, the ministry established a WLRS FNLC Relationship Protocol (Relationship Protocol) frames the work and mutual commitments that the parties will take to advance co-development of a water, land and resource system for co-management.
- The Working Group meets monthly to discuss key WLRS strategic policy and legislative initiatives and to ensure meaningful processes of consultation and cooperation are incorporated through these initiatives.
- The drafting of this Protocol was initiated in November 2022. A resolution was passed on the draft Protocol at FNLC's June 2023 assemblies, and the final Protocol was signed in August 2024.

DISCUSSION:

- The purpose of the Relationship Protocol is to establish and implement a collaborative and constructive relationship and supporting structures between the parties on issues and initiatives related to water, land and resource stewardship in B.C.
- This Protocol aims to create a process for joint dialogue, action and cooperation that respects and recognizes the human rights of Indigenous peoples and advances the joint commitments described in Concrete Actions and the *Declaration Act* Action Plan.
- The Protocol also establishes a political table comprised of the Minister of WLRS and FNLC executive to meet bi-annually, or on an as needed basis, to monitor the progress of the working group referenced above, which is reflective of the interest First Nations have in lands and resources arising from the existence of Aboriginal rights and title.

INDIGENOUS PEOPLES:

- The Relationship Protocol was co-developed between WLRS and FNLC technical staff. This approach is complementary to and supportive of the work to implement the bilateral Commitment Document (2015) between the Province and FNLC, including the:

  - *Joint Agenda*: Implementing the Commitment Document – Shared Vision, Guiding Principles, Goals and Objectives (2018); and *Joint Agenda*: Implementing the Commitment Document – Concrete Actions: Transforming Laws, Policies, Processes and Structures (2018), and the *Declaration Act.*
- The process of establishing this protocol is intended to ensure a consistent and principled approach to the collaborative work between WLRS and the FNLC; a process recommended by the FNLC and endorsed by the Declaration Act Secretariat.

CONCLUSION:

- The Protocol represents an important step in working with the FNLC technical staff to develop a process for the co-development of a co-management system for water land and resources with Indigenous Peoples.
- Implementation of the Protocol will continue through the Working Group.

Attachment(s): FNLC WLRS Relationship Protocol_Signed_Aug2024

PREPARED BY:

Meaghan Potts
Policy Analyst
Strategic Partnerships, Policy and Legislation
Government

REVIEWED BY:

	Initials	Date
DM	LH	Oct 7, 2024
ADM	CW	Sept 11, 2024
ED	MG	Sept 10, 2024
Program Dir/Mgr.	JM	Sept 10, 2024

RELATIONSHIP PROTOCOL

Between

BC ASSEMBLY OF FIRST NATIONS,

FIRST NATIONS SUMMIT,

UNION OF BC INDIAN CHIEFS

Collectively referred to as the **FIRST NATIONS LEADERSHIP COUNCIL** and

HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA, as represented by the Minister of Water, Land and Resource Stewardship

(the "**Minister**")

WHEREAS

A. The First Nations Leadership Council (FNLC) is a collaborative working relationship between the political executives of the BC Assembly of First Nations (BCAFN), the First Nations Summit (FNS) and the Union of BC Indian Chiefs (UBCIC) and reports to and takes direction from their respective Chiefs assemblies in British Columbia. The FNLC is not a title or rights or treaty rights holder and cannot engage in processes to establish and provide free, prior, and informed consent on behalf of individual First Nations. Engagement by the Province with the FNLC as contemplated by this Relationship Protocol does not in any way fulfil, replace, or displace the Province's obligations to consult and cooperate with First Nations title and rights holders.

B. The provincial government enacted the *Declaration on the Rights of Indigenous Peoples Act* ("Declaration Act") to contribute to implementing the *United Nations Declaration on the Rights of Indigenous Peoples* ("UN Declaration"), and has in place the *Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples*, respecting and promoting the inherent rights of Indigenous peoples, and is committed to upholding its constitutional obligations in relation to Aboriginal rights and treaty rights recognized and affirmed by section 35 of the *Constitution Act*, 1982.

C. The Ministry of Water, Land and Resource Stewardship (Ministry) has a mandate for the effective development of water, land and marine use policy and planning, as well as biodiversity and ecosystem health, including species at risk policy and program management. The Ministry's mandate includes developing a new vision for water, land and resource management with First Nations that includes government-to-government decision-making as part of reconciliation with Indigenous Peoples in B.C. In addition, the Ministry will direct work across natural resource ministries to develop solutions to sector-wide challenges and to advance dedicated sector-wide policy, including managing for cumulative effects, improving permitting and authorizations, as well as providing dedicated secretariat support for effective governance of the natural resource sector.

D. The purposes of the *Declaration Act* are to affirm the application of the UN Declaration to the laws of British Columbia, to contribute to the implementation of the UN Declaration, and to support the affirmation of, and develop relationships with Indigenous governing bodies.

E. The *Declaration Act* provides that "in consultation and cooperation with the Indigenous peoples in British Columbia, the government must take all measures necessary to ensure the laws of British Columbia are consistent with the [the UN Declaration]." The Ministry is committed to working in consultation and cooperation with the First Nations Leadership Council (FNLC) and with First Nations as it participates in processes and measures to ensure provincial laws, for which WLRS is responsible, are consistent with the UN Declaration.

F. First Nations' leadership has mandated the FNLC through resolutions of the Chiefs in Assembly at the BCAFN, FNS and UBCIC, to provide policy support and facilitate First Nations' efforts in relation to water, land and resource stewardship in ways that protect and sustain the environment forever while enhancing the social, cultural, economic, and political well-being of First Nations in British Columbia.

G. In 2021, the Ministry of Indigenous Relations and Reconciliation led the establishment of a dedicated Declaration Act Secretariat (DAS), an independent office that coordinates and assists cross-government to ensure provincial laws align with the UN Declaration.

H. The Parties are committed to upholding Indigenous rights and achieving reconciliation for the benefit of all generations in the province, now and in the future and, through the Relationship Protocol, acknowledge that this vision requires a new path forward. This includes new ways of working together, supported by structures that develop and strengthen ongoing collaborative relationships at all levels.

I. The Parties wish to enter this Relationship Protocol to set out the ways they will work together to review and engage on legislation, policies, programs, and practices, and on other issues of mutual interest, ensuring a distinctions-based approach.

J. The Parties acknowledge this new path forward will be founded on the principles of collaborative relationship building, shared respect, mutual trust, and accountability.

NOW THEREFORE, the parties agree as follows:

1. PURPOSE

1.1 The purpose of this Relationship Protocol is to establish and implement a collaborative and constructive relationship and supporting structures between the Parties to engage in dialogue and work on issues and initiatives in the areas of water, land and resource stewardship in British Columbia, in a manner that is complementary to and supportive of the work to implement:

a) the bilateral Commitment Document (2015) between the Province and FNLC, including the:
   i. *Joint Agenda*: implementing the Commitment Document – Shared Vision, Guiding Principles, Goals and Objectives (2018); and
   ii. *Joint Agenda*: Implementing the Commitment Document – Concrete Actions: Transforming Laws, Policies, Processes and Structures (2018), and

b) the Declaration Act, including:
   i. the Province's obligations to take all measures necessary to ensure provincial laws are consistent with the UN Declaration;
   ii. the Declaration Act Action Plan; and
   iii. opportunities to advance and enable agreements, including those described in sections 6 and 7 of the Declaration Act.

2. PRINCIPLES

2.1 The Parties agree to implement this Relationship Protocol guided by the principled framework for reconciliation available in:

a) the UN Declaration;

b) section 35 of the *Constitution Act, 1982;*

c) the *Declaration Act; and*

d) *Draft Principles Respecting the Province of British Columbia's Relationship with Indigenous Peoples.*

2.2 While the Province acknowledges that aspects of implementing the UN Declaration and the Declaration Act require consultation and cooperation with Indigenous Peoples broadly, in taking a distinctions-based approach, the Province recognizes that First Nations have unique territorial rights to water, land and resources in BC.

2.3 For clarity, this Relationship Protocol does not fulfil any obligations of the Province under the Declaration Act and the Parties will discuss how their collaboration under this Relationship Protocol may support the provincial government's work to implement the Declaration Act, including potential linkages to the work of the Secretariat.

3. STRUCTURES

3.1 The Parties hereby establish the following structures to support implementation of this Relationship Protocol:

a) Political Table: the FNLC and the Minister of WLRS will meet twice per year, or more often as needed, to provide strategic direction and resolve any issues and impediments to progressing commitments and the relationship described in this Protocol; and

b) Technical Working Group: a Technical Working Group comprised of the FNLC political/legal staff and WLRS senior officials, will carry out the direction of the Political Table, including the development and implementation of a work plan described in section 4, and report back to the Political Table.

4. WORK PLAN AND REPORTING

4.1 The Parties will develop a workplan to address priorities, direction, and areas of focus, pursuant to section 2.2 of this protocol.

4.2 The work plan will be developed and implemented by the Technical Working Group described in 3.1 (b) and adopted and reported upon at Political Table meetings described in 3.1 (a).

4.3 The Parties will jointly develop communications related to the workplan and associated activities as required.

5. OTHER AGREEMENTS

5.1 The Parties acknowledge that they may enter into other agreements or memoranda of understanding pursuant to and/or in connection with the purposes of this Relationship Protocol including, but not limited to, agreements in respect of cooperation relating to the work of WLRS.

6. COMMUNICATION AND CONFIDENTIALITY

6.1 The Parties acknowledge they may have entered into confidentiality agreements with each other and those confidentiality agreements may govern confidentiality with respect to this Relationship Protocol.

6.2 Where either Party wishes to share confidential information with the other Party, they will identify whether confidentiality agreements under section 6.1 govern that confidentiality or if any additional agreements are required.

6.3 Further to section 6.2, the Province acknowledges and agrees that it is responsible for identifying appropriate agreements to preserve the confidentiality of confidential information, and for arranging for the execution of such agreements by relevant persons carrying out work in relation to this Relationship Protocol.

6.4 The Parties acknowledge and agree that the disclosure by the Province of any information pursuant to this Protocol, including but not limited to the confidential information, is subject to applicable laws and that nothing in this Relationship Protocol will require the Province to disclose or otherwise share any information with the FNLC where such disclosure or sharing is prohibited by law.

6.5 The Province acknowledges the FNLC's mandate and responsibility to report to and take direction from First Nations leadership and will support the FNLC to develop information and materials accordingly.

6.6 The Parties will provide one another with advance notice and an opportunity to discuss any planned public statements or communications to be made by the Party about the implementation of the Relationship Protocol, engagements being carried out under the annual work plan and the policy or initiatives subject to engagements in the annual work plan, before making any such statements in public. The Parties recognize the ongoing need for public and First Nations discourse on matters subject to engagement. The Parties also acknowledge this commitment to advance notice and discussion about planned public statements may enhance the effectiveness of communications and the working relationship among them.

7. FUNDING

7.1 The Province agrees to support the capacity required to implement the Relationship Protocol, its workplan and the associated activities.

8. GENERAL

8.1 For greater certainty, neither the existence of this Relationship Protocol nor the work carried out under it:

a) fulfils, replaces, affects or limits any obligation of the Province to consult and cooperate directly with First Nations;

b) limits the ability of the Province to engage with other Indigenous organizations, including in relation to implementation of the Declaration Act; or

c) replaces, limits or interferes with any discussions, negotiations or work between the Province and any First Nation(s).

8.2 This Relationship Protocol may be entered into by each Party signing a separate copy, including a photocopy or electronic copy, and delivering it to the other Party by electronic means of transmission.

9. AMENDMENT/TERMINATION

9.1 This Relationship Protocol will take effect on the last date it is signed by all the Parties. The Parties may agree in writing to amend this Relationship Protocol.

9.2 This Relationship Protocol will remain in effect unless terminated in writing by either Party with three months notice.

IN WITNESS WHEREOF THE PARTIES HAVE EXECUTED THIS RELATIONSHIP PROTOCOL AS OF THE DATE SHOWN BELOW

SIGNED ON BEHALF OF HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA, as represented by the Minister of Water, Land and Resource Stewardship

The Hon. Nathan Cullen

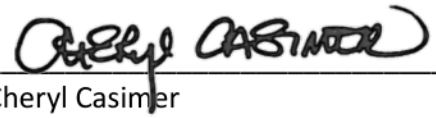
August 16, 2024
Date

SIGNED ON BEHALF OF THE BC ASSEMBLY OF FIRST NATIONS, as represented by the Regional Chief

Regional Chief Terry Teegee

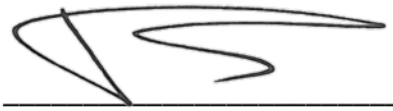
June 12, 2024
Date

SIGNED ON BEHALF OF THE FIRST NATIONS SUMMIT, as represented by the FNS Political Executive



Cheryl Casimer

Hugh Braker



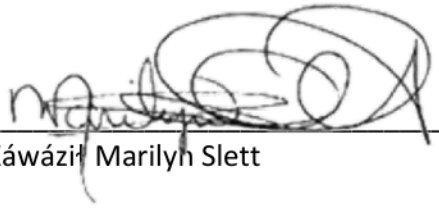
Robert Phillips

June 12, 2024
Date

ON BEHALF OF THE UNION OF BC INDIAN CHIEFS, as represented by the UBCIC Executive

Grand Chief Stewart Phillip

Chief Don Tom



Ḵáwáziɬ Marilyn Slett

June 12, 2024
Date

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Adventure Tourism Coalition and Task Force

KEY POINTS:

- The Adventure Tourism (AT) sector is an important contributor to the provincial economy and can provide environmentally sustainable economic opportunities that support reconciliation. The Adventure Tourism Coalition (ATC) represents 18 adventure tourism sectors.
- The purpose of the Ministry of Water, Land and Resource Stewardship (WLRS) Adventure Tourism Coalition Task Force (Task Force) is to undertake work related to policy, including planning and legislation, training and communication to ensure an effective and efficient process for all stakeholders. See Attachment 1 for draft Terms of Reference. ATC is keen to announce a Task Force early in the new mandate.
- Additionally, the Ministry of Tourism, Arts, Culture and Sport (TACS) and the Ministry of Environment and Climate Change Strategy (ENV) will be participating on the Task Force with the objective of identifying opportunities for the AT sector to thrive in British Columbia while also, protecting environmental and cultural values.

BACKGROUND:

- The ATC includes the Association of Canadian Mountain Guides, Backcountry Lodges of BC Association, BC Commercial Snowmobile Operators Association, BC Fishing Resorts and Outfitters Association, BC Ocean Boating Tourism Association (Ahoy BC), BC River Outfitters Association, Boating BC, Canada West Ski Areas Association, Canadian Ski Guides Association, Commercial Bear Viewing Association of BC, Guide Outfitters Association of BC, HeliCat Canada, Mountain Biking BC, Sport Fishing Institute of BC, Sea Kayak Guides Alliance of BC, Tourism Industry Association of BC, Wilderness Tourism Association of BC, and Aboriginal Tourism Association of BC.
- Adventure tourism sectors within the AT sector include sea kayaking, bear viewing, heli-skiing, fly fishing and mountain biking on the Provincial land base.
- The ATC aims to foster strong alignment and collaboration among adventure tourism organizations. It seeks to work with the Province, the public, and key stakeholders to create world class visitor experiences and robust rural economies.
- The ATC approached WLRS to propose joint work on key priorities outlined in a multi-phase Change Framework. After discussions, WLRS agreed to form a Task Force to work through the issues raised by the ATC.

DISCUSSION:

- The Task Force will develop a work plan. The ATC has proposed a Change Framework that will be used as an input to the work plan. The work plan will identify and prioritize tasks to be undertaken by Government and ATC based on the key priorities outlined in the Terms of Reference. The deliverables in the work plan will include:
  - Joint review of the existing *Land Act* Adventure Tourism Policy and the ATC's proposed Adventure Tourism Policy.

    a. Recommendations from this review will be provided to the Province for consideration and discussion. Through the Task Force, the Province will share and discuss the outcome of a provincial policy decision, while acknowledging there may be limitations on what can be shared.
    b. The Task Force may also consider alternative/innovative tenuring and future governance delivery models in addition to work on the key priorities.
  - Assessment of potential operational changes that will lead to more efficient decision-making processes, with consideration of the Province's broader efforts to transform the permitting process.
  - Development of shared communication and educational materials for both provincial staff and AT businesses.
- The Task Force, in collaboration with TACS, ENV (Recreation Strategy and Service Transformation and BC Parks Recreation, Sites and Trails), will ensure that the Province's operational policies align with its strategic framework for tourism and outdoor recreation.
- Advice/Recommendations

INDIGENOUS PEOPLES:

- The ATC includes a representative of the Indigenous Tourism Association.
- First Nation consultation will continue to be a crucial step in processing *Land Act* applications, and collaboration will be undertaken as appropriate regarding any resulting amendments to policy, legislation, or strategy.

FINANCIAL IMPLICATIONS:

- Advice/Recommendations

SUMMARY:

- The AT sector is an important contributor to the provincial economy. The Adventure Tourism Coalition represents 18 adventure tourism sectors, such as sea kayaking, bear viewing, heli-skiing, fly fishing and mountain biking.
- The Task Force was formed to ensure an effective and efficient process for all stakeholders. Any amendments to policy, legislation, or strategy resulting from the Task Force will be undertaken in collaboration with First Nations.
- TACS, along with ENV, will work to identify opportunities for the AT sector to thrive in British Columbia, while also protecting environmental and cultural values.

Attachment: Advice/Recommendations

PREPARED BY:

Michelle Porter
Executive Director
Lands Program
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REVIEWED BY:

	Initials	Date
DM	LH	Oct 08, 2024
CFO/EFO (if required)	CFO/A/EFO	Oct 2, 2024
ADM	CW	October 2, 2024
Program Dir/Mgr.	MP	

Page 0677 of 1021

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Advice/Recommendations

Page 0678 of 1021

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Page 0679 of 1021

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Page 0683 of 1021

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Page 0684 of 1021

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Advice/Recommendations

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Conservation Financing Mechanism

KEY POINTS:

- On October 26, 2023, the Province announced a $300M Conservation Financing Mechanism (CFM) to improve biodiversity, promote climate resiliency, and galvanize interest in conservation financing in British Columbic (BC).
    - Now called the BC Conservation Fund, it includes $150M from the Province, matched by a commitment to raise an additional $150M from the BC Parks Foundation
- As the custodial organization, the BC Parks Foundation collaborates with other philanthropic organizations and uses a crowd-sourcing approach enabling all British Columbians to help protect important ecosystems.
    - The Province's $150M investment is intended to attract additional contributions from individuals and the private sector.
    - Additionally, the BC Conservation Fund may secure federal support through the related Tripartite Framework Agreement for Nature Conservation.

BACKGROUND:

- Cabinet Confidences; Government Financial Information
  (Cabinet Confidences; Government Financial Information $60M in funding for Coastal First Nations and the Northern Shelf Bioregion (Great Bear Sea) Advice/Reco Cabinet Confidences; Government Financial Information and the broader province-wide CFM ($150M).
- Advice/Recommendations; Government Financial Information; Intergovernmental Communications

- The announcement for Bunchgrass Hills Conservation Area took place in spring 2023 and the Coastal First Nations funding was announced in summer 2024.
- The BC Parks Foundation administers the BC Conservation Fund independently from government. The Ministry of Water, Land and Resource Stewardship (WLRS) has an ex-officio role on the Fund's committee.
- The BC Conservation Fund operates under a Project Finance for Permanence (PFP) model, which supports funding from the pre-planning stage through to ongoing stewardship and management once an area has been designated for conservation. This approach ensures that funding commitments are secured in advance to cover all aspects of long-term conservation.
- In addition to supporting the protection of biodiverse areas, the BC Conservation Fund will support sustainable management of old growth forests, which can include areas that are managed to retain old growth and wildlife habitat attributes and to manage for ecosystem resiliency.
- Stipulations of the Provincial-scale grant agreement require that the BC Parks Foundation:
    - establish a dedicated fund, and a Strategic Oversight Committee, comprised of 50 percent First Nations members, other experts, and one ex-officio provincial government representative from WLRS, and share a Terms of Reference with WLRS (completed),

  - publicly commit to secure matching funds of $150M (completed),
  - develop a communication plan for the launch of the BC Conservation Fund and communication material that sets out eligible activities that can be supported and criteria for project selection (completed),
  - develop and share a three-year strategic plan, outlining how funding will be leveraged to further grow the capacity of the BC Conservation Fund (completed),
  - develop and share the program delivery model and business processes for the BC Conservation Fund, including how projects are prioritized for funding, criteria to be met, and inputs to be used for reviewing applications and making disbursement decisions (completed), and
  - provide WLRS with a summary of engagement carried out to inform the strategic plan and program delivery model (completed).
- The Province and the BC Parks Foundation have signed a Memorandum of Understanding (MOU) outlining how digital data and mapping information that supports program delivery will be provided, used, managed, and distributed.

DISCUSSION:

- The BC Parks Foundation has outlined in its Program Delivery Model report a funding plan under three streams: 1) Area-Based Conservation 2) Innovation 3) Education, Working Together and Public Support.
- An expression of interest (EOI) was issued by BC Parks Foundation in July 2024 for Stream One projects, which is organized into four phases:
  - Phase One: Identifying Biodiverse Areas - focus is on projects that have unique expertise and/or innovative ideas to improve our collective, provincial scale understanding of and access to biological and ecological data, methods, and tools.
  - Phase Two: Community Visioning, Capacity Building and Partnership Support - focus is on projects that are not yet in formal government to government (G2G) planning discussions with the province.
  - Phase Three: Conservation Planning and Agreements - focus is on funding projects that have secured an internal mandate, capacity, and partnerships to advance conservation, and that are ready or have entered into G2G planning or other conservation agreements.
  - Phase Four: Long-term Stewardship and Restoration of New Conservation and/or Indigenous Protected Areas - focus is on funding projects in areas that have recently been designated for conservation, and that are ready to be stewarded and restored (where required) over the long-term. This phase includes sustainable economic opportunities that are in line with conservation.
- EOIs will be accepted until September 30, 2024, at which point they will be reviewed with the aim of inviting proposals in early 2025.
- WLRS, with support of other ministries, will be assessing phase 2 EOIs to outline any potential impacts to Provincial interests/mandating for Land Use Plans, Forest Landscape Plans, and Water Sustainability Plans. This evaluation will be provided for consideration by BC Parks Foundation, who will maintain independence in funding decisions.

INDIGENOUS PEOPLES:

- The BC Conservation Fund is the first sustained, province-wide conservation financing program in Canada and was developed to be consistent with the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) and to promote First Nations governance or co-governance.

- The BC Conservation Fund will facilitate further First Nations-led protections for the lands and waters that are integral to British Columbians and to First Nations' culture and way of life.

FINANCIAL IMPLICATIONS:

- In 2023, the Province provided a $150M grant to the BC Parks Foundation Board who will leverage further donations from individuals and the private sector to increase the effects of this funding to raise an additional $150M. The combined $300M will be used to fund new conservation measures.
- The funds will be managed by the BC Parks Foundation and will be overseen independently from government by a special committee that includes First Nations.

SUMMARY:

- The BC Conservation Fund will enable the Province, working with First Nations, to conserve critical habitat, better manage for climate change, protect more of BC's land and water and support old-growth measures.
- Conservation financing is critical to supporting the implementation of conservation measures that will help the Province achieve mandate deliverables of protecting 30% of the province by 2030 and protecting old growth forests.
- The Province is committed to taking a collaborative approach to provide modern stewardship for the Province's natural spaces and biodiversity for generations to come.

PREPARED BY:

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Strategic Partnerships, Policy & Legislation
Government Financial

REVIEWED BY:

	Initials	Date
DM	LH	Oct 7, 2024
CFO/EFO (if required)		
ADM	CW	Sept 23, 2024
Program Dir/Mgr.	RF	Sept 18, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Regional Management Committee Revitalization

KEY POINTS:

- Regional Management Committees (RMC) are Natural Resource Ministry (NRM) cross-agency structures that provide a forum for communication and coordination of activities at a regional level, including coordination of Indigenous engagement, negotiation of agreements, and operational decision-making.
- An RMC revitalization project was launched in 2022 focused on making RMCs more effective.

BACKGROUND:

- RMCs have a long history as a key coordination mechanism between NRMs and have been operating for more than 20 years.
- The initial drivers for RMCs were linked to the need to collaborate on land use planning and evolved over time to support engagement with First Nations, coordinating consultation, and working together on resource management projects.
- RMCs operate in each of the eight Natural Resource Regions of the province following the regional boundaries shared by Ministry of Forests (FOR) and Water, Lands and Resource Stewardship (WLRS). Each region has unique operating contexts including natural resource values and relationships with local First Nations and communities.
- RMCs have five Core NRMs involved: WLRS; FOR; Indigenous Relations and Reconciliation; Environment and Climate Change Strategy; and Energy, Mines and Low Carbon Initiatives. Other sector ministries participate as and when required.
- RMCs are integrated into the sector governance model to provide the regional operational perspective on projects and initiatives advancing to Cabinet for direction.
- The 2021 organizational effectiveness review highlighted the need to reinforce cross-ministry coordination and collaboration.
- Accountability for leading the RMCs rests with WLRS Area Executive Directors on behalf of the NRMs to promote sector integration and collaboration.
- Eight RMC Coordinator roles (AO24 level) and a dedicated Project Director role (Band 3) were added in WLRS in 2023 to focus on enhancing and rolling out updated processes, consistent planning tools, and improving communication with member ministries and Executive committees.

DISCUSSION:

- Collaborating on key regional initiatives, RMCs seek to achieve:
  - Scarce resources are focused on the highest priorities of the NRMs as a whole;
  - NRMs can support and implement agreements with First Nations governments;
  - Provincial policy and programs are better aligned with First Nations priorities and regional reconciliation strategies;
  - Land use decisions achieve the goals of the whole province (applying a sector-wide lens, not single ministry lens to decisions); and
  - The cumulative effects of natural resource activities are properly assessed and managed across NRMs.

- The current focus on the RMC Implementation Project is introducing and advancing the new Regional Cross-Agency Strategic Plans (RCASP) over the 2024/25 fiscal year. NRM-wide buy-in for this initiative and sustained WLRS capacity to support will be critical to deliver this initiative.
- RCASP supports NRMs in:
    - Making decisions on resourcing and sequencing work to achieve sector goals and minimize ministries working at cross purposes;
    - Informing provincial programs and policy branches with the cross-agency regional operational perspective;
    - Supporting alignment of funding with shared priorities (e.g., Indigenous Funding Program); and
    - Engaging with NRM executive on key regional initiatives of provincial significance.

INDIGENOUS PEOPLES:

- RMCs support the NRMs to collaborate and operate as “one government” when engaging with First Nations and implementing agreements with First Nations. RCASP will support the province being more coordinated in the approach with First Nations and respect the First Nations capacity for engagement.

FINANCIAL IMPLICATIONS:

- RMCs support the NRMs to plan and spend limited resources strategically and get the most value through government funding programs such as the Indigenous Funding Program.

SUMMARY:

- RMCs support cross-agency coordination and collaboration among the NRM at a regional level and ensure government decisions are informed by the regional operational perspective.
- The regional operational perspective is critical to understanding the implementability of agreements or initiatives.

PREPARED BY:

Chris Ens
Project Director
Reconciliation, Lands and Natural Resource Policy
Government Financial Information

REVIEWED BY:

	Initials	Date
DM	LH	Oct 7, 2024
CFO/EFO (if required)		
ADM	CW	Sept 18, 2024
Program Dir/Mgr.		

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Natural Resource Sector Wildlife, Fish and Habitat Reporting

KEY POINTS:

- The Strategic Investments Unit (SIU) in the Reconciliation, Lands, and Natural Resource Policy Division in the Ministry of Water, Lands and Resource Stewardship (WLRS) has been producing annual reports summarizing government's land-based investments for wildlife, fish and habitat, providing easily accessible, current information to executive, decision makers and staff. The reports span from 2020 to 2023. The 2023-24 report is in progress.
- For the 2023/24 reporting cycle, the SIU is expanding the scope of the reporting by including more program areas and is in the process of developing a second reporting series that tracks wildlife fish and habitat (WFH) projects led by proponents external to the provincial government, funded by provincial dollars and other funding sources.
- Currently, these are internal reports; however, there is growing interest from external funding agencies and the Minister's Wildlife Advisory Council (MWAC) supported by the Together for Wildlife (T4W) Strategy in having them become public facing to support better collaboration with external partners on the management of wildlife, fish and habitat values.
- The reports can easily be edited to make them available to the public once Government Communications and Public Engagement (GCPE) has reviewed them and provided recommendations.

BACKGROUND:

- WFH Investments Reports are available internally, including through the publication of a dashboard that makes the project spatial data available to staff.
- In June 2024, the 2022-23 WFH annual report was published. Improvements in how the project costs are collected have also been made this year in collaboration with Corporate Services for the Natural Resource Ministries (CSNR).
- Data is also now being collected for projects external to the provincial government that are funded in the 2023-24 fiscal year by BC Salmon Restoration and Innovation Fund (BCSRIF), the Habitat Conservation Trust Foundation (HCTF), and the Fish and Wildlife Compensation Program (FWCP). This is currently a voluntary request of these external partners as our data collation is limited by contractual constraints that the funders have in place with the external proponents.
- To date, the WFH annual reports and data have been used to support Resources Stewardship Division (WLRS) Estimate notes, and the development of metrics and indicators for the Tripartite Framework Agreement on Nature Conservation (TFANC) and may be able to be applied in a regional planning context.

DISCUSSION:

- These reports are sector wide and take time, effort and attention to detail to produce. Close collaboration with business areas across the sector is necessary and critical to maintain. The spatial data components are supported by the SIU team, and the spatial data has been positively received by the business areas.

- The SIU is developing a consistent methodology to guide the reporting of projects led by external proponents that considered the contract language of the existing agreements held between the provincial government and the external funding agencies.
- Ensuring that the SIU methodology for collating data is defensible and repeatable year over year will ensure the utility of this reporting in supporting the development of TFANC metrics and reporting. It positions these reports well for a transition to being public facing and accessible to First Nations governments and cross sector partners through the MWAC supported by the T4W Strategy in the management of wildlife, fish, and habitat values.

INDIGENOUS PEOPLES:

- Centralized reporting on WFH projects provides a wholistic, cross sector lens on provincial management of WFH values that can support ministry staff in discussions with First Nations on complex challenges such as cumulative effects and of climate change.

FINANCIAL IMPLICATIONS:

- N/A

SUMMARY:

- The data collation, which is provided under contract by Certes Applied and Natural Sciences Limited, for the 23/24 WFH is underway, and will result in two reports:
  - One summarizing all the projects led by provincial staff, and
  - One summarizing the projects led by external proponents funded by BCSRIF, HCTF and FWCP who opted into the WFH reporting.
- Reporting on government investments in wildlife, fish and habitat projects led by external agencies requires contractual agreements with those agencies to share their project data with the province.
- There is growing interest in having these reports be public facing to support collaboration with external partners.

PREPARED BY:

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REVIEWED BY:

	Initials	Date
DM	LH	Oct 7, 2024
CFO/EFO (if required)		
ADM	CW	Sept 9, 2024
Program Dir/Mgr.	HC	Aug 16, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Negotiating Consent and Shared Decision-Making Agreements (e.g. Coastal First Nations, shishalh)

KEY POINTS:

- British Columbia (BC) is committed to recognizing and affirming pre-existing Aboriginal rights, in part through implementing shared decision-making agreements, including under sections 6 and 7 of the *Declaration on the Rights of Indigenous Peoples Act* (*"Declaration Act"*).
- There are two section 7 consent agreements in effect, both with the Tahltan Central Government.
- There are also many reconciliation agreements with First Nations that include various commitments to develop and implement shared decision-making processes.
- The *Declaration Act* establishes a rigorous and transparent path to develop joint and consent based decision-making agreements, including stakeholder and public engagement requirements.
- In recent months, public and local governments have expressed concern and lack of understanding about government's approach to negotiating joint or consent-based decision-making agreements, such as, the proposed agreement with shíshálh Nation.

BACKGROUND:

- In 2019, the Province unanimously passed the *Declaration Act* as the framework for implementing the United Nations Declaration on the Rights of Indigenous Peoples ("UN Declaration").
- The UN Declaration recognizes the right of Indigenous Peoples to participate in decision-making in matters that affect them.
- S.6 and s. 7 of the *Declaration Act* enables the province and Indigenous Governing Bodies (IGBs) to enter into joint or consent-based decision-making agreements that recognize Indigenous decision-making concerning a statutory power or statutory power of decision.
- The *Declaration Act* defines an IGB as an entity, "authorized to act on behalf of Indigenous peoples who hold rights recognized and affirmed by section 35 of the Constitution." What constitutes such an entity is a matter of Indigenous self-determination.
- While s.6 and s.7 agreements can modify how a decision is made under another Act, the *Declaration Act* does not give legal effect to any modifications to decision-making power(s), so amendments may be required to the legislation containing the power(s) in order for the s.6 and s.7 agreements to be implemented.
- Procedural requirements around administrative fairness, process, clarity, and transparency and engagement are a critical part of any Declaration Act agreement, whether under s.6 or 7.
- The Declaration Act Action Plan includes commitments to negotiate s.6 and s.7 agreements (Action 1.3) and to amend legislation to enable agreements (Action 2.4). First Nations have increasingly expressed an interest in entering into these agreements, in particular relating to decisions concerning their waters, lands and resources.

DISCUSSION:

- The *Declaration Act* establishes a rigorous and transparent path to develop s.7 agreements. Advice/Recommendations; Intergovernmental Communications

- There are two signed s.7 consent-based agreements and one order to negotiate with the Tahltan Central Government. The agreements are limited to specific types of decisions in the context of mining activities in Tahltan territory.
- There are no existing s.6 agreements between BC and an IGB, Intergovernmental Communications As well, the *Child, Family and Community Service Act*, *Emergency and Disaster Management Act* and the *Adoption Act* were amended in 2024 to allow for the use of s.6 and s.7 agreements.
- The *Forest Act* includes amendments enabling s.7 agreements on Forest Landscape Plans, but those amendments have not yet been brought into force.
- In a consent-based agreement, the statutory authority to make a decision is modified to provide for the prior consent of an Indigenous partner. Under s.7, this would apply to administrative decisions, i.e., decisions that may be subject to judicial review in accordance with the *Judicial Review Procedures Act*.
- In a joint decision-making agreement, the provincial statutory decision-maker and IGB make decisions together under provincial legislation. Any joint decision is subject to appeal and judicial review as appropriate.

<u>shíshálh</u>

- On September 11, 2024, the Pender Harbour and Area Residents Association (PHARA) filed the first challenge of the *Declaration Act* in BC's Supreme Court, seeking to have the Act ruled unconstitutional. PHARA referenced the joint decision-making negotiations with shíshálh Nation over dock permits, which are issued pursuant to the *Land Act*, as their key concern, and additionally sought an order preventing the Lieutenant Governor in Council or any minister of the Crown from entering into any agreements pursuant to s.7 of the Declaration Act.
- Cabinet Confidences; Intergovernmental Communications

<u>CFN</u>

- In August 2024, BC and Coastal First Nations (CFN) signed a Reconciliation Framework Agreement that included a commitment to scope out and support the advancement of a mandate request for a s.6 or s.7 joint or consent-based decision-making agreement between BC and CFN.
    - The area of focus under consideration is statutory decisions under the *Fish and* Seafood Act, which WLRS is responsible for.
- CFN is an alliance of eight member Nations: Metlakatla First Nation, Gitga'at First Nation, Gitxaala Nation, Kitasoo/Xai'xais Nation, Nuxalk Nation, Heiltsuk Nation, Wuikinuxv Nation, and the Haida Nation.
- To date, the Province has not negotiated a s.6 or s.7 agreement with an entity that is made up of more than one First Nation. Intergovernmental Communications
Intergovernmental Communications

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Government Financial Information

SUMMARY:

- Advice/Recommendations; Intergovernmental Communications

- Intergovernmental Communications

- These agreements support reconciliation but can provide greater predictability and durability of decisions that can improve competitiveness and economic opportunities in BC.

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CFO/EFO (if required)		
ADM	CW	Sept 29, 2024
Program Dir/Mgr.		

Ministry of Land, Water and Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Strategic Resourcing Framework

BACKGROUND:

- Reconciliation agreements (RA) between the Province and First Nations are increasingly complex, broad in scope, and often change the nature of the province's working relationship with First Nations with respect to land, water, and natural resource management.
- Ongoing RA implementation requirements and detailed commitments - including those in treaties and incremental treaty agreements - further increase pressures on staff to deliver on multiple accountabilities.
- British Columbia (BC) must establish a rigorous approach to identifying RA implementation needs and strategic approaches to meet commitments established under these agreements.
- Staff at the Ministries of Indigenous Relations and Reconciliation (MIRR) and Water, Land and Resource Stewardship (WLRS) have been working together, with support from consulting firm Pricewaterhouse Coopers, to develop and pilot the Strategic Resourcing Framework (SRF).
- The Strategic Resource Framework (SRF) has two components: 1) a step-by-step process for identifying a need for human resources; 2) a long-term strategy to implement and improve Natural Resource Ministries (NRM) planning and coordination around agreement resource needs.
- The SRF was endorsed by the Assistant Deputy Ministers' Committee on Natural Resources on January 26, 2023, and by the Deputy Ministers' Working Group on Organizational Effectiveness on February 8, 2023.

DISCUSSION:

- Existing commitments and core business have staff working at full capacity. There is concern that British Columbia's (BC) capacity challenges are a risk to implementation of RAs and to relationships with First Nations partners.
- In early 2023, SRF methodology was applied to two internal pilots: 1) Treaty 8 implementation and 2) Baseline Workforce Assessment in Skeena Region. This allowed for further refinement of the tools and approach.
- Intergovernmental Communications

- The SRF represents a new approach to assessing resourcing implications and approaches, which will require training and support for staff. There is also an opportunity to engage with the Regional Management Committees, who have an established cross-agency mode of working, to provide input into the negotiations, implementation planning and resourcing requests.
- The SRF methodology is focused on identifying resources required to implement new RAs and to look across multiple RAs for efficiencies.
    - Other outcomes from this work include a better sense of the current baseline of resources versus existing needs across NRMs and supporting tools and processes to improve the cross-agency coordination of RA implementation and resourcing.
- This project has the potential to impact across Natural Resource Sector ministries and could have important timing implications for planned submissions, including the request for resources to support upcoming treaty implementation.

INDIGENOUS PEOPLES:

- While this project is internal to government, the approach to capacity for implementation of RAs has direct implications on agreements with First Nations, and BC's ability to fulfill agreement and mandate commitments.

NEXT STEPS:

- Prepare to apply the SRF to upcoming RA and treaties.
- Advice/Recommendations; Cabinet Confidences
-

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ADM	CW	Sept 23, 2024
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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water Land and Resource Stewardship

TOPIC: Co-developing Land and Resource Management Approaches with First Nations

KEY POINTS:

- Recognition of Aboriginal title and rights in the province's land and resource management regime provides greater predictability on the land and can reduce conflict and litigation.
- Consistent with the UNDRIP Action Plan, government is working to develop new strategies, legislation, and policy and to enter into decision-making and co-management arrangements with First Nations to support land, water, and natural resource management.
- The strategic shift towards co-management with First Nations will take time. It will occur through co-development with First Nations and leadership organizations and with the alignment of laws. Deep public and stakeholder engagement is also required to establish durable models.
- A depiction of the current land, water, and natural resource regime incorporates consultation requirements and supports partnership approaches with First Nations at all scales including site-specific monitoring, area-based operations, landscape level planning, and strategic policy and legislation (see Attachment 1 – Current State Land and Resource Regime).

BACKGROUND:

- Action 2.6 of the Declaration Act Action Plan commits to "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…"
- Much of the work undertaken by Natural Resource Sector Ministries (NRM) requires engagement and collaboration with First Nations. Engagement with the public and with industry stakeholders is also a condition of success.
- Expectations for meaningful engagement and co-development processes leading to co-management arrangements are heightened by government's commitment to consultation and cooperation in the *Declaration Act*.
    - At the strategic level, a working group between the Ministry of Water, Land and Resource Stewardship (WLRS) and the First Nations Leadership Council (FNLC) legal and policy staff has initiated work to explore a process for co-developing a co-managed land and resource system with Indigenous Peoples in BC. The Working Group is guided by the WLRS FNLC Relationship Protocol, which frames the work and mutual commitments that the parties will take to advance this commitment.
    - Regular meetings with Alliance of BC Modern Treaty Nations (The Alliance) happen quarterly to support collaborative work to ensure implementation of treaty commitments. The Alliance works together to advance and advocate for areas of shared interest, outlined in the Shared Priorities Framework, relating to the implementation of modern treaties in BC.

DISCUSSION:

- Co-management of land, water, and resources is a broad topic and all NRMs engage with First Nations in support of the management of lands and resources. Many of the challenges ministries face are shared, such as governance, shared territories, and capacity.

- Ministry staff have worked with Indigenous partners on developing a Biodiversity Framework, Coastal Marine Strategy, Wild Salmon Strategy, and Watershed Security Strategy (see other briefing notes on these topics). This is added to the broad range of work already ongoing to modernize land use planning, implement the Together for Wildlife strategy, and address the Auditor General recommendations pertaining to drinking water, species at risk and biodiversity, fish and aquatics, as well as many regional or local collaborative activities. (Action 2.8 of the Action Plan: "Collaborate with Indigenous partners on issues related to conservation and biodiversity in British Columbia (BC), including the protection of species at risk.)
- NRM policy development work on resource co-management is intrinsically linked to other critical initiatives in the sector. For instance, ongoing work on a New Fiscal Framework considers funding models for First Nations to benefit from resource management; S. 7 joint or consent-based agreements; comprehensive reconciliation negotiations such as Treaty or Reconciliation Agreements contain provisions for co-management of land, water, and resources.
- Well designed and inclusive models for the management of lands and resources can advance reconciliation and provide a strong foundation for improved environmental stewardship and sustainable economic development. The public and industry need to be deeply involved in the development of new models.

FINANCIAL IMPLICATIONS:

- BC funds the wide-range of activities with First Nations that may be considered 'co-management' in a variety of ways and through various initiatives, in particular the Indigenous Funding Program, and government-to-government agreements.
- NRMs seek resources through Treasury Board submissions, their Ministry budgets, or the Indigenous Funding Program to support engagement and agreement implementation with First Nations, First Nations Organizations, and Indigenous political bodies.

SUMMARY:

- The ministry provides policy, guidance, and convenes and coordinates efforts across the NRMs to work towards collaboration and co-management with First Nations.
- The ministry works across ministries, with First Nations and Indigenous organizations, and with industry to work towards co-management of land, water, and resources.

Attachment(s): Attachment 1 – Current State Land and Resource Regime

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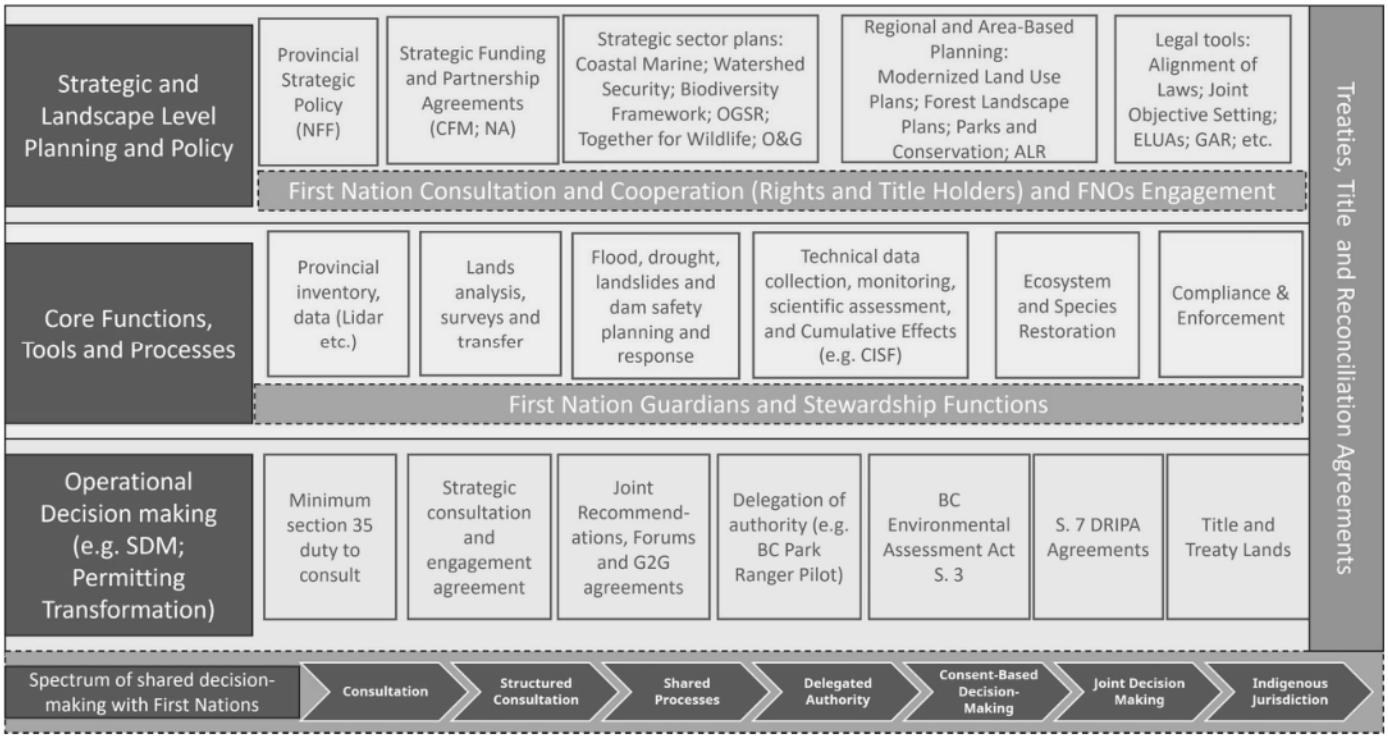
ADM	CW	Sept 29, 2024
Program Dir/Mgr.		

Attachment 1 – Current State Land, Water, and Resource Regime

Land, Water, and Resources Management Regime – revised October 16, 2024



BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: First Nation Consultation System

KEY POINTS:

- First Nation Consultation System (FNCS) supports the legal duty to consult First Nations about proposed resource decisions that may impact their Aboriginal or treaty rights by automatically gathering information from other systems and enabling greater consistency of assessments while creating a record in one centralized application. It brings together proposed activities, information, maps, processes, into a unified system.
- The high volume of proposed government activities that trigger consultation, and the requirement to share and coordinate information across decision-making agencies, necessitates the use of efficient digital tools. This allows the province to identify and address cumulative impacts and contributes to timely and durable land use decisions.
- Investments in ongoing improvements to FNCS are crucial to improving uptake, the efficacy, durability and integration of decisions, and facilitating government-to-government digital connections with First Nations – all contributing to efficient decision timelines.

BACKGROUND:

- FNCS is a web-based tool to assist staff in managing consultations with First Nations. It was released in fall 2022 to the former Ministry of Forests (FOR) staff as a minimum viable product – a tool with just enough features to manage consultation files while allowing the project team to collect learnings and better plan for future improvements.
- FNCS is one of three applications in a suite integrated to support consultation. The other two are: Profiles of Indigenous Peoples (PIP) and the Agreements, Rights and Title System (ARTS). All three were designed and built by the Ministry of Indigenous Relations and Reconciliation and the former FOR. The responsibility for the systems was transferred to Ministry of Water, Land and Resource Stewardship (WLRS) when it was created.
- Seven ministries, including FOR and WLRS, are in various stages of adopting FNCS. There are over 1,500 users managing over 5,300 proposed decisions in various states of consultation.
- It is estimated that government processes over 30,000 land use applications a year. Most of these applications may impact Aboriginal and or treaty rights and trigger a duty to consult First Nations. Each application will require consultations with between four and 18 First Nations depending on the region.
- The duty to consult is complex. The complexity is compounded with commitments in various agreements, requirements to coordinate across ministries to ensure consistent, complete and accurate materials, and consideration of cumulative impacts. Additionally, there is often a confusion regarding the commitments in the *Declaration Act*.
- The capacity of First Nations to participate in consultations is varied. Larger or urban First Nations often have significant land and resource departments, but smaller and more remote communities may have very little capacity. Intergovernmental Communications

Intergovernmental Communications

DISCUSSION:

- Industry and First Nations have consistently raised concerns about the volume and transactional nature of permits, and are looking for improvements that result in efficient, predictable, timely and durable processes and decisions. FNCS aligns with these goals, including the goals of Permitting Transformation Division by automating some key steps, bringing together information, and incorporating legal obligations while reducing steps and effort.
- FNCS is currently under-resourced and requires critical upgrades to maintain and improve user experience and further improve the efficacy, timeliness and durability of consultations.
  Advice/Recommendations; Cabinet Confidences; Government Financial Information

- This funding will support over 1500 provincial staff by making the system more user friendly, providing opportunities to digitally connect with First Nations, make it easier to coordinate consultations and consider cumulative effects, improve integration with other systems to support broader land management decisions.
- Advice/Recommendations; Cabinet Confidences

INDIGENOUS PEOPLES:

- First Nations were introduced to a mock-up dashboard service (in FNCS) in a series of workshops hosted by FOR in 2018. Most recognized the benefit of a dashboard service and the ability to digitally to connect to a government “referral system”.

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Cabinet Confidences; Government Financial Information

NEXT STEPS:

- Advice/Recommendations; Cabinet Confidences; Government Financial Information

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ADM	CW	September 27, 2024
Program Dir/Mgr.		

Page 0702 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Cabinet Confidences

Page 0703 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Cabinet Confidences

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024 (updated as of November 14)

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: First Nations Guardians

KEY POINTS:

- ‘‘Guardians” is a term used to describe trained members of First Nations who undertake a wide variety of activities on the land base, driven by the needs of their First Nation. Some First Nations call these positions by other names such as Liaisons, Watchmen, Wardens, Stewards, or Rangers.
- Guardians increase First Nations’ capacity to steward their territories, often undertaking crucial roles to support BC and First Nation partnerships in natural resource activities. The range of activities that Guardians may undertake includes restoration, conservation, emergency management, planning, stewardship monitoring and assessment, compliance monitoring, and cultural and traditional knowledge transfer.
- BC’s collaborative work with Guardians contributes to achieving economic, stewardship and reconciliation goals including supporting action 2.6 in the *Declaration Act* Action Plan.
- The Ministry of Water, Lands and Resource Stewardship (WLRS) Reconciliation, Lands and Natural Resource Policy Division leads the co-development of cross-agency strategic policy for Guardians, including co-developing the Guardians and Stewardship Training Initiative (GSTI) and other operational supports, and exploring policy for future pathways for Guardians.

BACKGROUND:

- Guardians and field-based monitors are an application of First Nations self-determination, serving as their “boots on the ground” and providing cultural expertise, stewardship, public safety, and awareness capacity. These activities are not new and have been undertaken by First Nations since time immemorial. Guardians’ roles reflect the context and priorities of each First Nation, including stewardship, compliance monitoring, protecting cultural heritage, sharing Indigenous knowledge and laws, as well as public education.
- BC supports Guardians through a range of partnerships and funding for collaborative initiatives across the natural resource sector, as outlined in Appendix 1.
- First Nations may use their own funding, as well as contributions from the federal and provincial government, and philanthropic organizations, to support their Guardians. There is currently no single funding program for guardians in BC. The Federal Government is currently funding a Guardians Program nationally.
- Several Provincial Action Plans and Strategies developed with First Nations reference First Nations stewardship roles or guardians.
- Many government-to-government agreements also include commitments to support interests to expand or develop a Guardians program.
- Multiple agencies work with guardians on the ground including Ministry of Forests (FOR) Natural Resource Officers, Ministry of Environment (ENV) Conservation Officers and WLRS’ Land Use Planning and Cumulative Effects Division, who work with Guardians on the ground in collaborative stewardship forum models.
- Government Financial Information

- In 2023/24, WLRS co-developed the GSTI with First Nations participating in a Guardians Working Group and conducted broader engagement with all First Nations in BC.
- Government Financial Information

- With support of the Guardians Working Group, WLRS entered into an agreement with the New Relationship Trust (NRT) to administer the funds. NRT launched the GSTI in July 2024, and was subscribed within 10 days.

DISCUSSION:

- Advice/Recommendations

- WLRS is also focused on providing operational support and exploring future pathways to support Guardians functions, including addressing gaps and opportunities raised in engagement. WLRS' work is informed by First Nations feedback received from the What We Know Summary Report and the BC Guardians Gathering Summary Report.
- WLRS is supporting work with ENV and FOR regarding First Nations partnering opportunities in compliance and enforcement roles, including sharing authority.
- In engagement, First Nations have consistently messaged that ongoing, stable funding is a top priority for BC to better support First Nations Guardians.
    - Advice/Recommendations

- Any new models of funding for Guardians should be co-developed with First Nations and align with BC's existing funding commitments such as the Collaborative Indigenous Stewardship Framework.
    - Guardians funding may be one component of a new fiscal framework, which the Ministry of Indigenous Relations and Reconciliation has committed to co-developing with First Nations, to provide First Nations governments with sources of revenues to deliver services and build healthy, secure and prosperous communities to care for their citizens and First Nations can manage their territories in ways that reflect their values.

INDIGENOUS PEOPLES:

- Any work to advance Guardians functions in BC must be co-developed with First Nations.
- WLRS' consultation and cooperation approach includes collaborating with technical experts in the Guardians Working Group, which includes 25 active members from First Nations and First Nation Organizations (Appendix 2).
- In addition, WLRS invited all BC First Nations to a BC Guardians Gathering held in Vancouver from February 28-29, 2024, and shared a discussion paper for feedback with all BC First Nations in order to inform the GSTI and future vision for Guardians.

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Government Financial Information

NEXT STEPS:

- WLRS will co-develop metrics for results reporting to demonstrate impacts and effectiveness of GSTI. WLRS will also work to make any needed adjustments to the program and support NRT in distributing FY25/26 of funding.
- Advice/Recommendations; Government Financial Information
- WLRS will continue to work with the Guardians Working Group to advise on the development of tools and operational supports for BC Guardians programs and on future policy direction.
- WLRS will continue to develop Guardians policy and incorporate internal cross-agency research into First Nation and BC compliance and enforcement partnerships and funding for Guardians. The next steps will be to seek direction on how to proceed on policy direction and to co-develop approaches to address these interests with First Nations.

Attachment(s):

- Appendix 1: Spectrum of Partnerships and Funding for First Nations Guardians Programs
- Appendix 2: Guardians Working Group Membership

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Appendix 1
Spectrum of Partnerships and Funding for First Nations Guardians Programs

Initiative Details	Details on the support for Guardians activities
Linkages and Commitments to Support Guardians	
Old Growth Strategic Review/New Future For Old Forests Action Plan FOR	The New Future for Old Forests Action Plan outlines action to change the paradigm of land stewardship in B.C. It includes mention of B.C.'s support for Guardians in the Guardians and Stewardship Training Initiative as well as the Collaborative Indigenous Stewardship Framework. Furthermore,Advice/Recommendations Advice/Recommend
Together for Wildlife WLRS	Together for Wildlife Strategy Action 21 outlines commitments to collaborate with participating Indigenous governments, existing guardian and compliance projects with a focus on wildlife and habitat stewardship. Funding has been provided for Guardians training through the Conservation Officers Service and the BC Parks Foundation.
Watershed Security and Strategy WLRS	Water Land and Resource Stewardship continues to focus on the co-developed Watershed Security Strategy and a resourced implementation plan to support its public release. The Strategy will represent a profound shift in watershed stewardship and is intended to shape water and watershed stewardship in British Columbia for the next 20 to 30 years. Strategic theme 4.1 in the Watershed Security Strategy and Fund Intentions Paper outlined commitments supporting intergenerational knowledge transmission and youth involvement in Indigenous Guardians and stewardship functions through strategy co-development and co-implementation and co-developing, with Indigenous Peoples, an integrated province-wide approach to Indigenous Guardians and stewardship functions and training. As the Strategy moves towards implementation, over time it will offer a number of opportunities to support the work of Indigenous Guardians through actions focused on First Nations self determination, Indigenous laws and knowledge and intergenerational knowledge transmission.
Biodiversity and Ecosystem Health Framework WLRS	The draft Framework which recognizes the importance of First Nations Guardians to support accountability, monitoring and transparency. There is a commitment in the New Future For Old Forests action plan to release a final Framework in 2025, Advice/Recommendations Advice/Recommendations
Government to Government (G2G) Agreements MIRR	Some G2G agreements include commitments to support stewardship and resource management, including Guardians, which may or may not include funding. In addition, B.C. and First Nations are pursuing revenue sharing agreements that may replace capacity funding on a program-by-program basis. These larger agreements are linked to B.C.'s commitments to co-develop a new fiscal framework with Indigenous Peoples that supports the operation of Indigenous governments, which could cover funding for Guardians.
Partnerships with Guardians (no funding provided to First Nations)	

Appendix 1
Spectrum of Partnerships and Funding for First Nations Guardians Programs

Integrated Resource Operations Division, Compliance and Enforcement Branch (Natural Resource Officers) FOR	The Ministry of Forests Compliance and Enforcement (C&E) Branch's Natural Resource Officers partner with many First Nations Guardians around the province. Joint inspections including inspection planning and Guardian ride alongs are common.Advice/Recommendations Advice/Recommendations; Intergovernmental Communications
Conservation Officer Service BC Parks Environmental Protection Division> Compliance and Environmental Enforcement Branch and Environmental Emergency Branch ENV	Both BC Park Rangers and Conservation Officers partner with First Nations Guardians on a range of initiatives including joint patrols, conservation efforts, and visitor use management initiatives. B.C. staff deliver training to Guardians by providing spots in existing training, or developing new training deliveries to meet the needs of Guardians. Collaborative training helps to build partnerships and supports two-way learning. The Chief Conservation Officer may appoint "Special Conservation Officers" under Section 106 of the Environmental.Management.Act which has been explored with some First Nations which are able to meet capacity and training requirements; however, there are no Special Conservation Officers currently operating. The COS also has collaborative enforcement Memorandums of Understanding (MOUs) with seven First Nations in the interior of B.C. that enable collaborative enforcement of hunting/harvesting restrictions on the Nation's membership in their territories in the interest of shared conservation concerns. COS' Restorative Justice and First Nation Relations team coordinates discussions about enforcement MOUs. COS also has an agreement with Maa-Nulth First Nations which enables COs to help enforce certain Maa-nulth First Nation Laws on treaty lands. The Kitasoo Xai'xais and Nuxalk First Nations, along with BC Parks, have launched a new Guardians Shared Compliance and Enforcement Pilot Program. The Pilot designates 11 Indigenous guardians with the same legal authorities as park rangers within the parks and protected areas in their ancestral territories, while they remain employees of their Nations. In regard to the scope of the Environmental Protection Division, First Nations Guardians or guardian-like positions may accompany Environmental Protection Officers (EPOs) on inspections

	to regulated sites for information-sharing purposes. Similarly, Guardians may play a role as part of the field spill response teams (sampling, shoreline cleanup assessment, or resources at risk) if their lands are affected by a hazardous material or harmful substance spill. For land-based spills that affect First Nation lands, Guardians would need to make arrangement with the Responsible Person to secure their involvement..
BC Wildfire Service FOR	B.C. Wildfire Services (BCWS) works with individual First Nations to enhance wildfire management capacity across the province, specifically within wildfire prevention/mitigation, preparedness, and response streams (e.g. First Nations economic development corporations contracted to provide services), through band and council/community. First Nation Community Liaisons and Community Engagement Specialist provide a conduit between First Nations and Fire Centres and Incident Management Team. Ideally First Nations fill these positions.
Accompanied Inspection Program EMCLI	The Accompanied Inspection Program (AIP) was created to enable a collaborative approach to compliance oversight activities in B.C.'s mining sector, engaging First Nations' Guardians/representatives in regulatory processes (i.e., mines inspections) while delivering on ensuring compliance and active oversight over mining activity in First Nations' territories. The AIP enables engagement with First Nations on compliance and enforcement activities throughout the mine life cycle. A key feature of the AIP is the co-learning environment, where Indigenous Guardians, inspectors, and mine operators collaborate to ensure accountability in monitoring environmental and cultural impacts. By participating in inspections, Indigenous Guardians ensure that conditions set during consultation are upheld, fostering transparency and collaboration between Nations, regulators, and mine operators. As an accounting mechanism, the AIP bridges consultation and compliance, providing certainty that Indigenous input informs regulatory decisions, compliance is maintained, and permit conditions are enforced. This ensures the oversight process is responsive to Indigenous values, fostering trust and partnerships. Engagement with First Nations through the AIP may also involve the following: • Compliance-focused training and education: Informing Guardians/FN staff of B.C.'s compliance practices, sensitive to the interests and needs of First Nations. • Inspection Planning Input: Incorporating First Nations' insights into compliance inspection strategies. • Site Visits - Facilitating mine tours at permitted mine sites or First Nation participation in inspections (i.e., accompanied inspections) to foster transparency and a shared understanding.

Environmental Assessment Office (EAO) ENV	EAO has a Compliance and Enforcement Indigenous Liaison Program that works with both First Nations and C&E Officers to ensure that Nations are involved in EAO inspections to the greatest extent practicable. Participation is seen by EAO C&E as a critical aspect that links the consultation, certificate requirements and field verification processes together in a transparent and effective manner. Section 50 of the Environmental Assessment Act also allows for C&E Agreements respecting the exercising of the powers under sections 49, 52 or 53, though there are no active agreements signed with First Nations. EAO may also enter into agreements with First Nations enabling deeper collaboration on compliance and enforcement, such as the Environmental Assessment Collaboration Agreement with Lake Babine Nation.
Funding and Partnership for Guardians	
Collaborative Indigenous Stewardship Framework (CISF) WLRS	The Collaborative Indigenous Stewardship Framework (CISF) is an innovative form of collaboration and partnership between the Province and First Nations, designed to produce high-quality, accessible and trusted environmental information through regional stewardship forums. The CISF is also intended to explore how information reflecting Western and Indigenous knowledge can enhance natural resource decision-making through a collaborative land stewardship approach. There are currently 13 Forums in CISF and 110 participating First Nations (not including Marine Areas Partnership Plan and Great Bear Rainforest, which encompass a further 43 Nations working through a regional Forum model). Nations often choose to deliver their regional stewardship work through Guardians. Other First Nations may not currently be involved in CISF but may have a Guardians program and/or are participating in other regional planning or technical tables with the Province. Advice/Recommendations; Cabinet Confidences; Government Financial Information Advice/Recom. CISF receives matching funds from Environment and Climate Change Canada (ECCC) through a three-year Contribution Agreement for FY23/24 to FY25/26 totalingGovernme Governme to directly fund Nations through CISF, plus Governm n salaries). This is a total ofGovern million in FY2024/25. Government Financial Information; Intergovernmental Communications Government Financial Information; Intergovernmental Communications This funding is allocated to Forums and a growing number of Nations outside of Forums (to the extent the current budget can support) to support shared work priorities. Much of the work is undertaken by First Nations Guardians or Guardian-like positions, therefore forums allocate

	approximately 1/3 of their annual budgets to Guardians' activities on the land base such as monitoring and assessments, data collection and protocol development.
Marine Planning Partnership (MaPP) WLRS	MaPP currently has an agreement to fund 8 guardians supported with MaPP funding in the Central Coast, with yearly budget around $385,000. MaPP also supports guardians in North Vancouver Island, but not in the same way as the guardians in the Central Coast. In December 2023, $60 Million in provincial funding was announced to support the Great Bear Sea Project Finance for Permanence (PFP) along with complimentary federal and philanthropic funds to provide long term Indigenous capacity resourcing of MaPP and other projects/collaborations in the Marine Protected Area Network which will likely include some financial support for Guardian activities.
Great Bear Rainforest Initiative FOR	The 2016 Great Bear Rainforest Land Use Order and Great Bear Rainforest (Forest Management) Act outlines the forest practices for the area and increases the amount of protected old-growth forest from 50% to 70%. Eight new areas covering almost 295,000 hectares will be off-limits to logging with 85% (3.1 million hectares) of the forest protected and 15% (550,000 hectares) available for logging to support local jobs and strengthen the region's communities. Coast Funds was created in 2007 out of mutual recognition by conservationists, First Nations, industry, and government that a sustainable economy is vital to conservation efforts in the Great Bear Rainforest and Haida Gwaii areas of British Columbia. Funding is available for stewardship and conservation efforts (including Guardians) through Coast Funds for Coastal First Nations.
Indigenous Funding Program MIRR	The Indigenous Funding Program (IFP) is a MIRR base budget program with a Cabinet-approved governance framework and funding criteria for priority engagements, agreements, and strategic initiatives with Indigenous Nations and organizations. An analysis of IFP requests from FY2020/21 to 2024/25 found that at least $3.14 million has been distributed to support Guardians or Guardian-like programs in First Nations (this analysis excluded programs such as the ALP which are also funded out of IFP but noted separately in this appendix).
Aboriginal Liaison Program BCER	The Aboriginal Liaison Program (ALP) is funded through an agreement between the Province and the BC Oil and Gas Research and Innovation Society (OGRIS). ALP is administered by the B.C. Energy Regulator (BCER), which has funding agreements with each First Nation. B.C. contributes $1.5M per year to ALP, there are also contributions from the Canadian Energy Regulator and in kind contributions from BCER. Provincial funding for ALP is from IFP. ALP provides $150,000/ year to each of the 10 partnering Nations to hire "liaisons" to monitors, observe and report to their communities about resource development activities on their traditional territories. This includes joint patrols, ride alongs and inspections with NRS officers, during which liaisons may provide compliance oversight and report any infractions observed to the regulating agencies. ALP also

	provides liaisons with training opportunities to improve their knowledge and understanding of development activities and impacts, and enables them to inform their communities with objective, reliable, and sound information.
Forest Landscape Planning FOR	B.C. is working with First Nations, communities and the forest sector to develop Forest Landscape Plans, which are intended to bring high-level strategic land use planning direction to a specific forest management area and bridge the gap between strategic land use planning and operational/site-level planning. There are four pilot projects and an additional five FLP projects across BC. These tables support steps towards co-management and co-governance with more than 70 First Nations, communities, local government, industry and others. These include some funding for First Nations to participate in planning, which may include supporting Guardians activities to inform the plan. FLP and CISF are working together to identify aligned deliverables and opportunities to leverage existing regional Forum tables.
Forest and Range Evaluation Program FOR	FREP was established in 2003 to promote the sustainable management of B.C.'s forest and range resources by monitoring and evaluating the condition of 11 resource values under the Forest & Range Practices Act. First Nations are invited to participate in FREP and many First Nations send Guardians to FREP field training and assessments. Allocation from the FREP budget for First Nations participation in FREP has been approved for about $150,000 in total, for interested First Nations across the province which, to date, equates to approximately $5,000 per First Nation. The data collected under FREP provides a foundation of science-based evidence to evaluate the effectiveness of current forests and range management practices and policies, inform resource managers, and First Nations leaders, and enable the continuous improvement of forest and range stewardship in the province.
Emergency Management and Climate Readiness EMCR	The First Nations Emergency Management Partnership Tables provide an essential regional forum for First Nations emergency managers to build relationships, share knowledge, and guide service-delivery efforts supported by EMCR, Indigenous Services Canada (ISC) and other key Indigenous service providers. Partnership Tables were co-developed with First Nations to establish foundation of collaboration while honoring Indigenous self-determination and upholding the Declaration on the Rights of Indigenous Peoples Act and the Truth and Reconciliation Calls to Action. EMCR remains committed to supporting Partnership Table coordination and facilitation efforts with the First Nations Emergency Services Society (FNESS), the Emergency Planning Secretariat (EPS), along with host First Nation communities. First Nations have highlighted the need to build emergency management capacity at the community level. The province continues to it's efforts to address these gaps including significant increases in funding available to First Nations through the Community Emergency Preparedness Fund (CEPF) as well as stronger partnership with FNESS to support First Nations communities with application processes. First Nations or local authority Emergency Operation Centres (EOCs) might choose to utilize the Guardians for emergency management activities, and EMCR could reimburse those communities

	for eligible costs as predetermined through their Provincial Regional Emergency Operations Centre.
Provincial Funding Programs for Guardians	
Indigenous Skills Training and Education Program PSFS	The Ministry of Post-Secondary Education and Future Skills (PSFS) delivers two programs that fund Indigenous communities (First Nations, Métis and B.C. Association of Aboriginal Friendship Centres) to access skills training and post-secondary education leading to employment or self-employment. Some First Nations have used this to fund training for Guardians and stewardship work.
Indigenous Food Security and Sovereignty (IFS) Grant AF	The Ministry of Agriculture and Food (AF) has a mandate to coordinate with EMCR to develop long-term strategy on emergency preparedness for food security in the face of worsening climate-driven disasters. Guardians may have a role in community food security. Nations can access Food Security and Sovereignty Grants to enhance sustainability and growth of the Indigenous agriculture and food sovereignty, and ultimately improve their food systems' resiliency in emergency events. The intention of the IFS program is to address existing gaps in supporting Indigenous agriculture and food projects while reviving indigenous traditional food systems, processing and resource management strategies that provides greater quantities and improved quality of foods in a sustainable way that promotes community health and lasting positive socio-economic impacts.
Guardians and Stewardship Training Initiative New Relationship Trust/ WLRS	WLRS received $8.9M over three years to co-develop an initiative to support training for First Nations Guardians and Guardian-like programs under B.C.'s Future Ready Action Plan, which was put together by PSFS. The initiative will support Guardians initiatives with up to $8.9M over three years. Based on direction from First Nations, WLRS transferred $3M funding in 2024/25 to the New Relationship Trust (NRT) to deliver the Guardians and Stewardship Training Initiative and plans to transfer another $3M in 2025/26. The Guardians and Stewardship Training Initiative offers grants to First Nation communities to support Guardians initiatives with funding for training, education, knowledge, and skills development to enhance local Guardians with capacity to manage, monitor, protect, conserve, restore, improve the stewardship of lands, waters, wildlife and other natural resources of their ancestral lands according to the traditions, values and indigenous laws of First Nations communities.
Other Linkages	
Indigenous Protected and Conserved Areas WLRS (policy lead)	An IPCA is a First Nation's vision and plan for lands and waters in their territory. IPCAs are defined by the First Nation and outline their stewardship approach, so each IPCA may look different and include different priorities. Guardians or Guardian like staff are often an integral component to the development and implementation of an IPCA.
Conservation Financing Mechanism WLRS	A new province-wide Conservation Financing Mechanism has been launched with a contribution by the province of $150 million and a matching commitment to secure $150 million from the BC Parks Foundation. This will fund new conservation measures to help the province reach its goal to

	protect 30% of land and water by 2030, support lasting environmental protection and old-growth measures that are led or supported by First Nations, as well as ongoing stewardship required for effective management of new conservation areas, including activities through Guardian programs in those areas, and support for low-carbon economic opportunities. The first intake of the BC Conservation Fund is currently open (Fall 2024) and may be used to fund Guardians activities identified that support new conversation measures.
Tripartite Framework Agreement on Nature Conservation WLRS	The Tripartite Framework Agreement on Nature Conservation (the Framework Agreement) is an agreement between the First Nations Leadership Council (FNLC), the Canadian government and the British Columbian government. The Framework Agreement will advance ecosystem health and biodiversity conservation through a cooperative approach that respects and integrates the rights and stewardship roles of First Nations. The Framework Agreement will contribute to the sustainability and the well-being of people and economies both now and in the future. It will do so by: • Protecting and conserving habitats • Restoring and enhancing ecosystems and habitats • Helping species at risk recover • Using nature-based solutions to mitigate and adapt to the effects of climate change, while also supporting biodiversity
New Fiscal Framework MIRR	B.C. is committed to co-developing a new fiscal framework with Indigenous Peoples that supports the operation of Indigenous governments, and recognizes Indigenous rights as outlined in the United Nations Declaration on the Rights of Indigenous Peoples (PDF, 150KB) (UN Declaration). As a first step, discussions on the New Fiscal Framework are focused on the co-development of a new forestry revenue-sharing model with First Nations. In the longer term, it is envisioned that the new fiscal framework may support all First Nations Land and Resource Management costs, including Guardians.
Modernized Land Use Planning WLRS	Modernized land use planning is led by the B.C. government in partnership with First Nations and with engagement of communities, local governments, industry and other stakeholders. It is an integral part of B.C.'s system of natural resource stewardship that advances partnerships and reconciliation with First Nations and achieves ecosystem conservation and economic development objectives. The B.C. government is working with First Nations, local government, industry, and stakeholders throughout the province on land use planning to set new management direction for public lands and resources. There are opportunities to support implementation of land use plans, including Guardians activities.

Appendix 2: Guardians Working Group Membership
September 16, 2024

Guardian Working Group Membership: First Nation/Council/Organization

3Nations Society	Nuxalk Nation
Aboriginal Liaison Program	Saulteau First Nations
Blueberry River First Nation	St'at'imc Chiefs Council
Coastal First Nations	Skeetchestn Indian Band
First Nations Emergency Services Society	S'ólh Téméxw Stewardship Alliance
Indigenous Leadership Initiative	Ts'elxwéyeqw Tribe Society
First Nations Fisheries Council	Tŝilhqot'in National Government
Gitxsan Laxyip Management Office	West Moberly First Nation
Kitsumkalum First Nation	Citxw Nlaka'pamux Assembly (CNA)
Ktunaxa Nation	Sts'ailes First Nation
McLeod Lake Indian Band	Malahat First Nation
Metlakatla First Nation	Nuxalk Nation
Nak'azdli Whut'en	Nanwakolas Council

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Haida Title Agreement Implementation

KEY POINTS:

- The Gaayhllxid • Gíihlagalgang "Rising Tide" Haida Title Lands Agreement (HTLA) recognizing Haida Aboriginal title to all Haida Gwaii was signed on April 14, 2024, and Legislation that recognizes Haida Aboriginal title in the laws of British Columbia (BC) was given Royal Assent on May 16, 2024.
- The Agreement describes a gradual implementation of title over Haida Gwaii to the Council of Haida Nations (CHN) over the coming several years.
- The HTLA sets out a process of transition where the parties negotiate specific agreements on the respective jurisdiction on matters of title, starting with protected areas, forestry and fishing lodges. The transition period is expected to take two to five years.
- In this transition period, BC and CHN have agreed that provincial laws and existing land and resource decision-making processes on Haida Gwaii will continue (the Solutions Table and Haida Gwaii Management Council, please see Appendix 1). These processes have been developed by BC and Haida Nation through a relationship of trust and respect over the past 20 years.
- Those decision-making processes will need to consider the recognition of Haida Aboriginal title, meaning some adjustments to decision-making considerations may be required to ensure they are consistent with Haida's Aboriginal title.
- Several legislative authorities covering natural resources are impacted by the Agreement, and the CHN and the Province have agreed (Advice/Recommendations; Intergovernmental Advice/Recommendations; Intergovernmental Communications

- Intergovernmental Communications

BACKGROUND:

- About 98% of Haida Gwaii is currently Crown land, with about half designated as parks or protected areas.
  WLRS has accountability for several statutes and authorizations on Haida Gwaii that are impacted by the transition, including (but not limited to) *Land Act, Wildlife Act*, and *Water Sustainability Act.*
- Existing provincial land-based authorizations for what are now Crown lands (tenures, permits, etc.) will continue to remain in effect through a transition period of two years or more, while negotiations take place with the Haida Nation to implement title on the ground.
- BC and CHN have agreed to engage with stakeholders and tenure holders during this process.

- In some cases, such as protected areas, the Haida Nation may assume full jurisdiction over time; in others, some aspects of decision-making may be shared. Over the next several years, the Province and Haida Nation will review BC laws that relate to land and resource decision-making and negotiate agreements about how different aspects of land and resource governance shift to Haida Nation.
- There are no changes to private lands, local government jurisdiction and government services. All of those will continue as they are now, in perpetuity, under provincial laws: airports, ferry terminals, highways, public infrastructure, health care services, and schools are not impacted. Provincial and municipal services will continue as they are today, including health, education, transportation, fire and emergency services.
- WLRS is identifying and analyzing each of the fishing lodge tenures on Haida Gwaii to support the transition discussions. Intergovernmental Communications
- Communications supporting materials including Frequently Asked Questions have been developed.

DISCUSSION:

- A cross-ministry implementation steering committee and support structure is being developed to:
    - Execute a cooperative approach to the implementation of the HTLA consistent with the BC strategy for Rising Tide.
    - Enable a corporate process that ensures that the negotiation of jurisdictional agreements under Rising Tide reflects BC strategy.
    - Corporately manage the transition period and all the BC statutory and operational decisions in a manner that supports the BC strategy.
- The committee will include Ministry of Indigenous Relations and Reconciliation (MIRR), WLRS, Ministry of Forests (FOR) and Ministry of Environment and Climate Strategy (ENV) and will also include staff from Ministry of Attorney General, and other Natural Resource Ministries (NRMs) as needed, including Energy, Mines, and Low Carbon Innovation and Ministry of Transportation and Infrastructure.
- The cross-agency coordination committee will also support government communication of Rising Tide internally so that all operational staff in WLRS, FOR, ENV (including BC Parks) can plan and adapt accordingly and support the external communications so that relationships with key stakeholders are managed and support the CHN.
- Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications

FINANCIAL IMPLICATIONS:

Business Information; Cabinet Confidences; Government Financial Information; Intergovernmental Communications

NEXT STEPS:

- Advice/Recommendations; Intergovernmental Communications
-
-

Attachments:

Advice/Recommendations; Intergovernmental Communications
Advice/Recommendations; Cabinet Confidences;
Intergovernmental Communications

PREPARED BY:

Victoria Klassen Jeffery
Senior Policy Analyst
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Government

REVIEWED BY:

	Initials	Date
DM	LH	Oct 8, 2024
CFO/EFO (if required)		
ADM	CW	September 27, 2024
Program Dir/Mgr.		

Page 0719 of 1021

Withheld pursuant to/removed as

Advice/Recommendations ; Interests of an Indigenous People ; Intergovernmental Communications

Page 0720 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Interests of an Indigenous People ; Intergovernmental Communications

Page 0721 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Interests of an Indigenous People ; Intergovernmental Communications

Page 0722 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Interests of an Indigenous People ; Intergovernmental Communications

Page 0723 of 1021

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Advice/Recommendations ; Cabinet Confidences ; Interests of an Indigenous People ; Intergovernmental Communications

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Rights assertions by non-Canadian-Based Indigenous Groups

KEY POINTS:

- The 2021 Supreme Court of Canada's Desautel Decision (*Desautel*) established the Lakes Tribe of the Colville Confederated Tribes, based in Washington State, as a modern-day successor of the Sinixt people.
    - As a result, the Lakes Tribe are "an Aboriginal peoples of Canada" for the purposes of S. 35 of the *Constitution Act,* 1982 and have established an Aboriginal right to hunt in BC.
- The *Desautel* decision also clarified that Aboriginal groups located outside of Canada with a credible claim to rights in Canada may be owed a duty to consult.
- The Ministry of Water, Land, and Resource Stewardship (WLRS) is accountable for developing a forthcoming consultation policy outlining how natural resource ministries will consult with non-Canadian-based Indigenous groups who assert that they are Aboriginal peoples of Canada under the Constitution.

BACKGROUND:

- Following the *Desautel* Decision, and the precedent for non-Canadian based Indigenous groups establishing S. 35 rights in BC, the Province received assertions of rights in BC under section 35 of the *Constitution Act, 1982* (Section 35 Rights) from the Southeast Alaska Indigenous Transboundary Commission (SEITC) on behalf of its member tribes based in Alaska for the Eskay Creek Revitalization project, and Lummi Nation based in Washington state for the Roberts Bank Terminal Two project.
- SEITC also provided notification of their request to be a "Participating Indigenous Nation" (PIN) on the Eskay Creek Revitalization project under the *Environmental Assessment Act, (2018)* (the Act).
- In 2022, SEITC's PIN request was initially denied under S. 14(2) of the Act; however, in January 2024, the Province received further ethnohistoric information from SEITC and Lummi Nation (U.S. Tribes) to substantiate their Section 35 Rights claims and support requests to be PINs; Legal Information
- In June 2024, the Province issued orders under the *Environment and Land Use Act* (ELUA Orders) setting out that for ten projects undergoing environment assessment (EA), SEITC (representing fifteen Alaskan Tribes) and Lummi Nation may not be participating Indigenous nations and Section 14 of the Act does not apply.
    - The term of the ELUA Orders is for a three-year period, until September 15, 2027, which provides the Province time to develop a policy framework regarding how it will discharge any constitutional duty to consult it may owe to U.S. Tribes.

DISCUSSION:

- Advice/Recommendations

- The ELUA Orders in no way restrict the province's ability to meet any constitutional obligations to consult SEITC or Lummi Nation. The EAO has been and will continue to consult with non-Canadian- based Indigenous groups on environmental assessments of projects, as will operational Ministries including Energy, Mines and Low Carbon Innovation, and Environment, as and when appropriate.

INDIGENOUS PEOPLES:

- During consultation with BC First Nations, some indicated they are supportive of the ELUA Order and approach to the development of a policy framework. To date, no BC First Nations have opposed the ELUA Order or approach.
- BC First Nations have also shared their concern that government will unilaterally develop a consultation approach for U.S. Tribes. Most BC First Nations have highlighted the importance of co-development of the Consultation Policy with BC First Nations.
- Intergovernmental Communications

CONCLUSION:

- Advice/Recommendations
-

PREPARED BY:

Emmy Beaton,
NRS Reconciliation Policy
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778-698-7101

REVIEWED BY:

	Initials	Date
DM	LH	Oct 7, 2024
CFO/EFO (if required)		
ADM	CW	Sept 19, 2024
Program Dir/Mgr.		

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Biodiversity and Ecosystem Health Framework

KEY POINTS:

- Nature is one of our greatest allies in addressing climate change, supporting healthy communities, and ensuring long-term economic stability and jobs in British Columbia (BC), and is central to our identity as British Columbians.
- Recent studies identify the conservation of biodiversity as one of the most important levers needed to ensure natural resource sustainability.
- The draft Biodiversity and Ecosystem Health Framework ("Framework") is intended to achieve a shared vision of healthy environments, communities, and economies by prioritizing ecosystem health in natural resource management decisions, advancing commitments in the *Declaration Act*, and establishing structures to improve working across levels of governments and with industry, scientists, and non-governmental organizations. (See Attachment 1)
- The Framework is also intended to drive policy cohesion and better align various program areas and initiatives to accelerate outcomes that reduce the risk and costs of catastrophic wildfires, floods, and drought; maintain or enhance important ecosystems services; and ensure food security (among many benefits).

BACKGROUND:

- The draft Framework was initiated in response to recommendation #2 of the Old Growth Strategic Review and as part of the associated action plan (New Future for Old Forests – From Review to Action).
- A draft Framework was made available for public review from November 15, 2023 - January 31, 2024, and included consultation with First Nations rights and title holders and engagement with multiple natural resource sectors, industry, local governments and others, resulting in over 7,000 responses.
- Most responses supported the draft Framework's vision for a holistic approach to the provincial land and water management system that considers ecosystem health, community well-being, and economic resiliency, and emphasized the need for further consultation, and clarity on implementation, and for concrete actions to protect biodiversity and species at risk.
- Several industry sectors expressed concerns regarding the lack of clarity and relationship to other policies, increased regulatory complexity, impacts to competitiveness and jobs due to uncertainty, and the importance of balancing trade-offs between environment and economy (see Attachment 2).
- The draft Framework builds on work underway to build a shared understanding of the current state of the environmental values, improve trust and transparency of information, promote effective decision support to prioritize key environmental values in natural resource decision-making, and ensure wildlife and their habitats thrive and enrich our lives.
- The draft Framework complements the Tripartite Framework Agreement on Nature Conservation, which identifies specific shared objectives among Canada, BC and the First Nations Leadership Council and its members and leverages federal funding commitments.

DISCUSSION:

- The Biodiversity and Ecosystem Health Framework will apply to all sectors and ecosystem types. The development process consists of two phases:
  - **Phase 1** focusing on collaborative development with First Nations of the content of the Biodiversity and Ecosystem Health Framework.
  - **Phase 2** will focus on co-developing legislative tools (e.g., new legislation and updating current legislation) and other enabling tools to achieve the vision and intent of the Framework.
- Since February 2024, BC government staff have been reviewing feedback on the draft Framework and meeting with First Nations rights and title holders (G2G roundtables/forums); following up ENGOs, academia, local governments, industry leaders and health professionals.
- Additional engagement is proposed following confirmation of mandate with the incoming government. Advice/Recommendations
- Advice/Recommendations

- The government continues to advance the conservation of biodiversity and ecosystem health through various initiatives aimed at improving landscape resilience and achieving biodiversity and conservation targets such as protecting 30 percent of BC's land and water by 2030.
- BC will continue to use, and improve, existing regulatory tools to protect and conserve ecosystem and biodiversity values and improve the resilience of BC's landscapes (e.g., changes made to remove the "unduly" clause in the Forest Planning and Practices Regulation under the *Forest and Range Practices Act* and updating the provincial list of species at risk).

INDIGENOUS PEOPLES:

- The draft Framework incorporates Indigenous World Views and aligns with a consistently expressed perspective that preserving ecosystem health and function is necessary for community and economic health.
- The decline in biodiversity and healthy ecosystems in BC disproportionately affects Indigenous peoples, threatening food sovereignty, health, and cultural practices.
- Continued consultation and engagement on the draft Framework and implementation partnership will meaningfully recognize different systems of law and supports a new co-management vision.

FINANCIAL IMPLICATIONS:

- Approving continued engagement of the draft Framework will not create any new fiscal implications for government. If the framework is advanced for finalization, a business analysis of implementation models will be developed to inform funding implications, including resourcing necessary for an Office of a Chief Ecologist if endorsed.

NEXT STEPS:

- Additional engagement to finalize the Framework is proposed with the confirmation of a new government mandate Advice/Recommendations
- Establish implementation structures in alignment / integration of new mandates.
- Implement priorities in partnership with First Nations and together with industry, organizations, communities, and the public.

Attachments:

Attachment 1 – Actions under Biodiversity and Ecosystem Health Framework Pillars
Attachment 2 – Letter to Minister Cullen – Biodiversity Framework

PREPARED BY:

Marnie Eggen
Senior Conservation Policy Analyst
Biodiversity and Ecosystem Branch

REVIEWED BY:

	Initials	Date
DM	LH	Oct 9, 2024
CFO/EFO (if required)		
ADM	JP	Oct 4, 2024
Program Dir/Mgr.	CD	Oct 1, 2024

Appendix 1- List of actions under Biodiversity and Ecosystem Health Framework pillars

Pillar 1 – Taking a whole-of-government approach

BC will work in partnership with First Nations, and seek advice from others to:

1. Establish an Office of Biodiversity and Ecosystem Health within the BC Public Service with the necessary powers and authorities to lead a coordinated and collaborative approach across government ministries and agencies to implement the Framework. Including:
    a. Improving the collection, coordination and sharing of information on the status of ecosystem health.
    b. Leading the development of ecosystem health and biodiversity objectives and standards for key ecosystems (e.g., forests, wetlands, grasslands) that can then be recognized in planning, policies and processes.
    c. Championing policies and approaches; and ensuring accountability to meet ecosystem health and biodiversity objectives and standards across government.
2. Co-develop with First Nations new legislation and amendments to existing land and water related provincial legislation that enable and support implementation of the Framework.
3. Strengthen policy cohesion across provincial government agencies and integrate biodiversity and its multiple values in decision-making processes, policies, programs.
4. Incorporate ecosystem health and biodiversity objectives and standards (see 1b) in all planning activities (e.g., Land Use Planning, Forest Landscape Planning, Watershed Planning), in a manner that enables First Nations and the Province to work together in an inclusive and transparent way to adjust the objectives and standards to meet the goals for specific areas. Planning activities will be based on ecosystem-based management principles to ensure:
    a. Ecosystems are managed in a way that minimizes biodiversity risk and ensures ecological integrity is maintained and increased.
    b. Cumulative effects of natural and human-caused disturbances are managed for desired future conditions.
    c. Protected areas and other effective area-based conservation measures are established, effectively managed, and equitably governed.
    d. Restoration is included as part of planning activities and is used strategically to improve landscape condition and ecological integrity.
    e. Ecosystems are managed to promote and enable sustainable economies and resilient communities.

Pillar 2 – Fostering & supporting a broader whole-of-society approach

BC will work in partnership with First Nations, and seek advice from others to:

1. Build and expand governance structures and processes that improve collaboration across sectors and within communities to enable local or regional decision-making.
2. Undertake broad education outreach and facilitate knowledge networks.

3. Create or use financing and economic mechanisms (e.g., conservation finance, carbon offsets) to enhance stewardship capacity and decision-making.
4. Implement transition measures to support economic stability and diversity within resource-dependent communities.

Pillar 3: Adopting an open, transparent, and accountable process

BC will work in partnership with First Nations, and seek advice from others to:

1. Develop concrete actions to start implementing the Framework.
2. Enhance oversight through monitoring, compliance, and enforcement by First Nations Guardian programs, registered professionals, and/or external oversight bodies working together to improve delivery of compliance and enforcement.
3. Regularly and transparently report publicly on the state of biodiversity and evaluation of progress in implementing the Framework and adjust response where needed based on the results of monitoring and evaluation (i.e., adaptive management).

January 30, 2024

Via Email: biodiversity.ecosystemhealth@gov.bc.ca

Honourable Nathan Cullen
Minister of Water, Land and Resource Stewardship
PO Box 9012 Stn Prov Govt
Victoria BC V8W 9L6

RE: Draft B.C. Biodiversity and Ecosystem Health Framework

Dear Minister,

The Business Council of British Columbia, the Mining Association of British Columbia, the Association for Mineral Exploration B.C., the Council of Forest Industries, the Canadian Association of Petroleum Producers, and the Explorers and Producers Association of Canada (the Associations) appreciate the opportunity to provide our input on the Draft B.C. Biodiversity and Ecosystem Health Framework (the Draft Framework).

Our organizations are committed to building economic prosperity for the benefit of all citizens of British Columbia. Our members throughout the province bring investment resulting in well-paying, family-supporting jobs in urban and rural communities. We understand the provincial landscape, natural endowment of species, and complex and varied ecosystems are all part of the vast potential of British Columbia. A healthy economy depends on a healthy natural environment and B.C. citizens, including those in the business community, care deeply about both. Sustaining the long-term capacity of both social and natural systems is important for British Columbia. This requires cooperation, prioritization, and recognition of multiple objectives when determining trade-offs in public interest decision making. It is within this frame that we offer the following comments:

1) In general terms, we support the desired outcomes articulated on page 5 and 6 of the Draft Framework focusing on healthy ecosystems, advancing reconciliation, effective stewardship and resilient communities and economies.
2) The principles on page 6 of the Draft Framework are reasonable, conceptually, but they lack definition, and it is unclear how they will ultimately support public interest decision making.
3) The three "Action Pillars" — taking a whole-of-government view, fostering, and supporting a broader whole-of-society approach, and adopting an open and transparent process — are useful guideposts but lack detail. We are concerned about how potential actions add to already complex and overlapping regulatory processes within natural resource sector ministries including and especially statutory decision making. Permitting and authorization timeframes are already a significant challenge in resource industries. Exports to global markets are highly dependent on international investment to develop new projects in mining, natural gas, and forestry operations which, in turn, sustain rural and urban communities throughout the province. As such, the certainty of process and process outcomes are critical for B.C.'s resource industries and any final framework must complement other efforts within government to improve the investment climate and permitting timelines for industries operating on the provincial land base.

4) We are very concerned with the fundamental premise of the Draft Framework which proposes a shift from government decision making that considers trade-offs to one solely focused on "policies, decisions, and actions [that] would first consider ecosystems" (page 4). This runs counter to ecosystem-based management which has multiple objectives and multiple pathways to achieving balanced outcomes in the public interest. Win-win outcomes do not result from having a "no compromise" decision making framework or objective, as appears to be the intended direction of the Draft Framework.

5) We are concerned with the focus of the Draft Framework on developing new regulatory mechanisms (i.e., proposed new legislation) as the primary approach to problem solving. Creating more statutory authorities and decision making in a new Office of Biodiversity and Ecosystem Health, adds to the cumulative cost of doing business in B.C. and could further undermine the relative competitiveness of B.C.'s trade exposed resource industries. This approach is also inconsistent with your mandate letter direction to "lead cross-government work to improve timing and transparency of permitting processes to support sustainable economic development, housing and infrastructure while maintaining high levels of environmental protection." Adding more regulatory requirements and processes runs counter to this goal. While there are potential efficiencies from coordination across agencies, it is critical your Ministry works closely with industry to ensure the regulatory system (in general and specific to the Draft Framework) does not impede investment which is already a significant challenge. We recommend a sharp focus on better, rather than more, regulation and rationalizing what exists instead of adding to the cumulative burden. As such, we do not support a new Statutory Decision Maker as seems to be contemplated.

6) Our associations have long supported reconciliation efforts with Indigenous people of British Columbia. We proactively seek opportunities to work with various Indigenous communities and companies throughout the province on an ongoing basis. Resource development (e.g., mining, energy, forestry, etc.) has unique and powerful opportunities to advance economic reconciliation given our substantial natural resource endowment and the location of Indigenous communities throughout the province. The Draft Framework should use the Declaration of the Rights of Indigenous People Act as an interpretive guide to help evolve ecosystem management and reconciliation, rather than as the sole foundation for the Draft Framework and decision making. This is an important adjustment to the starting point for further engagement on the Draft Framework

7) We share concerns about some language use and the overall tone of the Draft Framework. Readers could wrongly conclude B.C. is on the verge of a biodiversity collapse. The document also seems biased against and unbalanced in its sentiments towards industry. The government's own data on the amount of land currently under various forms of conservation protection shows that B.C. is a conservation leader within Canada. This should be acknowledged as should the outsized contribution B.C.'s natural resource export industries make to B.C.'s economic well-being and that unparalleled leadership of B.C. industries has made this possible. This must not be overlooked. We recommend clear and accurate representation of the of the positive state of ecosystem health along with the foundational importance of B.C.'s natural resource industries to the economic well-being of British Columbians.

We look forward to further engagement on the Draft Framework, along with an opportunity for our respective associations and their members to engage with you and your officials as the Draft Framework evolves, including implementation which we understand is already in process.

Yours sincerely,

Business Council of British Columbia Est. 1966

Denise Mullen
Director, Environment, Sustainability, & Indigenous Relations
Business Council of British Columbia

MABC MINING ASSOCIATION OF BRITISH COLUMBIA

Michael Goehring
President and CEO
Mining Association of B.C.

CAPP CANADIAN ASSOCIATION OF PETROLEUM PRODUCERS

Richard Wong
VP, Regulatory and Operations
Canadian Association of Petroleum Producers

COFI BC COUNCIL OF FOREST INDUSTRIES

Linda Coady
President and CEO
Council of Forest Industries

AME Association for Mineral Exploration

Keerit Jutla
President and CEO
Association for Mineral Exploration B.C.

EPAC The Explorers and Producers Association of Canada / l'Association des Explorateurs et Producteurs du Canada

Mike Fulsom
Director of Provincial Operations
The Explorers and Producers Association of Canada

cc: Honourable David Eby, Premier of British Columbia
Honourable George Heyman, Minister of Environment and Climate Change Strategy (ENV)
Honourable Murray Rankin, Minister of Indigenous Relations and Reconciliation (IRR)
Honourable Josie Osborne, Minister of Energy, Mines and Low Carbon Innovation (EMLI)
Shannon Salter, Deputy Minister to the Premier
Doug Caul, Deputy Minister, Office of the Premier
Kevin Jardine, Deputy Minister, Ministry of Environment and Climate Change Strategy (ENV)
Tom McCarthy, Deputy Minister, Ministry of Indigenous Relations and Reconciliation (IRR)
Lori Halls, Deputy Minister, Ministry of Water, Land and Resource Stewardship (WLRS)
Shannon Baskerville, Deputy Minister, Ministry of Energy, Mines and Low Carbon Innovation (EMLI)

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Ecological Corridors (Parks Canada Agreement)

KEY POINTS:

- In April 2024, the Government of British Columbia (BC) signed the BC-Canada Agreement on the Stewardship of Ecological Corridors, providing $5.4M in federal funding over three years, from 2023/24 to 2025/26, for investment in connectivity projects in areas of federal provincial, and First Nation priority
- BC is making strategic investments in areas of shared priority for Canada, BC and First Nations, with early focus in the Kootenay and Okanagan regions where biodiversity values are high and existing corridor projects are positioned for progress and partnership with First Nations.

BACKGROUND:

- Ecological corridors and connectivity are aligned with priority strategic initiatives in BC, including recommendations from the Minister's Wildlife Advisory Committee, and the Together for Wildlife Strategy. The Tripartite Framework Agreement on Nature Conservation between Canada, British Columbia and First Nations includes commitments to increase habitat connectivity and provides a supportive framework for collaboration, shared responsibility, and integrated planning.
- Stewardship of ecological corridors is also being raised through collaborative stewardship forums and landscape-level planning tables because of its importance to climate change adaptation, to maintaining biodiversity and to the local interests from First Nations in large animal movements.
- Parks Canada has identified broad areas of national priority where ecological corridor projects can be advanced by local or regional proponents; six of these occur in BC. The provincial government plans to concentrate local planning and action in a small number of local corridor areas to demonstrate progress. BC will also increase provincial coordination, support Indigenous reconciliation, and develop policy, knowledge and information for ecosystem connectivity and corridors where these align with current shared stewardship work.

DISCUSSION:

Early Focus Areas for Investment and Development

Advice/Recommendations; Intergovernmental Communications

- Advice/Recommendations; Intergovernmental Communications
-
-

INDIGENOUS PEOPLES:

- The Okanagan Nation Alliance, members nations of the K'tunaxa Nation Council, and the Shuswap Nation are all engaged in partnerships for ecological corridor stewardship.
- In partnership with the Habitat Conservation Trust Foundation, we are supporting First Nation-led habitat restoration by the Shuswap Lake Indian Band in the Ashnola Corridor.
- First Nations are also participating in monitoring within corridors and working with partners to incorporate Indigenous stewardship values into mapping in the North Okanagan.
- Prior to the BC–Canada Agreement, Parks Canada initiated the First Nation-led Indigenous-led Westcoast Stewardship Corridor project to map corridors on the west coast of Vancouver Island with 14 -15 Nations. Canada is deciding whether to continue its support in 2025/26.

FINANCIAL IMPLICATIONS:

- Government Financial Information
-

NEXT STEPS:

- Continue project and partnership development with First Nations, neighbouring jurisdictions, and others, to promote stewardship and advance knowledge.
- Define the policy and process for recognizing an ecological corridor in BC.
- Assess other areas of priority in the province for potential projects.

Attachment: Attachment 1 – National Priority Areas

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DM	LH	Oct 7, 2024
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ADM	JP	Oct 3, 2024
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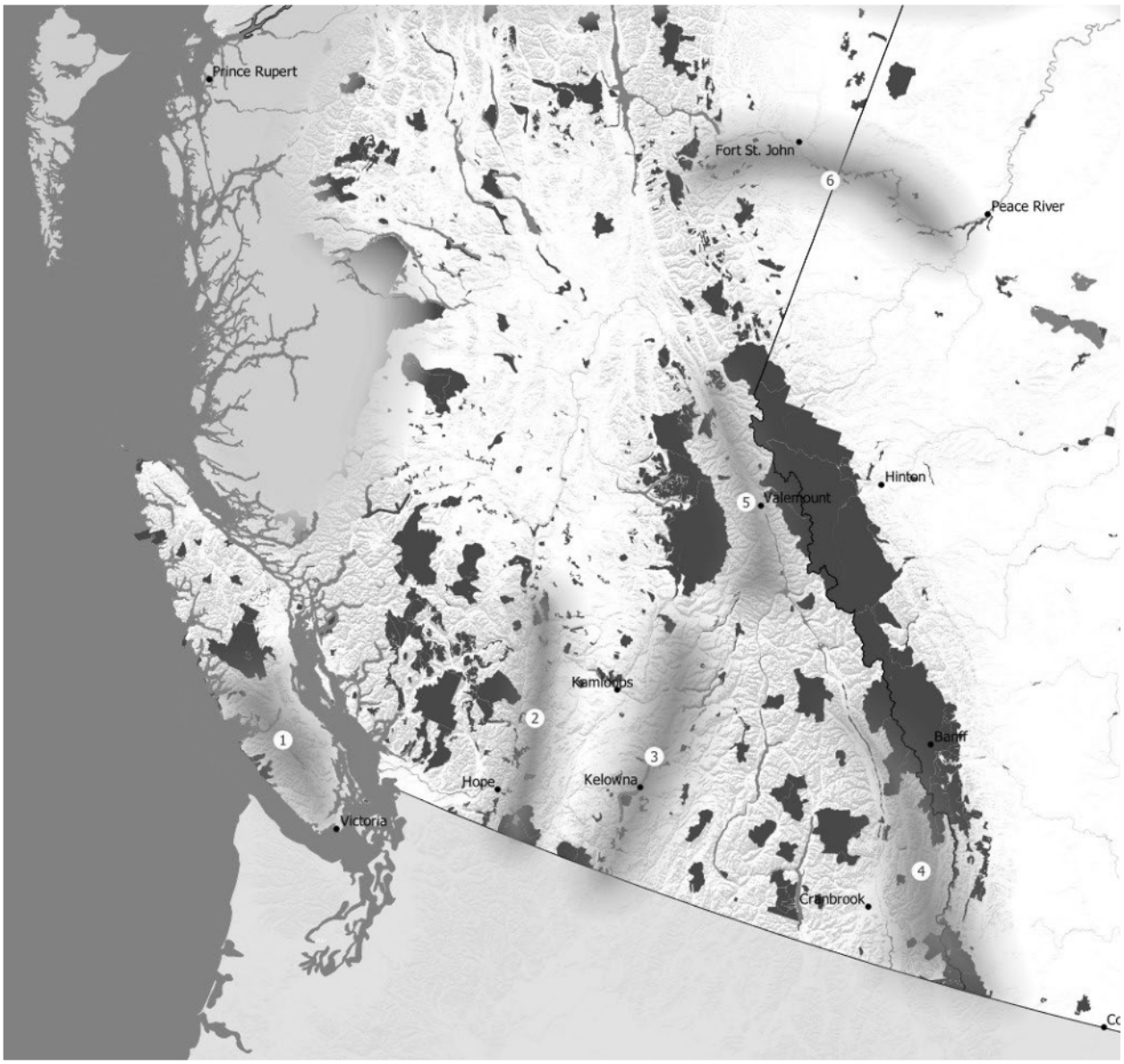
Attachment #1 - National Priority Areas

National priority areas for ecological corridor development (fuzzy green areas). Priority areas are not intended to become ecological corridors in themselves, but rather to provide a broad area where ecological connectivity projects can be advanced by local proponents.



BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Terrestrial Invasive Species

KEY POINTS:

- Invasive species are a major threat to British Columbia's (BC) biodiversity, economy, and human health.
- Sufficient resourcing and strong partnership, to coordinate and implement effective early detection and rapid response to invasive species incursions, is imperative for mitigating impacts and reducing long-term costs.

BACKGROUND:

- Invasive species are managed collaboratively by several ministries and non-government partners.
- The Inter-Ministry Invasive Species Working Group (IMISWG) is the coordinating body for invasive species management across BC government. A subset of IMISWG members form an Early Detection and Rapid Response (EDRR) Advisory Committee and guide the risk assessment process and response to high priority invasive species. EDRR is widely accepted as the most cost-effective and ecologically viable method to control invasive species.
- Ministry of Forests (FOR) is the lead for invasive flora and runs an established and comprehensive Invasive Plant Program for both aquatic and terrestrial plants.
- Ministry of Water, Land and Resource Stewardship (WLRS) is the lead for invasive fauna management, and expertise is provided by two divisions within WLRS: Resource Stewardship (terrestrial and semi-aquatic animals) and Water, Fisheries and Coast (aquatic animals).
- Terrestrial and semi-aquatic invasive animals with known or potential impacts to BC include invertebrates (e.g., giant hornets and Japanese beetles), amphibians and reptiles (e.g., bullfrogs, African clawed frogs and snapping turtles) and mammals (e.g., feral pigs, nutria and fallow deer).
- The Invasive Species Council of BC is non-profit organization that helps lead and coordinate efforts of citizens, businesses, government and industry to prevent the introduction and spread of invasive species. Board members include representatives from both FOR and WLRS.

DISCUSSION:

- Invasive species are recognized globally as the second most significant threat to biodiversity after habitat loss. They can spread rapidly, outcompeting and predating on native species, dominating natural and managed areas, and altering biological communities.
- Invasive species also pose societal and economic impacts including loss of productivity in agriculture, aquaculture and forestry, damage to infrastructure, hazards to human health and safety, and degradation or loss of recreational areas and activities.
- Feral pigs are one of BC's highest priority terrestrial invasive species. Although reported in low numbers in BC, risks from feral pigs include the degradation of ecosystems and altering of habitats and species composition through rooting, wallowing, preying on native fauna and competing against native species for food resources. Another notable concern is African Swine Fever (ASF), which is considered the largest threat to the global pork industry.
- The cost of invasive species to Canada's economy is significant (e.g., $2.2B/year for control and impacts from invasive plants alone in the agricultural sector*); $91M/year for impacts from zebra mussel in Ontario**).

- Once established, feral pigs could also pose substantial costs. For example, in the US feral pigs cause $2.5B/year (US) in damages and $75M (US) over five years in control costs. Over a five-year period in Texas, feral swine caused $300M (US) in damages from vehicle collisions alone.
- In BC, there is not one single authority for on-the-ground control activities for invasive fauna and there are often gaps in response and resourcing.
- Advice/Recommendations

INDIGENOUS PEOPLES:

- Invasive species are a threat to spiritual and cultural values through several impacts: damage to traditional foods, disturbance to cultural landscapes, transmission of disease, and ecological impacts to native habitats, plants and animals.
- The IMISWG works with Indigenous communities and partners throughout the province to help prevent the introduction and spread of invasive species. Management of invasive species to reduce their impacts is a very significant mechanism of reconciliation.

FINANCIAL IMPLICATIONS:

- The financial costs of not managing invasive species effectively are documented above.
- Some investments have been made in the Invasive Plant Program (FOR) and Invasive Mussel Defence Program (ENV & WLRS). To date, invasive animal incursions have been addressed by WLRS on a case-by-case basis with limited resourcing (e.g., Together for Wildlife) and no ongoing and long-term program for response, management, and enforcement.

SUMMARY:

- WLRS is leading work to prevent and control the establishment of invasive animals.
- The ability to respond to invasive incursions and take proactive steps to prevent species establishment is limited by capacity, funding and appropriate legislation.
- The rate of spread of invasive species is expected to increase, especially with the effects of climate change. Early action (EDRR) will be vital to prevent species establishment and reducing control costs.
- Provincial leadership is critical to ensure an effective and coordinated approach to invasive fauna among all levels of government and partners.

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DM	LH	Oct 7, 2024
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Program Dir/Mgr.	CD	Oct 1, 2024

**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).*

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Tripartite Framework Agreement on Nature Conservation - Governance

KEY POINTS:

- The Tripartite Framework Agreement on Nature Conservation (TFANC) is an agreement among the Governments of Canada and British Columbia, and all members of the First Nations Leadership Council (FNLC).
- The purpose of the TFANC is to achieve more integrated and collaborative landscape-based approaches to ecosystem health and biodiversity conservation and tangibly contribute to the Global Biodiversity Framework (GBF), Canada's National Nature Strategy, and BC's commitments to reconciliation, sustainability, and a more prosperous natural resource sector.
- The parties to the TFANC formed the Tripartite Implementation Committee and subcommittees to support ongoing governance including performance management, coordination of funding, and communication and annual reporting.
- Many of the goals and objectives of the TFANC were underway prior to signing the Agreement in November 2023 including spatial land use and forest landscape planning; restoration of degraded ecosystems; recovery of species at risk; and improved collection and communication of data and information.
- A joint progress report on implementation, reflecting the collaborative contribution of all parties, will be published in late 2024, with annual reports thereafter.

BACKGROUND:

- Canada began negotiated "Nature Agreements" with interested provincial and territorial governments to advance mutually agreed upon actions and financial commitments to reach individual and collective conservation goals.
- Foundational to the TFANC is the pledge to work towards true and lasting reconciliation with First Nations, consistent with commitments to the United Nations Declaration on the Rights of Indigenous Peoples, in all aspects of the priority goals and objectives. It is the only Nature Agreement to date that is tripartite.
- The Canadian and BC governments are further exploring ways to enable and enhance the involvement of local governments, partners and citizens in the implementation of TFANC.
- The TFANC is intended to contribute to the sustainability and the well-being of people and economies, both now and in the future, by protecting and conserving habitats (e.g., 30 percent by 2030 including 4,000 to 13,000 km^2 of high priority at-risk old growth forests), restoring and enhancing ecosystems and habitats (e.g., at least 140,000 hectares of wildlife habitat across the province by 2024/25); helping species at risk recover (including priority species like spotted owl and boreal caribou); and using nature-based solutions to mitigate and adapt to the effects of climate change, while also supporting biodiversity.
- TFANC secured the commitment of a combined investment of $1B (for 2023-2026) with the potential for additional future investments (up to year 2030).
    - Canada contributed and/or earmarked funding (~$500M) from the Enhanced Nature Legacy (ENL) initiative, the Old Growth Nature Fund, Nature Smart Climate Solutions (NSCS) Fund, and the 2 Billion Trees (2BT) program.
    - BC is matching Canada's funding through existing programs such as Land Use Planning, Species at Risk Recovery, the Together for Wildlife Strategy, the Collaborative Indigenous

Stewardship Framework, and Indigenous Guardian Programs, among other sources (~$563M).

- BC has also invested in conservation through partnerships with the BC Parks Foundation on a conservation financing mechanism (the BC Conservation Fund) and with the Real Estate Foundation of BC and First Nations Fisheries Council via the Watershed Security Fund.

DISCUSSION:

- Implementation of TFANC is supported by the Tripartite Nature Committee and its sub-committees on Indicators (Performance Measures), Communication, and Funding.
- The Indicators sub-committee has co-developed preliminary metrics and is working toward a framework, inclusive of reporting on qualitative case studies.
- In addition to coordinating the first annual progress report, the Communication sub-committee is working on the implementation of a Communication Plan and jointly producing communication materials, including webpage content.
- The Funding sub-committee is working towards aligning and harmonizing federal funding with provincial stewardship goals related to TFANC objectives. BC has established an internal cross agency funding and coordination committee to support implementation and reports progress to the Assistant Deputy Ministers Committee on Natural Resources.
- On-the-ground actions are delivered in partnership with the First Nation government and Treaty Partners. Land use planning is the primary process expected to lead to conservation designations that contribute to the target of 30 percent of BC land and waters being protected to ensure inclusive engagement with communities and interest holders.
- ,Intergovernmental Communications
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FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Government Financial Information; Intergovernmental Communications
-

NEXT STEPS:

- Advice/Recommendations; Cabinet Confidences
-
-

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Tripartite Framework Agreement on Nature Conservation Implementation: Progress on Federal Funding

KEY POINTS:

- The Tripartite Framework Agreement on Nature Conservation (TFANC) is an agreement among the Governments of Canada and British Columbia, and all members of the First Nations Leadership Council (FNLC).
- The purpose of the TFANC is to achieve more integrated and collaborative landscape-based approaches to ecosystem health and biodiversity conservation and tangibly contribute to the Global Biodiversity Framework (GBF), Canada's National Nature Strategy, and BC's commitments to reconciliation, sustainability, and a more prosperous natural resource sector.
- Intergovernmental Communications

BACKGROUND:

- TFANC is a governance agreement between British Columbia, Canada and the First Nations Leadership Council (FNLC) that aligns habitat and ecosystem conservation and protection, habitat enhancement and restoration, species at risk protection and recovery, and foundational knowledge and information sharing programs. TFANC is not a funding agreement itself; instead, it is a forum to align existing funding, to improve efficiency of accessing funds, impact of funds, and to discuss potential future funding.
- TFANC represents a combined enabling investment of $1B (for 2023-2026) with the potential for additional future investments (up to year 2030); Canada has committed $500M from several federal programs, and BC is matching this through provincial initiatives.
- Federal funds include: the Enhanced Nature Legacy Fund (ENL; $175.76M); the Old Growth Nature Fund (OGNF; $50M); Nature Smart Climate Solutions Fund (NSCS; $170.92) Fund; and the 2 Billion Trees program (2BT; $104M for habitat specific projects).
- BC programs include Land Use Planning; Species at Risk Recovery; Together for Wildlife Strategy; Collaborative Indigenous Stewardship Framework; and, Indigenous Guardian Programs, among others.
- This level of collaboration has resulted in incremental additions to the federal funding commitment (e.g. $7.4M from Parks Canada's Ecological Corridors Program) and does not include existing bilateral agreements that support priority species (e.g., caribou) or places partnerships (southern interior grasslands).

DISCUSSION:

- Government Financial Information; Intergovernmental Communications
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- Working closely with federal, cross-sector provincial, and First Nations partners helps to ensure maximum success and impact toward the goals and objectives of TFANC and reduce administrative burden.

- Funding to date has contributed to indigenous-led conservation, recovery and management of species at risk, land securement through legal designations and acquisition by land trusts, restoration and enhancement of priority wildlife habitats, and provincial and First Nation capacity funding.

INDIGENOUS PEOPLES:

- Interests of an Indigenous People; Intergovernmental Communications

-

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Cabinet Confidences; Government Financial Information; Intergovernmental Communications

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SUMMARY:

- WLRS is working with federal, First Nations, and cross agency provincial partners to maximise the efficiency and effectiveness of all funding under the TFANC umbrella.
- Building understanding and creating improvements to internal BC processes will be critical for securing current and future funding opportunities, meeting provincial commitments, and achieving the full benefits and aspirations of the TFANC.
- Funding to date has contributed to reconciliation, economic and conservation goals and objectives.

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ADM	JP	Sept 30, 2024
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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Together for Wildlife Governance: Minister's Wildlife Advisory Committee and Other Associated Advisory Bodies

KEY POINTS:

- The Together for Wildlife Strategy (T4W) is the provincial strategy to advance the vision of thriving and resilient wildlife and habitat that enrich the lives of all British Columbians, while also advancing reconciliation and co-management, and improving public trust and confidence.
- Several advisory groups help guide the development and implementation of related program areas and policies: the Minister's Wildlife Advisory Council (MWAC), the Provincial Hunting and Trapping Advisory Team (PHTAT), the First Nations-BC Wildlife and Habitat Conservation Forum (the Forum), and regional wildlife advisory committees.
- The system of governance is intended to ensure that diverse views and perspectives inform priorities, inspire strong collaboration to achieve positive outcomes for wildlife and habitat, and improve communication.
- Some interest groups have expressed concerns about gaps in perspective and representation. It is expected that in the future new advisory committee may be permanently established (e.g., adventure tourism, recreation, animal welfare).
- Finding efficiencies and reinforcing shared objectives will be important to bring a coordinated approach to these multiple tables.

BACKGROUND:

- The three provincial-level advisory groups (MWAC, PHTAT, and the Forum) currently provide advice at the provincial level to the minister, executive, and program staff.
- Regional wildlife advisory committees are designed to provide advice at the regional level; pilots have been launched in the East Kootenay, Okanagan-Boundary and Thompson-Lillooet each with unique contexts of relationships and governance maturity (i.e., from information sharing to advisory).
- Collectively, these advisory groups represent a wide range of First Nations, stakeholders, and interested parties, ensuring that diverse perspectives - including Indigenous, scientific, and industry expertise - contribute to policy design and implementation.

DISCUSSION:

- Formed in 2020, the MWAC mandate is to work together to support the implementation of the T4W Strategy, as well as advising Ministers on province-wide wildlife and habitat issues, including advice on legislation and policy.
- Members are non-representative, appointed by the Minister, and must meet specific diversity and leadership criteria. Members are expected to provide expertise, through their diverse perspectives, to build consensus recommendations related to wildlife and habitat stewardship.
- Advice/Recommendations

- The council is also undergoing a change in membership, including the replacement of one co-Chair; up to six new appointments will be required in late 2024/early 2025.
- Current MWAC members have provided a draft letter and briefing note for the incoming minister [Attachment 1].

- The PHTAT provides hunting and trapping management advice to the province in consideration of conservation, First Nations, social and economic interests to influence and improve wildlife management practices that affect wildlife-use stakeholders.
- Members include the BC Wildlife Federation, Guide Outfitters Association of BC, BC Trappers Association, Wildlife Stewardship Council and BC Backcountry Hunters and Anglers, among others. The PHTAT was established in the early 2000s. Advice/Recommendations
- The Forum is a technical body that advises on Indigenous perspectives for wildlife and habitat stewardship; this group was integral in the development of the T4W strategy and the recent amendments to the *Wildlife Act.*
- The Forum does not represent rights and title holders and does not replace cooperation and consultation expectations. Membership fluctuates and has, at different times, included individuals from over 70 First Nations across the province.
- The Forum is a key partner in policy and program development with specific intention of weaving science and indigenous knowledge systems in an ethical space environment.
- Advice/Recommendations
- Regional wildlife advisory committees represent a variety of perspectives and provide opportunities for collaboration to improve wildlife stewardship at a regional level. Each will operate using structures that fit within the specific context of the region.
- It is envisioned the regional committees will interact with other existing tables (Land Use Planning, Collaborative Indigenous Stewardship Forums, Watershed Planning, etc.) with transparent, two-way communications and inclusive governance models that will improve coordination and collaboration, reduce gaps and inefficiencies, and build trust.
- Adventure tourism, recreation, conservation and animal welfare representatives have raised concern that there is insufficient representation of their interests in the current system of T4W governance. Advice/Recommendations

INDIGENOUS PEOPLES:

- Advancing reconciliation by honouring the principles of the United Nations Declaration on the Rights of Indigenous Peoples is central to all advisory bodies.

FINANCIAL IMPLICATIONS:

- Funding allocated for administration and meetings in 24/25 is approximately Governmen. This does not include FTE resources, which vary by advisory body.

CONCLUSION:

- The subject of wildlife and habitat can raise numerous issues that have strong interconnections to multiple provincial processes and accountabilities.
- Enabling time and space to foster a shared understanding among diverse perspectives on these topics benefits collaborative tables and the province's work more broadly.
- Clear governance, defined goals, and dedicated resourcing is critical to their success and to the success of provincial initiatives related to wildlife and habitat stewardship.

Attachment: Attachment 1 – MWAC new minister letter 2024 draft 2024-10-01

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DM	LH	Oct 9, 2024
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ADM	JP	Sept 27 2024
Program Dir/Mgr.	JW	Sept 20, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Together for Wildlife Implementation: Provincial Funding with Wildlife and Habitat (e.g. Together for Wildlife and former Land Based Investment Strategy Funds).

KEY POINTS:

- The Together for Wildlife (T4W) strategy has had positive impacts for wildlife and habitats since its release in 2020, through various projects and activities delivered through up to $10M of incremental funding per year.
- The Land Based Investment Strategy (LBIS) Funding - which supported the delivery of related habitat designation, species at risk, and fish and wildlife inventory programs among other categories - was transferred to Minister of Water, Land and Resource Stewardship (WLRS) base budget as part of recent Ministry organizational alignment decisions.
- Government Financial Information

- Securing sufficient, dedicated provincial funding for wildlife and habitat stewardship is an important issue for external partners, First Nations and the public.
- Through the planned five-year review of the T4W strategy, there is an opportunity to improve the investment model and funding alignment across multiple program areas to advance reconciliation and shared stewardship goals.

BACKGROUND:

- The T4W strategy was released in August 2020 after extensive engagement and collaboration with First Nations, conservation partners, and industry stakeholders. It 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.
- The public funding commitment for projects, staffing and administration costs was communicated as up to $10M per year and incremental to existing program and base budgets. Projects have been delivered across internal and external partners.
- The LBIS Program played a critical role in the long-term sustainability and stewardship of British Columbia's land and natural resources. Funding was directed to several “categories” including reforestation, invasive species management, water quality monitoring, etc. Government Government Financial Information

- Of the LBIS funds transferred to WLRS, wildlife inventory and habitat designations both overlapped with the goals and actions of T4W (Government Financial

DISCUSSION:

- T4W funding has supported hundreds of projects since the strategy was launched, many in partnership with community groups, non-governmental organizations and First Nations.
- Highlights of progress toward the 24 actions include: the Minister’s Wildlife Advisory Council (MWAC); the continuation of the First Nations-BC Wildlife Habitat and Conservation Forum

(Forum); the establishment of regional wildlife advisory committees in the Kootenay-Boundary and Thompson-Okanagan regions; introduction of amendments to the *Wildlife Act* and launch of a full legislative review; inventory and monitoring of varied species across BC; enhancement of data management and public-facing websites; launch of a scholarship program to enhance research; conservation land securement and restoration; and, work to advance co-governance and data-sharing with First Nations [see Attachment 1].

- There is a strong collaborative relationship among the T4W advisory groups (MWAC, Forum, Provincial Hunting and Trapping Advisory Team). Shared areas of interest include implementation of the *Wildlife Act* review, implementation of regional governance structures to support information sharing and prioritization of wildlife and habitat funding investments, and a dedicated funding model for wildlife stewardship.
- T4W is respected by advisory groups, but concerns about the pace of implementation, a perceived lack of progress on the ground, and access to and funding amount have surfaced. Advice/Recommendations; Government Financial Information
-

- The funding process also requires revision; the current model for project-based applications is resource intensive. Efficiencies for the 2025/26 fiscal year are being explored through the newly established internal to BC Funding and Reporting Coordination Committee and the Tripartite Framework Agreement on Nature Conservation. Advice/Recommendations; Government Financial Information; Intergovernmental Communications

- Advice/Recommendations; Government Financial Information

INDIGENOUS PEOPLES:

- Forum members are non-representative, technical experts from over 40 First Nations. The Forum co-drafted the T4W strategy and are partners in implementation.
- Goal 5 of the strategy is “Collaborative wildlife stewardship advances reconciliation with Indigenous governments”.

FINANCIAL IMPLICATIONS:

- Government Financial Information
-

NEXT STEPS:

- Immediately begin preparation of a summary report on progress to date, and launch a review of the T4W strategy in 2025, including external engagement to evolve T4W to an incoming government mandate and contemporary program areas.
- Advice/Recommendations; Government Financial Information

Attachment: Attachment 1 – DRAFT Together for Wildlife Strategy Key Accomplishments 2020-2025

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DM	LH	Oct 15, 2024
CFO/EFO (if required)		
ADM	JP	Sept 30, 2024
Program Dir/Mgr.	jw	Sept 20 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Wildlife Co-management

KEY POINTS:

- The Province is collaborating on a new vision of co-management with First Nations for the natural resource sector.
- Work on both legislation and policy to advance wildlife co-management and shared decision-making is progressing in partnership with First Nations and the First Nations-BC Wildlife Stewardship and Habitat Conservation Forum as part of implementation of the Together for Wildlife Strategy.
- Legislation to enable shared decision-making, co-management of wildlife, and alignment with the United Nations Declaration on the Rights of Indigenous Peoples is being considered through a comprehensive review of the *Wildlife Act* (the Act).

BACKGROUND:

- The Together for Wildlife Strategy characterizes co-management as Indigenous governments and the Province working collaboratively through the entire system of resource management – from inventory and supporting methodologies, engagement, analysis, decision-making, and effectiveness monitoring. This is distinct from shared decision-making, in which two governments share decision-making roles under provincial legislation.
- Action 18 of the Together for Wildlife Strategy commits to developing policy and legislative proposals to advance co-management and shared decision-making with First Nations governments.
- Using a distinctions-based approach, First Nations governments will determine, in partnership with the Province, what shared decision-making and co-management look like in their respective territories.
- Amendments were made to the *Wildlife Act* in 2022 to ensure that Indigenous Knowledge is incorporated into decision-making under the Act and to recognize and support traditional hunting protocols between First Nations. These amendments came into force on September 1, 2022.
- Legislation is only one component needed to enable wildlife co-management, and many examples of collaborative work and strong government-to-government relationships engaged in wildlife co-management are already occurring and expanding across the province.
- Examples of wildlife co-management and/or collaborative relationships between the Province and First Nations include the Collaborative Indigenous Stewardship Framework, government-to-government agreements that establish collaborative mechanisms for fish and wildlife stewardship, and collaborative development of hunting, trapping and angling regulation proposals.

DISCUSSION:

- The Province has begun engagement with First Nations to determine the best methods for enabling shared decision-making and co-management as part of the *Wildlife Act* Review. Early options identified include:
    - Advice/Recommendations

Advice/Recommendations

- A public facing webpage was launched in October 2023 to support early engagement. The webpage invites input from all members of the public on the engagement approach.
- Targeted engagement with First Nations, advisory bodies, and key interest groups occurred from October 2023 to March 2024. All engagement activity was paused prior to the election.
- Targeted engagement was specifically designed to do early co-development of policy intentions with First Nations. Other targeted engagement with existing advisory bodies is complementary and intended to focus policy intentions to areas of strong alignment.
- Advice/Recommendations
-

INDIGENOUS PEOPLES:

- As per the commitment in the *Declaration Act* to consult and cooperate with Indigenous peoples on the alignment of BC's laws with the UN Declaration, as well as the approaches to collaboration with First Nations outlined in the Together for Wildlife Strategy, development of wildlife co-management frameworks is occurring in partnership with First Nations.

FINANCIAL IMPLICATIONS:

- The *Wildlife Act* Review is supported annually through Together for Wildlife funding.
- As legislation and policy to advance wildlife co-management is developed and submitted for approval, fiscal requirements will be summarized in associated Treasury Board submissions.

NEXT STEPS:

- Advice/Recommendations
-

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Economic Benefits of Hunting and Angling

KEY POINTS:

- An estimated 87,054 adult British Columbia (BC) residents hunted within the province in 2023.
- Resident hunters annually contribute $329M in economic expenditures. This economic activity is principally in the form of large equipment purposes, fuel, accommodation, and supplies and services, primarily in rural communities.
- Guide outfitters and their clients add an $194.5M in economic output and $93.6M towards the GDP (2017 data).
- The sale of hunting licences, permit authorizations, and Limited Entry Hunt applications generates approximately $8M to $10M, annually.

BACKGROUND:

- A study was conducted in 2013 detailing the economic activity of resident hunters in BC.
- Information from this study was recently updated to reflect data from the 2023/24 hunting season. It is estimated that overall spending by resident hunters has increased 30 percent in nominal terms since 2012, increasing from $253M to $329M, annually.
- This estimated increase is larger than the corresponding inflationary increase which shows a 17 percent increase in hunting expenditures after adjusting for inflation.
- Expenditures per hunter have also increased since 2012 to $3,413, annually. In combination with the increased spending per hunter, the number of active hunters in BC has increased by approximately 10 percent since 2012, roughly in line with the 11 percent rate of provincial population growth.
- The 2023 estimate for active adult resident hunters in BC was 87,054, compared with 79,210 in 2012. Basic hunting licence sales totaled 106,623 in 2023 and 97,828 in 2012, indicating approximately 81 percent of those who purchased a basic hunting licence. This suggests that resident hunting licence sales are trending up, but the rate of use (when compared with total sales) seems to remain constant.

DISCUSSION:

- Hunting activities managed by the Wildlife Branch provide meaningful economic activity throughout the province.
- British Columbians enjoy many additional benefits of hunting that are not reflected in economic expenditure data, such as the annual harvest of approximately four million pounds of high-quality game meat, as well as social and cultural benefits.
- This analysis is only reflective of the hunting expenditures of licensed BC residents. Economic activity generated through non-resident hunters represents an additional $48.6M in annual expenditures and $194M in total expenditures and 2,500 jobs.
- Although not the subject of this analysis, recreational fishing in BC's freshwater streams and lakes is another important activity enjoyed by hundreds of thousands of BC residents and tourists and contributes approximately $1.0B in direct and indirect economic value annually.

INDIGENOUS PEOPLES:

- This analysis considered only economic expenditures by licensed hunters in BC and did not include information on hunting activity of Indigenous Peoples.

FINANCIAL IMPLICATIONS:

- Not applicable

SUMMARY:

- Hunting activities managed by the Wildlife Branch generate meaningful economic activity for BC residents and the Province.
- Hunting participation among BC residents is increasing approximately in proportion to provincial population growth.
- Hunting provides social and cultural benefits to British Columbians, including sourcing of quality meat and appreciation for and connection to the natural environment that have intrinsic value beyond just economic benefits.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Species at Risk Recovery

KEY POINTS:

- The Ministry of Water, Land and Resource Stewardship (WLRS) is accountable for species at risk recovery.
- WLRS leads the development of policy and guidance, coordinates recovery planning and implementation of actions, promotes awareness and stewardship, provides decision-making support, and implements land designations to protect and conserve habitat for at-risk species.
- WLRS advances species-specific recovery actions collaboratively across ministries, as well as through partnerships with different levels of government, non-government organizations, and stakeholders.
- Some species at risk are listed under the federal *Species at Risk Act* (SARA) which enables the potential of intervention by the federal government into provincial jurisdiction for natural resource management via an emergency protection order (SARA section 80).
- BC does not have stand alone species at risk legislation but relies on a combination of regulatory tools to achieve recovery goals.
- BC's commitment to recovery actions, and formal collaboration with Canada and First Nations, has mitigated the risk of intervention; however, third parties continue to petition Canada for action in some instances.

BACKGROUND:

- Species may be designated at risk when their population are not self-sustaining and threats (e.g., habitat loss, pollution, overexploitation, disease, etc.) to populations and habitats are persistent.
- Most wildlife are the jurisdiction of the provinces and territories. Under SARA, an emergency protection order can be put in place by the federal Cabinet restricting threats to individuals or destruction of critical habitat (including natural resource extraction).
- Currently, 288 species in BC are listed under SARA; 35 species were added in the last year.
- Of the 288 species, 107 species have legally identified Critical Habitat covering 31.3 million hectares in federally endorsed recovery plans.
- The "Effective Protection Test" under SARA is a key mechanism used to evaluate whether provincial laws are providing adequate protection for species at risk and their critical habitats on non-federal lands. If a species or its critical habitat on non-federal land is not considered effectively protected, the federal government may step in and use its discretionary powers under SARA section 80 to enforce protection.
- The federal Cabinet has considered emergency protection orders for caribou and spotted owl in BC. BC's commitment to species at risk recovery, documented in agreements with Canada and First Nations, informed the federal cabinet's decision not to establish emergency protection orders.

DISCUSSION:

- Specific species recovery plans are developed in collaboration with First Nations Rights and Title Holders and engagement with stakeholders and the public.

- Determining recovery actions begins with identification of a population objective that considers economic impacts and reconciliation opportunities and obligations.
- Implementation of recovery strategies include protection and special management of habitat, restoration of habitat, conservation breeding and penning, predator reduction, and supplemental breeding. Each species requires unique recovery actions and oftentimes many recovery actions are needed simultaneously to reverse the trend of the population.
- BC provides special management of over 34.5 million hectares of habitat for species at risk. Not all special management areas are identified as Critical Habitat and not all laws and regulations used are considered "effective protection" (e.g., discretion may be applied to exempt commercial forest harvesting activities).
- Using the above rationale, 81 percent of legally identified Critical Habitat in BC would not be deemed as protected by Canada.
- To improve recovery implementation, BC is advancing policy and regulation updates (specifically the removal of "without unduly reducing the supply of timber" under the *Forest and Range Practices Act* that had limited habitat protections), reviewing the *Wildlife Act*, and investigating specific guidance and training to support statutory decision makers.

INDIGENOUS PEOPLES:

- Many First Nations have historically depended on species now at risk for food, social, and ceremonial purposes reducing the ability of First Nations to exercise Constitutionally affirmed and Treaty rights.

FINANCIAL IMPLICATIONS:

- Government Financial Information; Intergovernmental Communications

- Government Financial Information

SUMMARY:

- BC is committed to the recovery of species at risk in the province.
- BC is improving outcomes for species at risk and mitigating the risk of Emergency Protection Orders by the application of multiple recovery actions in collaboration with First Nations.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Guide Outfitters

KEY POINTS:

- Guide outfitters are collectively a group of individuals (or corporations) that hold guide territory certificates (GTC) and/or guide outfitter licenses (GOL), which provide exclusive use of a defined area to operate commercial hunts and permit the hunt activities, respectively.
- The Guide Outfitter Association of BC (GOABC) represents most BC guide outfitters. The Wildlife Stewardship Council (WSC) is another representative organization that primarily serves coastal guide outfitters; 50% of their membership is Indigenous.
- The guide outfitting sector has increased its advocacy to maintain access and opportunities for commercial hunting activities due primarily to concerns and assertions that advancing reconciliation and settlement of First Nations title is disproportionately affecting the sector.

BACKGROUND:

- Guide outfitting has a long history in BC. The activity became legislated in 1961. GOABC is a key stakeholder representing approximately 180 outfitters in BC and was established in 1966.
- All non-resident hunters in BC must be accompanied by a guide outfitter.
- Guide outfitter harvest is managed through hunting regulations and, in some cases, a quota that is applied to the GOL.
- The Province's regulatory relationship is with individual holders of authorizations and there is a small number of outfitters and assistant guides that are not represented by GOABC or WSC.
- Both GOABC and WSC are members of the Provincial, Hunting and Trapping Advisory Team (PHTAT); an advisory group that brings forward issues and recommendations related to hunting, trapping and guiding policy and regulations.

DISCUSSION:

General

- Wildlife harvest allocation policy establishes the process to provide hunting opportunities to resident and non-resident (guided hunters). If a harvest opportunity exists after conservation and First Nations rights are considered, resident hunter allocation is prioritized over non-residents through allocation "splits".
- Guide outfitters are provided with a notional allocation for a five-year period to provide business certainty and assist in business planning, while ensuring wildlife populations are sustained.
- Guide outfitters are provided with an annual quota based on their notional allocation to divide the harvest across years and minimize any risk of over harvest.

Wildlife Act Review

- Guide outfitters are in the review of the *Wildlife Act* and have presented several proposals, most of which aim to increase certainty for their businesses, ensure regulatory accountability or improve wildlife management.
- Advice/Recommendations; Cabinet Confidences

- Legal Information

Court Challenges:

- **Peace Region:** The June 2022 changes to hunting regulations in the Peace Region reduced licensed harvest of moose by 50% and a full closure of caribou hunting. The changes were part of broader discussions with Treaty 8 Nations to address the findings in the *Yahey* decision. Guides have filed a lawsuit with respect to this issue, which has not yet been served.
- **Cariboo Region:** On June 26, 2014, the Supreme Court of Canada issued a decision granting Tŝilhqot'in National Government (TNG) Aboriginal title in the Declared Title Area (DTA). The TNG have not granted access to guides nor consented to guide outfitters operating within the DTA since a bridging agreement expired in 2019. One guide outfitter has filed a lawsuit which was served and is active.
- **Grizzly Bear Closure:** Guides remain frustrated with the decision by the Province to close the licensed grizzly bear hunt in 2017. There is an ongoing class action litigation over this decision.

INDIGENOUS PEOPLES:

- The Province has obligations to ensure First Nations rights are upheld and that their food, social and ceremonial (FSC) harvest needs are considered prior to license harvest being considered.
- The alignment of Indigenous laws with Provincial laws is resulting in a "rebalancing" point for acceptable harvest rate. Generally, First Nations are seeking more precautionary allocation.
- Ministry staff engage with First Nations on harvest needs and collaborate on the notional five year allocation for guide outfitters to advance reconciliation and co-management. Consultation is required on all statutory decisions for annual quota.
- Several First Nations are seeking joint decision making/co-management frameworks for allocation decisions.
- Guide outfitting by First Nations has not been affirmed as a right through the court system.

FINANCIAL IMPLICATIONS:

- Guide outfitters contribute approximately Gover nment to provincial revenues through commercial license and royalty sales.
- A study completed in 2017 estimated that the BC guide outfitting industry contributed Govern to GDP, created over 2,500 jobs, and hosted an average of 11,000 clients annually.
- An enshrined compensation framework would financially implicate the Province.
- A court judgement against the Province in the above noted court challenges would have financial implications.

NEXT STEPS:

- Advice/Recommendations; Cabinet Confidences

- Ministry staff are working to review and improve harvest allocation policies, procedures, and processes to advance reconciliation, improve the timelines of decision-making, and improve certainty for guide outfitters.
- VAdvice/Recommendations
  Ie
- Continue to respond to legal action.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Chronic Wasting Disease Response in British Columbia (BC)

KEY POINTS:

- Chronic Wasting Disease (CWD) was confirmed in two deer from the Kootenay Region earlier this year. No further positive tests were found with enhanced surveillance and targeted sampling in the areas of the two positive cases.
- Vigilance and continued efforts towards preventative measures and enhanced surveillance continue to be critical to informing management and limiting negative impacts on cervid populations and the communities that rely on them.

BACKGROUND:

- CWD is a fatal infectious disease affecting cervids (moose, mule deer, white-tailed deer, elk and caribou). Infected animals can transmit the disease to other animals and shed disease agent into the environment for months before appearing sick.
- Without rapid management intervention while disease prevalence is low, consequences of CWD have been documented to result in declining deer and elk populations, disrupted animal, human and environmental systems, and contaminated environments that act as ongoing sources of disease.
- If the disease establishes in cervid populations it could lead to irreversible conservations impacts to cervid populations, including at risk caribou, as well as impacts to First Nations by threatening access to food, social and ceremonial activities that rely on healthy and abundant cervid populations.
- Experts recommend limiting negative impacts by managing disease prevalence to the lowest possible prevalence by implementing strategies that help to reduce disease transmission and spread.
- The first cases of CWD in BC were confirmed in two deer samples from the Kootenay Region on January 31, 2024. Expanded surveillance and testing within the affected area suggests that CWD has been detected early and at a low disease prevalence which improves the possibility that management actions will have a positive effect if applied without delay.
- The Ministry of Agriculture and Food (AF) established the first CWD testing facility in BC in February 2024 to deliver expanded and timely testing to support decision-making.
- WLRS and AF have implemented mandatory testing of cervids as well as carcass transport and disposal requirements to support surveillance objectives and to help to reduce the risk of disease spread.
- Urban deer populations are at high risk for CWD given proximity within the populations and their interactions with wild populations. Provincial, First Nation and local governments are working together to address the risk of CWD in urban deer populations in Cranbrook and Kimberley.

DISCUSSION:

- The recent detection of CWD in BC elevated the need for immediate response and has required coordination across multiple Ministries and program areas that far exceeds the current level of capacity.

- The BC CWD Program (established in 2006) delivers prevention, surveillance, outreach, and response activities led by Wildlife Health staff with input and support from First Nations, stakeholders, CWD experts and technical advisors.
- In addition to the existing CWD Advisory Committee and Regional Working Groups, G2G tables have been established with First Nations (Ktunaxa First Nation, Shuswap band) directly impacted by the CWD outbreak within their territories.
- These collaborative tables have recommended management approaches and control objectives that are under review.

INDIGENOUS PEOPLES:

- CWD directly impacts First Nations by threatening access to food, social and ceremonial activities that rely on healthy and abundant cervid populations.
- CWD management tables have been established with First Nations Governments and community representatives to inform, guide and coordinate response efforts.
- Collaboration with First Nations in CWD management is essential to inform and support quick action and limit both short- and long-term impacts of the disease to cervids and the communities that rely on them.

FINANCIAL IMPLICATIONS:

- Initial response activities have been delivered using existing program budget and partner support. Additional resourcing will need consideration to continue to test, mitigate and control the spread of CWD in BC.

NEXT STEPS:

- Enhanced CWD surveillance and testing during the 2024 hunting season, coupled with ongoing review of western science and local Indigenous Knowledge, will provide information required to determine next steps in management planning.
- A tripartite table is working together to plan urban deer management activities for Winter 2025.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Land, Water and Resource Stewardship

TOPIC: Caribou Recovery in North Area and Partnership Agreement

KEY POINTS:

- In 2020, British Columbia (BC) entered into a bi-lateral conservation agreement with Environment and Climate Change Canada (ECCC) for Southern Mountain Caribou (SMC) and a legally binding inter-governmental Partnership Agreement with ECCC, Saulteau First Nations (SFN) and West Moberly First Nations (WMFN) for the conservation of the Central Group of SMC, both under Section 11 of the federal *Species at Risk Act* (SARA).
- In 2023, BC endorsed the Boreal Caribou Protection and Recovery Plan (BCPRP), co-developed with Fort Nelson First Nation.
- The Partnership Agreement commits to specific actions and the BCPRP outlines a phased implementation approach to caribou population recovery.
- Caribou are a priority species identified by Treaty 8 First Nations and are central to Treaty rights; WMFN, SFN, and FNFN provide considerable leadership recovering these populations.
- BC is an internationally recognized leader in caribou recovery due, in part, to the significant efforts in undertaking this work in partnership with Indigenous Nations.

BACKGROUND:

- Caribou in BC are categorized into three distinct groups – Southern Mountain (SM), Northern Mountain, and Boreal, each with distinct behaviors and life histories.
- SMC and Boreal Caribou populations have declined significantly over the last several decades resulting in their listing as “endangered” under the federal *Species at Risk Act*. Northen Mountain Caribou are listed as “special concern”.
- SM caribou are further categorized into subgroups geographically – southern, central, and northern. The SMC central group’s population steeply declined in the 2010s leading the federal government to investigate an emergency order under Section 80 of SARA, which would override provincial jurisdiction for recovery actions.
- The *Intergovernmental Partnership Agreement for the conservation of the Central Group of the Southern Mountain Caribou* (Partnership Agreement; February 21, 2020) mitigated the need of an emergency order and sets out agreed to recovery actions.
- The *Boreal Caribou Protection and Recovery Plan* (BCPRP) sets out recovery actions with focus on incremental habitat protection and habitat restoration while First Nation’s led land use planning in the area gets underway.

DISCUSSION:

- Intergovernmental Communications for SMC through the creation of the provincial Caribou Recovery Program (CRP) and through the signing and implementation of two SARA Section 11 conservation agreements.
- The Partnership Agreement for Central Group of SMC sets out and confirms actions to achieve the objective: *immediately stabilizing and expeditiously growing the population of the Central Group to levels that are self-sustaining and support traditional aboriginal harvesting activities consistent with existing Aboriginal and Treaty rights.*
- In 2024, a major provincial park expansion, Klinse-za Park, created a protection zone of almost 2,000 square kilometres for caribou and other species in northeastern BC.

- Land use objectives are also a key commitment of the Partnership Agreement, and their establishment is four years behind schedule. Pressure is increasing from WMFN, SFN and ECCC to increase habitat protection through land use objectives; however, community stability and transition away from a resource extraction economy are significant concerns of the public and local governments which is delaying engagement.
- The BCPRP meets the requirement of ECCC to have a plan for each Boreal Caribou herd, and its timely implementation provides a level of protection from a federal government intervention through section 80 emergency orders.
- Over 1.6 M hectares of new habitat protections are proposed for Boreal Caribou ranges largely within the Fort Nelson Timber Supply Area.

INDIGENOUS PEOPLES:

- WMFN, SFN, and FNFN are leaders in caribou recovery and are partners with the Province in caribou recovery of Central Group caribou and Boreal Caribou, respectively.
- The CRP is committed to achieving caribou recovery goals in partnership with these and other Title and Rights holders.
- Racist rhetoric, racism, threats of violence and acts of violence were experienced by both SFN and WMFN during the period following the signing of the Partnership Agreement and racism remains a significant concern by these and other Indigenous Nations.

FINANCIAL IMPLICATIONS:

- Government Financial Information Base operational funding is matched by contribution agreements with ECCC, collectively resulting in significant scale backs of recovery actions and participation of First Nations.
- Funding a long-term caribou maternity pen in the Central Group and meaningful and effective participation of SFN and WMFN is applied for on an annual basis through MIRR's Indigenous Funding Program.Intergovernmental Communications

Intergovernmental Communications

SUMMARY:

- Collaboration and partnerships with Indigenous Nations in caribou recovery is an important goal of the CRP. Strong relationships have been built between the CRP and SFN, WMFN, and FNFN for Central Group of SMC and Boreal Caribou recovery.
- Significant progress has been made towards the recovery of Central Group of SMC and Boreal Caribou, but recovery of populations and habitat is a long-term commitment.
- Caribou recovery is a long-term commitment that will require continued commitment to funding and resources.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Caribou Recovery Program Overview (Designated Unit 9, Central Group, Boreal)

KEY POINTS:

- Caribou recovery is a complex challenge, requiring multiple approaches across the landscape to help stabilize and reverse the decline of caribou herds in BC.
- The Caribou Recovery Program (CRP) was created in 2017 to advance recovery of the species to self-sustaining herds. Program decisions are inclusive of science and Indigenous knowledge.
- The CRP annually invests approximately $10M each year into population and habitat actions, partnerships, collaborative planning, and furthering knowledge through scientific research.

BACKGROUND:

- BC is home to 54 woodland caribou herds. Both Southern Mountain Caribou (SMC) and Boreal Caribou are listed as threatened by the federal *Species at Risk Act* (SARA). BC is taking steps to stabilize and recover these herds to self-sustaining levels which could support traditional aboriginal harvesting activities.
- In 2020, BC entered into a bi-lateral conservation agreement with Environment and Climate Change Canada (ECCC) for SMC and an inter-governmental partnership agreement with ECCC, Saulteau First Nations and West Moberly First Nations for the conservation of the Central Group of SMC, both under Section 11 of SARA.
- In 2023, BC and ECCC entered a contribution agreement to support the recovery of Boreal Caribou. This contribution agreement closely coincided with BC's endorsement of the Boreal Caribou Protection and Recovery Plan (June 2023).
- Multiple recovery tools are being applied to help stabilize and reverse the decline of caribou.
    - Predator reduction occurs in 15 of the 54 woodland caribou herds.
    - CRP has identified habitat restoration as a key, long-term management action to help caribou herds recover.
    - Other actions may include habitat protection and management, management of primary prey (i.e., species such as moose that support high predator densities and attract predators to caribou habitat), maternity penning, recreation management, supplemental feeding, and population augmentation.

DISCUSSION:

- Caribou are an umbrella species, meaning that by focusing on their conservation and recovery will benefit a wide range of other species that share the same ecosystem. Caribou are also an indicator of ecosystem health. Caribou are also a culturally significant species to many Indigenous peoples; subsistence practices can be considered an aspect of Indigenous rights under Section 35 of the Constitution and various Treaties.
- Human activities such as forestry, mining, oil and gas extraction and recreation (and associated roads, seismic lines, and pipelines) have altered caribou habitat in BC.
- Alteration of habitat alters predator prey dynamics leading to increased encounter rates between caribou and wolves.
- After years of research and implementation, we know that predator management is an effective, temporary measure to avoid the further decline of caribou herds in BC.

- The decision to reduce predator populations is not taken lightly. It is based on science, sound wildlife management principles, and follows policy. Of the 15 caribou ranges where predator reduction is occurring, 11 herds have responded positively (increasing population trends), while the other four herds require further monitoring to evaluate the impact.
- Habitat protection, restoration, and management are crucial for long-term caribou recovery.
- A significant portion of federally identified Critical Habitat under the *Species at Risk Act* has overlapping land uses, including forestry, mining, and oil and gas activities.
- Since the establishment of the CRP in 2017, additional areas have been protected (203,000 ha) through a Park and Protected Area expansion in the Klinse Za caribou range, and special management zones established (industrial moratoria across approximately 700,000 ha of high elevation winter and summer range of the Central Group).
- Habitat designations are being proposed under the *Forest and Range Practices Act* and *Energy Resources Activities Act* (approximately 1.7 million ha boreal forest), and through engagement with interested First Nations on establishing a habitat objective for caribou in southern BC (up to 500,000 ha).
- Designations are only counted toward the international target for protected and conserved areas if habitat disturbance is limited (e.g., surface disturbance prohibited).

INDIGENOUS PEOPLES:

- Collaboration and partnerships with First Nations is a priority of the CRP. Many Indigenous communities are leading or supporting caribou recovery through collaborative recovery planning and through implementation of actions on the ground.
- Many Indigenous communities have expressed a vested interest recovering caribou populations to levels that support traditional aboriginal harvesting.

FINANCIAL IMPLICATIONS:

- Funding through base program operational budget allocation is supplemented through contribution agreements with ECCC for both Boreal and Southern Mountain Caribou. BC is required to match funding from ECCC.

SUMMARY:

- The CRP was created in 2017 to ensure that self-sustaining herds thrive long into the future by making decisions based on science and Indigenous knowledge, engaging and partnering with First Nations, engaging the public and interested parties, and applying appropriate recovery tools.
- Significant resources continue to be required to maintain momentum and progress on the recovery of threatened caribou herds in B.C.
- Advancements in caribou recovery are ongoing through partnerships with First Nations and interested parties and application of recovery tools known to be effective.

Attachment: Attachment 1 – Map of Caribou Ranges in BC

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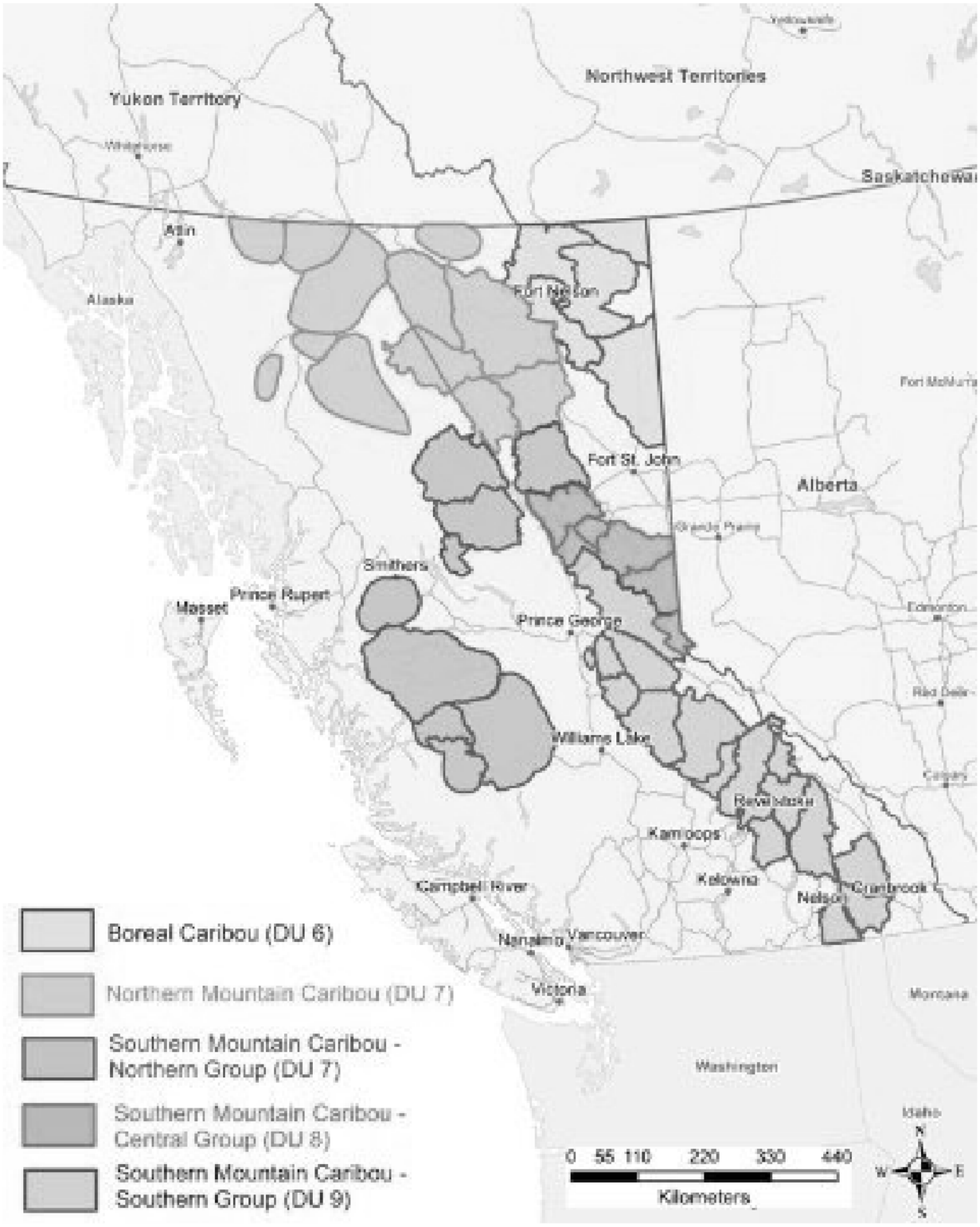
Attachment 1 – Map of Caribou Ranges in B.C.



BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Wolf Translocation

KEY POINTS:

- British Columbia (BC) has an estimated gray wolf population range between 5,300 and 11,600 animals. This population is widely distributed across the province and stable. There are no conservation concerns.
- The Province of British Columbia has signed a memorandum of understanding regarding the provision to the state of Colorado up to 15 gray wolves as part of the Colorado Wolf Restoration and Management Plan.
- Wolves will be captured from areas identified for predator reduction to support caribou recovery and translocated from British Columbia to Colorado between December 2024 and March 2025.

BACKGROUND:

- Wolves play an important role in ecosystems. Populations help maintain the balance and health of ecosystems by regulating species populations, enhancing biodiversity, and contributing to ecological resilience.
- Wolves also structure predator–prey systems. In specific areas, attempting to control wolves to reduce predation risk on endangered caribou has been a provincial priority since 2001.
- Years of research on predator reduction measures in BC show that reducing wolf density within prioritized caribou ranges has immediate, positive impacts on caribou populations.
- The resulting lowered predation pressure from wolves will contribute to increased survival and ultimately population growth for BC's threatened caribou herds.
- The province is also monitoring other prey species such as moose, elk and deer within these areas. While wolf reduction programs are conducted strictly to benefit caribou in the short term, they also lessen predation on these other prey species.
- Wolves remain abundant and widely distributed in nearly all regions of the province.
- Given the localized nature of the wolf reduction efforts to recover caribou, there are no concerns to the broader population of wolves distributed abundantly across the remainder of the province.
- BC provided wolves as part of reintroduction programs into the greater Yellowstone area of Montana and Idaho in the 1990s. The Yellowstone wolf reintroduction program is an internationally recognized by many as a conservation success story.

DISCUSSION:

- Wolves will be captured and transported by professional wildlife capture crews, placed in a temporary holding area in BC, and then flown by plane to Colorado for release.
- The process will follow strict procedures and considerations for animal welfare with a high level of oversight from BC government biologists, wildlife veterinarians, First Nation partners and in partnership with Colorado Parks and Wildlife.
- Currently, aerial wolf reduction is applied in 15 of the 60 identified woodland caribou populations in BC. A total of 248 wolves were removed in 2023-24 to support caribou recovery efforts.
- Predator reduction is a very controversial recovery action.

- While this translocation program can help support caribou recovery, and reduce the number of animals killed, it is not logistically feasible to apply this technique widely.
- This is the second year of Colorado's Wolf Restoration and Management Plan. In year one, wolves were sourced from a neighbouring state.
- Opposition for the project has been voiced by Colorado livestock producers, and one Tribe with territory in the release area.

INDIGENOUS PEOPLES:

- In consultation with First Nations regarding predator reduction to support caribou recovery, responses were mixed with some First Nations supporting and seeking to conduct their own programs, and others in opposition.
- Consultation is underway with First Nations; it is likely this project will be viewed favorably but unconfirmed.
- BC will only source wolves where First Nations are in agreement to collaborate on planning, implementation, and evaluation of the project. An opportuntiy for participation and ceremony will be provided if there is an interest by participating First Nations.

FINANCIAL IMPLICATIONS:

- Intergovernmental Communications
-

NEXT STEPS:

- Subject matter experts from BC and Colorado are developing an implementation plan.
- After an evaluation by all parties (Province, State, First Nations) it is possible for this project to continue as an annual project for the next three years.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Grizzly Bear Stewardship Framework

KEY POINTS:

- The draft Grizzly Bear Stewardship Framework (the Framework) and draft Commercial Bear Viewing Strategy (the Strategy) are set within an overarching objective to ensure grizzly bears do not become threatened or endangered and provide guidance for the consideration of grizzly bear values for proponents, decision makers, and participants on initiatives related to land and resource planning to steward and co-exist with grizzly bears in BC.
- The Framework and Strategy have undergone significant engagement with First Nations, wildlife interest groups, and the public, all of which have resulted in substantive changes and improvements to the document.
- There are expectations from First Nations (that collaborated on the drafts), stakeholders, and the Office of the Auditor General, that the Framework and Strategy be finalized soon.
- Completion of the Framework and Strategy still requires final consultation with First Nations and approval by the provincial government.
- Additional First Nations consultation on the Framework and Strategy is anticipated to commence, in collaboration with the Grizzly Bear Foundation, once the Writ has been returned, should the incoming government confirm intent to proceed.

BACKGROUND:

- Between August 2020 and October 2023, the Wildlife Branch engaged with approximately 85 different First Nations communities, 17 key stakeholder organizations, and online with the general public to develop the current draft of the Framework and Strategy. Engagement has included input and feedback from governments and organizations representing diverse interests in grizzly bear stewardship.
- BC is leading the development of the Framework; however, many engagement sessions with First Nations included staff from the Government of Canada because grizzly bears are a federally listed Species of Special Concern and Canada is concurrently drafting a federal management plan (required under the *Species at Risk Act)*.
- In summer 2024, planning for a final and additional round of consultation with First Nations was initiated in collaboration with the Grizzly Bear Foundation, a non-profit organization dedicated to grizzly bear stewardship. This work is pending confirmation once an incoming government is in place and scheduled to conclude in February 2025, if approved.

DISCUSSION:

- The engagement with First Nations by the Wildlife Branch on the Framework and Strategy was inclusive and ground-breaking. It was the first time a species stewardship framework underwent early engagement and scoping with First Nations on a provincial scale. The views, interests and perspectives of the engaged nations varied widely. Reducing bear-human conflict was a substantive area of common ground.

- Some stakeholder groups requested stronger, clearer language around licensed hunting (both for and against) and concern over the structure and function of regional advisory structures (proposed through Together for Wildlife). These requests were taken seriously and resulted in changes to the language in the most recent draft of the Framework. Changes included strengthening the language that the closed hunt will remain in place and clarification of the vision for regional advisory structures (mostly likely non-representative) and as being advisory, not decision-making entities.
- Both documents recognize the diversity in public interests, values, habitats and populations of bears within BC and place emphasis on local, regional, territorial, or population unit planning to achieve stewardship objectives.
- Overall, the First Nations, stakeholder, and public engagement processes went well and resulted in a draft Framework and Strategy that are based on science and Indigenous Knowledge, reflects broad interests, and finds objective balance among competing and contrary views.
- Advice/Recommendations

INDIGENOUS PEOPLES:

- First Nations in BC are deeply connected to grizzly bear. Many communities have oral or written laws that reflect the bears cultural and spiritual values. Many First Nations do not hunt grizzly bear, while several do for food, social and ceremonial purposes.
- Engagement with Indigenous Peoples occurred early and extensively to develop the first draft of the Framework and Strategy.

FINANCIAL IMPLICATIONS:

- Government Financial Information

NEXT STEPS:

- Final consultation and publishing of both the Framework and Strategy over winter 2025/26.

Attachment: Attachment 1 – Grizzly Bear Stewardship Framework

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British Columbia Grizzly Bear (*Ursus Arctos*) Stewardship Framework

Prepared for the Ministry of Forests

BRITISH COLUMBIA

Publication Date (TBD)

ABOUT THE BRITISH COLUMBIA GRIZZLY BEAR (URSUS ARCTOS) STEWARDSHIP FRAMEWORK

British Columbia is home to some of North America's last remaining places where large predators and their prey play out their millennia-old roles. Grizzly bears are a key part of these systems. Indigenous peoples have acted as stewards and have co-existed on the land with grizzly bears since time immemorial, in effect stewarding populations and conserving habitat. The goal of the provincial government is sustainable and healthy populations of grizzly bears and a great deal of effort and research is invested the stewardship of these populations and conserving their habitat.

The framework was prepared in response to the recommendations from a Scientific Review of Grizzly Bear Harvest Management in 2015, from the Auditor General of British Columbia in 2017, because grizzly bears in western Canada are designated federally as a species of special concern, and due to their significance to the people of the province.

This framework does not seek to provide specific recommendations for site specific grizzly bear challenges. At nearly 950,000 km^2 (larger than the states of Washington, Oregon, and California combined), the province is too large, and the challenges and opportunities related to grizzly bear stewardship too diverse, for the framework to discuss site-specific concerns. This framework summarizes the best available information on cumulative knowledge (Indigenous and scientific), biology and threats, and endeavours to provide broad advice for grizzly bear stewardship at the provincial, First Nations territorial, regional, and local levels. This framework is intended to provide guidance for the consideration of grizzly bear values for proponents, decision makers, and participants on initiatives related to land and resource planning to inform local decisions, and enables amendments to policy, legislation, and programs related to grizzly bears.

Success in the conservation of this species depends on the commitment and cooperation of many different constituencies that may be involved in implementing the advice set out in this stewardship framework through the co-development of action or implementation plans at the appropriate spatial scale. Within those complementary plans, it is expected that the specific management and stewardship actions will be prioritized and resourced in accordance with the opportunities and constraints of participatory agencies and organizations that hold the shared interest and responsibility to achieve the desired outcomes.

WHO IS THIS STEWARDSHIP FRAMEWORK FOR?

This framework provides valuable information on grizzly bear stewardship that may be used by individuals, communities, governments, land users, resource extraction industries, conservationists, academics, and natural resource and stewardship professionals interested in the stewardship of grizzly bears and their habitats.

FOR MORE INFORMATION

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To learn more about species at risk recovery planning in British Columbia, please visit the B.C. Recovery Planning webpage[1].

RECOMMENDED CITATION

B.C. Ministry of Forests. (YEAR TBD). British Columbia Grizzly Bear (*Ursus Arctos*) Stewardship Framework. B.C. Ministry of Forests, Victoria, BC.

COVER PHOTOGRAPH

Michelle McLellan

ADDITIONAL COPIES

Additional copies can be downloaded from the B.C. Recovery Planning webpage.

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[1] www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/species-ecosystems-at-risk/recovery-planning

ACKNOWLEDGEMENTS

This draft stewardship framework was led by the BC Grizzly Bear Stewardship Team and funding was provided by the Province of B.C. Ramona Maraj provided significant input early in the process. Other authors included Bruce McLellan, Stephen MacIver and Garth Mowat and many members of the Grizzly Bear Stewardship Team provided input and review.

A special thanks goes out to the delegates, stewardship staff, advisors, knowledge holders, and in some cases the councillors and hereditary chiefs from the Indigenous Nation governments and groups listed below that provided feedback, advice, and input into the development of this framework; their contribution has led to a significantly improved framework. These Nations and others may choose to be directly involved in the implementation of the goals of this framework.

In alphabetical order:

- *Blueberry River First Nation*
- *Carrier Sekani Tribal Council: Ts'il Kaz Koh First Nation (Burns Lake), Nadleh Whut'en, Saik'uz First Nation, Stellat'en First Nation, Takla Lake First Nation, Tl'azt'en Nation, Wet'suwet'en First Nation*
- *Stewardship staff and advisors with the Coastal First Nation – Great Bear Initiative Nations*
- *Da'naxda'xw/Awaetlala First Nation*
- *Doig River First Nation*
- *Esk'etemc Nation & Northern Shuswap Tribal Council: 4 Northern Secwepemc te Qelmucw (NStQ) communities: Tsq'ēsceń (Canim Lake), Stswēceḿc/Xgāt'tem (Canoe-Dog Creek), Xatśūll Cmetem' (Soda-Deep Creek), T'ēxelc (Williams Lake a.k.a. Sugar Cane)*
- *Gitanyow Hereditary Chiefs' Office*
- *Gitx'san Nation*
- *Gwa'sala-Nakwaxda'xw*
- *Homalco Indian Band*
- *Kitselas First Nation*
- *Kitsumkalum*
- *Ktunaxa Nation*
- *Kwadacha First Nation*
- *Lake Babine Nation: Fort Babine, Old Fort (Nedo'ats), Tachet, Donald's Landing, Woyenne*
- *Little Shuswap Lake Indian Band*
- *Maa nulth First Nations: Huu-ay-aht First Nations, Ka:'yu:k't'h/Che:k:tles7et'h' First Nation, Uchucklesaht Tribe, Yuułuʔiłʔatḥ (Ucluelet) First Nation, Toquaht First Nation*
- *McLeod Lake Indian Band*
- *Nisga'a Lisims Government*
- *Nlaka'pamux Nation Tribal Council: Snepa, Nteq'em, Lytton, Skuppah, Boothroyd*
- *Okanagan Nation Alliance: Upper Nicola Band, Okanagan Indian Band, Westbank First Nation, Penticton Indian Band, Osoyoos Indian Band, Lower Similkameen Indian Band, Colville Confederated Tribes*

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- *S'ólh Téméxw Stewardship Alliance (STSA): Chawathil First Nation, Cheam First Nation, Kwaw'Kwaw'Apilt First Nation, Seabird Island Indian Band, Shxw'ōwhámél First Nation, Skawaholook First Nation, Skwah First Nation, Sumas First Nation, Yale First Nation and Aitchelitz First Nation, Shxwhá:y Village, Skowkale First Nation, Soowahlie First Nation, Squiala First Nation, Tzeachten First Nation and Yakweakwioose First Nation, as represented by the Ts'elxwéyeqw Tribe.*
- *People of the River Referrals Office*
- *Pespesellkwe (Lakes Division of the Secwepemc): Adams Lake Indian Band, Neskonlith Indian Band, Splats'in Indian Band, Little Shuswap Indian Band, Lower Similkameen Indian Band, Shuswap Indian Band*
- *Qwelmínte Secwepemc Table: Adams Lake Indian Band, Little Shuswap Lake Indian Band, Shuswap Indian Band, Simpcw, Skeetchestn, Splatsin, Tk'emlups te Secwepemc*
- *Shíshálh / Sechelt Nation*
- *Squamish Nation*
- *Tahltan Nation*
- *Tsay Keh Dene Nation*
- *Tsilhqot'in National Government, Tsi Deldel, Xeni Gwet'in*
- *Upper Similkameen*
- *We Wai Kai Nation (Cape Mudge)*
- *Wei Wai Kum (Campbell River)*
- *Williams Lake First Nation*
- *Witset First Nation*

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This framework has also been greatly improved thanks to feedback received from various wildlife interest groups, professionals, the scientific community as well as thousands of British Columbians through online public engagement

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EXECUTIVE SUMMARY

The grizzly bear (*Ursus arctos*) was assessed as a Species of Special Concern by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) in 2012 and was subsequently listed as Special Concern in Canada on Schedule 1 of the *Species at Risk Act* (SARA) in 2018. Grizzly bears are habitat generalists and their distribution and abundance are largely driven by habitat productivity and historic and current human-caused mortality patterns. The species is sensitive to human disturbance; in particular, settled valley bottoms and roads travelled by people create direct impacts on bears through human-caused mortality and indirect impacts on bears through displacement from key habitats. The 2012 COSEWIC status report for grizzly bears states "Their poor condition in some parts of the range, combined with their naturally low reproductive rates and increasing pressures of resource extraction and cumulative impacts in currently intact parts of the range, heighten concern for this species if such pressures are not successfully reversed.".

The Canadian population is estimated at 26,000 bears and there is evidence of range expansion in the far north and towards the fringes of their distribution in the south and west in coastal B.C. There is no evidence of a decline in the overall population during the past 30 years, though most populations lack adequate abundance data to detect changes in population trend. A few populations towards the southern extent of their range in southern B.C. have declined recently and there are concerns about unsustainable mortality rates in these areas and in parts of the Yukon. There is genetic and demographic fragmentation in the southern parts of their range and some populations are partially or fully isolated. Several of these populations have been recently increasing which should help reduce further fragmentation. Grizzly bears are extirpated from the lower mainland and the most settled parts of the interior plateau of B.C. A few B.C. populations, such as those in the Stein-Nahatlatch, North Cascades and Garibaldi-Pitt areas, remain isolated and are not likely to recover without direct intervention such as physically transplanting animals from other populations into these areas, along with other measures such as habitat improvement, habitat connectivity, and mortality reduction.

The COSEWIC status report stated that "The... increasing pressures of resource extraction and cumulative impacts in currently intact parts of the range heighten concern for this species if such pressures are not successfully reversed." Species listed under the SARA require provincial and federal governments to develop a plan to minimize the chance that the species becomes endangered or threatened. In British Columbia, the grizzly bear is ranked S3 (Vulnerable, 2012) by the B.C. Conservation Data Centre and is on the provincial Blue list. The B.C. Conservation Framework ranks the grizzly bear as a priority #3 under goal 1 = contribute to global efforts for species and ecosystem conservation; priority #2 under goal 2 = prevent species and ecosystems from becoming at risk; and priority # 3 under goal 3 = maintain the diversity of native species and ecosystems.

Grizzly bears are protected under the B.C. *Wildlife Act,* which currently prohibits all licensed hunting of grizzly bears in B.C. They are also listed as a species that requires special attention to address the impacts of forest and range activities under the *Forest and Range Practices Act* (FRPA) and the impacts of oil and gas activities under the *Oil and Gas Activities Act* (OGAA) (as described in the Identified Wildlife

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Management Strategy). Grizzly bears are identified as a provincial priority value under the Cumulative Effects Framework policy. In some regions of the province, such as the Great Bear Rainforest, grizzly bear critical habitats are protected by land use regulations that have been co-developed by the Province and First Nations.

Indigenous Peoples have been co-existing on the land with grizzly bears in British Columbia since time immemorial, and their historic stewardship of wildlife and habitat maintained a level of biodiversity and ecosystem health that hasn't been seen since British Columbia became a Crown colony almost two centuries ago. This framework was developed in collaboration with, or with the input from, delegates and knowledge holders from approximately 85 Indigenous governments and groups. The historical and ongoing success of Indigenous stewardship highlights the importance of incorporating Indigenous governance, world views, and knowledge to create a platform for collaborative stewardship for grizzly bears today and for future generations.

The goals of this provincial grizzly bear stewardship framework are to:

1. Summarize existing data to be used as a guide to advise on methods, research, data, approaches, and tools available to regional or local communities to fill knowledge gaps to increase the potential to realize locally desired outcomes for grizzly bears and their habitat.

2. Provide an adaptive approach that seeks to ensure the coexistence of healthy, fully functioning ecosystems and human communities (Ecosystem Based Management) for the co-development of regional or local grizzly bear stewardship plans based on western science and Indigenous knowledge. These plans will consider multi species relationships and cumulative effects of industrial activities, other human activities, and natural processes on grizzly bear conservation.

3. Support reconciliation with Indigenous Peoples through collaboration and partnership directed towards co-governance and joint, collaborative or consent-based decision making on initiatives related to grizzly bear conservation, management of human activities, and ecosystem-based stewardship.

4. Promote safe and respectful co-existence between grizzly bears and people.

5. Inform, educate, and be transparent and open about grizzly bear stewardship in British Columbia to the public, Indigenous governments, and legislators.

This document provides a summary of the stewardship approaches that should be considered to achieve these goals and more specific objectives that may be established at a local or regional level.

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TABLE OF CONTENTS

ABOUT THE BRITISH COLUMBIA GRIZZLY BEAR (URSUS ARCTOS) STEWARDSHIP FRAMEWORK I
ACKNOWLEDGEMENTS III
EXECUTIVE SUMMARY VI
1 INTRODUCTION 1
1.1 Indigenous Governance, Worldviews, Knowledge, & Laws 1
1.2 Together for Wildlife 2
2 COSEWIC SPECIES ASSESSMENT INFORMATION 3
3 SPECIES STATUS INFORMATION 4
4 SPECIES INFORMATION 5
4.1 Species Description 6
4.2 Populations and Distribution 7
4.3 Habitat and Biological Needs of Grizzly Bears 13
4.4 Ecological Role 19
4.5 Limiting Factors 20
5 EFFECTS ON OTHER WILDLIFE 21
6 THREATS 21
7 CURRENT STEWARDSHIP APPROACH 36
7.1 Habitat Management 37
8 STEWARDSHIP FRAMEWORK GOALS 43
9 APPROACHES TO MEET STEWARDSHIP GOALS 44
9.1 Recommended Stewardship Actions 44
9.2 Tracking of human caused grizzly bear mortality 44
9.3 Local Planning 45
9.4 Inter-jurisdictional Planning 47
9.5 Population Inventory 48
9.6 Trend Monitoring 50
9.7 Habitat Protection and Restoration 52
9.8 Species and Population Stewardship 53
9.9 Hunting 58
9.10 Viewing 58
10 MEASURING PROGRESS 60
11 CONCLUSION AND NEXT STEPS 61
12 SUGGESTED READING 61
13 REFERENCES 62

DRAFT

LIST OF TABLES

Table 1. Status and description of grizzly bear population units (GBPU) in British Columbia.....11

Table 2. Summary of essential functions, features, and description of grizzly bear habitat in British Columbia. 18

Table 3. Threatened grizzly bear population units in B.C. with performance measures and provincial level priorities for action.....57

LIST OF FIGURES

Figure 1. Female Grizzly bear in the Flathead valley of southeastern B.C. Note the shoulder hump, dish shaped face and long front claws.. 7

Figure 2. Grizzly bear distribution in Canada/North America (IUCN, Bear Specialist Group). Note that grizzly bears are mistakenly shown to occur on Haida Gwaii and Vancouver Island. 9

Figure 3. Grizzly bear distribution and density in British Columbia as estimated by the province in 2018 (Ministry of FOR). The extirpated areas are currently being recolonized as are some coastal islands.....10

Figure 4. The Grizzly Bear Diet Database.....15

Figure 5. How roads affect bears.....17

Figure 6. Examples of threat caluclations for B.C.. 22

Figure 7. NatureServe Calculator - Conservation concern for all grizzly bear population units in B.C. except those areas that do not currently support a breeding grizzly bear population (grey areas on figure). 23

Figure 8. The number of calls per year to the BC Conservation officer service regarding grizzly bear conflicts with people and, the number of bears killed each year in conflict with people for grizzly (A) and black bears (B). 24

Figure 9. Grizzly Bear Wildlife Habitat Areas and Specified Areas.....38

Figure 10. Recorded non-hunting mortailities of grizzly bears in B.C. during 2000-2014. Note that the conservation risk due to non-hunting mortality is related to the proportion of bears killed and the reporting rate which likely varies around the province. 51

APPENDICES

Appendix 1. Approaches to meet Grizzly Bear Stewardship Objectives.....61

Appendix 2. Grizzly Bear Management in the Great Bear Rainforest.....64

DRAFT

1 INTRODUCTION

1.1 Indigenous Governance, Worldviews, Knowledge, & Laws

This section does not necessarily represent the views of any or all First Nations in B.C.

Indigenous governments always have and still do exist across the province. They are evolving as Indigenous peoples and nations rebuild, affirming and applying the right to exercise their laws, customs, institutions, jurisdiction, and knowledge in different contexts. Indigenous peoples inherent title and rights are not frozen in time, continue to evolve through practice and custom, include attributes and perspectives unique to each Nation, and are not contingent on Crown recognition, court-declaration, or treaty articulation for their existence or exercise.

Indigenous Peoples in B.C. may share some common values, views, and practices. However, there are also real and sometimes significant differences among Nations and groups. Indigenous customs and laws have evolved over millennia in their particular context, and land and wildlife stewardship methods, protocols and procedures vary from Nation to Nation and at times within a Nation. Differences in kinship relations that extend beyond the human domain, Indigenous knowledge, worldviews, and laws all have evolved from a long-term and intrinsic connection with local landscapes and wildlife, including with respect to their relationships with, and their protection, stewardship and harvesting of Grizzly bears.

In 2019, the government of British Columbia passed the Declaration on the Rights of Indigenous Peoples Act (the "Declaration Act"), new legislation intended to support implementation of the United Nations Declaration on the Rights of Indigenous Peoples ("UNDRIP"). The Declaration Act creates a path for the Province to recognize and address the inherent rights of Indigenous Peoples, while seeking to create better transparency and predictability for all British Columbians. Under the *Declaration Act*, the Province, in consultation and cooperation with the Indigenous Peoples of BC, must take all measures necessary to ensure the laws of B.C. are brought into alignment with UNDRIP. It will take time to achieve this outcome, as described in the Declaration on the Rights of Indigenous Peoples Act Action Plan.

While this work is underway, the opportunity exists to advance the intent of the *Declaration Act* by working in consultation and cooperation with Indigenous Governing Bodies to develop new agreements, policies and plans to achieve better protection and stewardship of grizzly bears and their habitats. For example, the *Declaration Act* enables the Province, under section 7, to enter into joint or consent-based decision making agreements with Indigenous Governing Bodies. With section 7 agreements or similar arrangements in place, the Grizzly Bear Stewardship Framework can be implemented in a manner that recognizes and respects Indigenous People's role as decision makers and the work they do as wildlife stewards in their respective territories.

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Meaningful consideration of Indigenous knowledge in the stewardship of grizzly bears will require an adaptive approach as new provincial legislation, regulations, policies and agreements regarding the sharing and use of Indigenous knowledge are developed and implemented. Best practices, guided by supporting provincial policy and identified through discussions with individual Nations will need to be developed and followed given the sensitivity and relationship of Indigenous knowledge to the knowledge keepers. Recognition of Indigenous laws and customs, as a key element for managing grizzly bears at a local level, can create a foundation for the sharing of Indigenous Knowledge and collaborative planning.

Examples of successful collaboration between provincial government agencies and Indigenous governments to improve wildlife stewardship already exist. For example, based on recommendations from the First Nation Wildlife Forum, work is underway to amend the *Wildlife Act* to support development of wildlife co-management agreements and a requirement to meaningfully consider and address Indigenous knowledge in wildlife decision making. As well, in the Great Bear Rainforest, co-developed land use regulations that protect critical Grizzly bear habitat have been in place since 2009.

Government-to-government processes related to wildlife stewardship should also connect to stakeholders and members of the public that have interest in the enhanced stewardship of Grizzly bears. Regional and sub-regional wildlife and habitat advisory structures, as described in *Together for Wildlife,* may be a future space where shared understanding and commitment to action can be facilitated with considerations of Indigenous knowledge, laws and worldviews. Finding ways to reconcile the overlaps between Indigenous territories and provincial administrative boundaries will be a key step in the evolving process.

1.2 Together for Wildlife

The *Together for Wildlife* (the "Strategy") published in 2020, outlines a strategic pathway forward to improve wildlife stewardship and habitat conservation in BC. The Strategy lists 24 actions under 5 goals which will guide the work of BC, Indigenous Peoples, Stakeholders, and interest groups in BC.

Action 2 of the Strategy establishes commitment to advance stronger engagement and collaboration among provincial agencies, Indigenous governments, stakeholders and interested groups at the regional and where appropriate, sub-regional level. The goal is to have regional wildlife management staff and Indigenous Nation stewardship managers engage with industry, stakeholders, local governments, and the public in a manner that complements and supports government-to-government decision making. To that end, Indigenous Nations will be invited to join regional wildlife and habitat advisory structures as intergovernmental partners.

Indigenous participation in regional or sub-regional wildlife committees will not replace the duty to consult with First Nations whose aboriginal or treaty rights may be impacted by government decisions. Regional wildlife and habitat advisory structures are intended to provide a forum in which knowledge and information can be shared and recommendations developed for the establishment and implementation

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of grizzly bear population and habitat objectives, as well as coordinating implementation of commitments to management and stewardship intended to achieve those objectives.

With appropriate facilitation, regional committees will be forums for the review and development of input to decisions for grizzly bear stewardship. Recommendations from the Ministers Wildlife Advisory Council, the First Nations – BC Wildlife and Habitat Conservation Forum and from other regional First Nation groups and organizations will inform establishment of regional and sub-regional wildlife committees.

2 COSEWIC SPECIES ASSESSMENT INFORMATION

Assessment Summary: May 2012
Common Name: Grizzly Bear
Scientific Name: *Ursus arctos* Linnaeus, 1758
Status: *Special Concern* (Western Population)
Reason for Designation: (Western Population) The global distribution of this large-bodied bear has declined by over 50% since the 1800s, with western Canada representing a significant core of the current North American range. A habitat generalist, their distribution and relative abundance in the absence of humans is largely driven by habitat productivity and seasonality. The grizzly bear is highly sensitive to human disturbance and is subject to high mortality risk in areas of human activity and where roads create access. Population estimates in much of the range are highly uncertain; the Canadian population is estimated at 26,000, and the number of mature individuals is about 10,000. These estimates are based on extrapolation and expert opinion. Although, there is no evidence of a decline in the overall population during the past 30 years and increasing numbers of observation records indicate some range expansion in the far north and towards the fringes of their distribution in the south and southwest. A number of populations in the southern extent of its range in Alberta and southern BC are known to be declining, and there are concerns about unsustainable mortality rates in these areas and in parts of Yukon. There is strong evidence of genetic fragmentation in the southern parts of its range where some populations are increasingly isolated and subject to demographic stochasticity. Their poor condition in some parts of the range, combined with their naturally low reproductive rates and increasing pressures of resource extraction and cumulative impacts in currently intact parts of the range, heightens concern for this species if such pressures are not successfully reversed.

Criteria: (Western Population)
Criterion A (Decline in Total Number of Mature Individuals): Not applicable. There is no evidence for an overall decline of mature individuals.
Criterion B (Small Distribution Range and Decline or Fluctuation): Not applicable. The population is much larger than the threshold for this criterion, and there is no evidence for any declines.
Criterion C (Small and Declining Number of Mature Individuals): Not applicable. The total number of mature individuals may be as low as 10,000, but there is no evidence of continuing decline.
Criterion D (Very Small or Restricted Total Population): Not applicable. The population is larger than 1,000 individuals and exists in many more than 5 locations.

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Criterion E (Quantitative Analysis): Not applicable. No quantitative analyses have been performed that can be applied to the whole DU. [a]

Occurrence: (Western Population) Yukon, Northwest Territories, Nunavut, British Columbia, Alberta, Saskatchewan, Manitoba

Status History: (Western Population) The species was considered a single unit and designated *Not at Risk* in April 1979. Split into two populations in April 1991 (Prairie population and Northwestern population). The Prairie population was designated *Extirpated* in April 1991. Status re-examined and confirmed in May 2000 and in May 2002. The Northwestern population was designated *Special Concern* in April 1991 and confirmed in May 2002. In May 2012, the entire species was re-examined, and the Prairie and Northwestern populations were considered a single unit. This newly defined western population was designated *Special Concern* in May 2012.

Source: COSEWIC = Committee on the Status of Endangered Wildlife in Canada.

[a] See COSEWIC quantitative criteria and guidelines for the status assessment of wildlife species (Table 2 of the COSEWIC assessment process guidelines: www.cosewic.gc.ca/eng/sct0/assessment_process_e.cfm)

3 SPECIES STATUS INFORMATION

Grizzly Bear[a]		
Legal Designation:		
FRPA: Species at Risk[b] OGAA: Species at Risk[b]	B.C. Wildlife Act: Schedule A	SARA: Schedule 1 – Special Concern (2018)[d]
Conservation Status[e]		
B.C. List[f]: Blue B.C. Rank: S3 (2015) National Rank: N3N4 (2013) Global Rank: G4 (2002) Other Subnational Ranks: Alberta (S2), British Columbia (S3), Labrador (SX), Manitoba (SXB), Northwest Territories (S3), Nunavut (S3S4), Quebec (SX), Saskatchewan (SX), Yukon Territory (S3), Alaska (S4), Arizona (SX), California (SX), Colorado (SX), Idaho (S1), Kansas (SX), Minnesota (SX), Montana (S2S3), Navajo Nation (SX), Nebraska (SX), Nevada (SX), New Mexico (SX), North Dakota (SX), Oklahoma (SX), Oregon (SX), South Dakota (SX), Texas (SX), Utah (SX), Washington (S1), Wyoming (S1)[g]		
B.C. Conservation Framework (CF)[h] Priority[i]		
Goal 1: Contribute to global efforts for species and ecosystem conservation.		Priority #1 (2009)
Goal 2: Prevent species and ecosystems from becoming at risk.		Priority #2 (2009)
Goal 3: Maintain the diversity of native species and ecosystems.		Priority #3 (2009)
CF Action Groups:	Monitor Trends, Send to COSEWIC, Compile Status Report, Planning, Habitat Restoration, Private Land Stewardship, Habitat Protection, Species and Population Management, Review Resource Use	

[a] Data source: B.C. Conservation Data Centre unless otherwise noted.

[b] Species at Risk = a listed species that requires special management attention to address the impacts of forestry and range activities under the *Forest and Range Practices Act* (FRPA; Province of British Columbia 2002) and/or the impacts of oil and gas

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activities under the *Oil and Gas Activities Act* (OGAA; Province of British Columbia 2008) as described in the Identified Wildlife Management Strategy (Province of British Columbia 2004

[c] Schedule A = designated as wildlife under the B.C. *Wildlife Act*, which offers it protection from direct persecution and mortality (Province of British Columbia 1982).

[d] Schedule 1 = found on the List of Wildlife Species at Risk under the *Species at Risk Act* (SARA; Government of Canada 2002

[e] Blue: Includes any indigenous species or subspecies considered to be of Special Concern (formerly Vulnerable) in British Columbia.

[f] S = subnational; N = national; G = global; T = refers to the subspecies level; B = breeding; X = presumed extirpated; H = possibly extirpated; 1 = critically imperiled; 2 = imperiled; 3 = special concern, vulnerable to extirpation or extinction; 4 = apparently secure; 5 = demonstrably widespread, abundant, and secure; NA = not applicable; NR = unranked; U = unrankable.

[g] Data source: NatureServe.

[h] Data source: B.C. Ministry of Environment and Climate Change Strategy (2009).

[i] Six-level scale: Priority 1 (highest priority) through to Priority 6 (lowest priority).

4 SPECIES INFORMATION

From both an Indigenous knowledge and western science perspective, grizzly bears have been well observed and studied throughout most of their range in North America. In order to increase readability citations have been removed from this framework. Suggested Readings and References are provided at the end of this document.

Similarly, grizzly bears have been well observed and studied in BC, although there are many life history strategies possible over the varied topography and distribution of key foods in BC, and not all have been equally well studied or described.

The name "grizzly bear" elicits profound emotions from people around the world. The species is often paired with terms like “iconic”, “apex predator”, “umbrella species”, “teacher”, “powerful”, and “ancestor”. In British Columbia, the range and diversity of interests, values, cultural and social importance, economic opportunities, and tolerance towards grizzly bears is as varied as the people who live here. Their historic and cultural relationship with First Nations and present day symbolic status for people across the Province (and the world) gives their long-term stewardship significantly increased importance. Grizzly bears are often viewed as symbols of strength and power, often revered, always respected.

Indigenous Peoples throughout most of BC have been co-existing with grizzly bears since time immemorial and continue to do so. Grizzly bears play an important role in many, but not all, Indigenous cultures. In many Indigenous cultures grizzly bears fulfil the roles of stewards and guardians of the land and are seen as a living embodiment and extension of the land itself. Some Indigenous creation stories speak to how they preceded humans on earth, and taught humans what to eat and how to survive. In some parts of the province, grizzly bears are considered by Indigenous Peoples to be family members, a part of the community; everyone in a family and community is better off if all its members are taken care of.

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4.1 Species Description

Evolution and Nomenclature

Paleontology research suggests that all living and extinct bears of the genus *Ursus* descended from *U. minimus*, a small forest dwelling bear of the Pliocene (2.5-5.3 million years ago). The grizzly bear differentiated from the Etruscan Bear (*Ursus etruscus*) in Asia during the middle Pleistocene (2-3 million years ago). The most recent common ancestor of the grizzly bear is thought to be the Ussuri Brown Bear (*U. a. lasiotus*) of northeastern Asia, although inferences from the genomic era suggest that complex and common admixing even among species makes the identification of a recent common ancestor tenuous.

The earliest records of the modern grizzly bear are from about 500,000 years ago from China. Fossil deposits suggest the species entered Europe about 250,000 years ago, then began colonization of North America via Beringia during the Wisconsin glacial period less than 75,000 years ago. Recession of the continental ice sheets, and perhaps the extinction of the short-faced bear (*Arctodus simus*) may have allowed expansion into Alaska and then most of North America by the early Holocene less than 11,000 years ago. This work suggests the grizzly bear is a relative newcomer to North America.

Early taxonomic classification relied on morphological data. Geographic variation across the North American grizzly bear's range originally resulted in the description of more than 90 subspecies in Canada, the United States, and Mexico. This classification was later superseded and refined to the widely accepted identification of two subspecies, *U. a. middendorffi*, identifying the large bears from the Kodiak Island archipelago, and *U. a. horribilis*, for the remainder of North America and has, so far, been supported by genetic inferences.

The term 'brown bear' is generally used to describe the species regardless of local variant. In Europe, Asia, and coastal Alaska, *U. arctos* are called brown bears. 'Grizzly bear' is most often used in North America, except coastal Alaska. Regional names are sometimes used to describe North American variants such as 'Kodiak bear', 'Alaskan brown bear', and 'barren-ground grizzly bear'.

Physical Characteristics

The grizzly bear is the second largest terrestrial carnivore in North America (Figure 1). They have a strong, heavy body with an average length of 1.8 m from nose to tail. Grizzly bears are distinguished from the black bear, *U. americanus*, and polar bear, *U. maritimus* by the large shoulder hump that supports their powerful front legs, long front claws (often 70 mm) and a concave facial profile of a large head. Both the hump and the claws are traits associated with a grizzly bear's exceptional digging ability. The grizzly bear's pelage is usually darkish brown, but can be light cream, or any shade of brown or even black. Interior grizzlies generally have long guard hairs on their shoulders that often are tipped with white, grey, or silver, which gives the fur a 'grizzled' appearance from which it derives the name "grizzly". Their legs and feet tend to be darker in colour than the body. Coastal dwelling bears generally have shorter guard hair and are most often brown and lack the grey/silver coloration seen in interior grizzly bears.

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Typical body mass of an adult female in BC ranges is 100-150 kg, but female grizzly bears that eat a lot of meat such as salmon, can weigh more than 200 kg. Males are commonly twice the weight of females. Despite their large size, the grizzly bear has been known to run at speeds of 55 km per hour. Grizzly bears have well developed senses of smell and hearing.

Figure 1. Female Grizzly bear in the Flathead valley of southeastern B.C. Note the shoulder hump, dish shaped face and long front claws. (Photo - Troy Malish).

4.2 Populations and Distribution

Global:

Grizzly bears are the widest ranging of the eight extant bear species. They are found across parts of Asia, Europe, and North America and historically inhabited North Africa. In North America, grizzly bears previously ranged throughout Alaska, Yukon, and the Northwest Territories south to northern Mexico, and from the British Columbia coast to the western shores of Hudson Bay and the Ungava Peninsula (Figure 2).

Today, in North America the species is found in Alaska, the western and central portions of the Canadian North, south through British Columbia and the western portion of Alberta in the Rocky Mountains and Foothills. They extend into portions of the northwestern United States (including Idaho, Montana, Washington, and Wyoming), extending as far south as Yellowstone and Grand Teton National Parks (YNP and GTNP; Figure 2). Combining Canada and the United States, grizzly bears inhabit approximately half the area of their historical range with most of this loss in the lower 48 states and the Canadian prairies. Grizzly bears can be found from sea level to high-elevation alpine environments far above tree line. Their habitat is diverse, ranging from temperate coastal rain forests to alpine tundra, boreal forest to dry grasslands and Arctic tundra.

In the lower 48 states of the US there are about 1,500 grizzlies. About 800 of these bears live in Montana, and 600 more in the Yellowstone-Teton area of Wyoming and both these populations are currently increasing and expanding their range. There are an estimated 180-200 grizzly bears in northwestern Montana, northern Idaho and eastern Washington in 3 fragmented but increasing populations, 2 of which are shared with B.C. In the connected North Cascades ecosystem of Southwest BC and northern Washington, grizzly bear populations are functionally extirpated.

With an estimated population of 33,000, Alaska has more grizzly bears than any state or province/territory in North America. The highest densities are along the coast where salmon are most abundant and available. Katmai National Park (551 bears/1000 km^2) and Admiralty Island National Monument (400 bears/1000 km^2) protect the densest known populations in North America.

In Canada, there are approximately 26,000 grizzly bears occupying British Columbia, Alberta, the Yukon, the Northwest Territories, Nunavut, and the northern part of Manitoba (Figure 2). In 2003, researchers found a grizzly bear on Melville Island in the high Arctic, which is the most northerly sighting documented in recent times. Grizzlies may have been present in recent times in the tundra areas of the Ungava Peninsula and the northern tip of Labrador-Quebec where skeletal remains have been found.

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Figure 2. Approximate grizzly bear distribution in North America (IUCN, Bear Specialist Group).

British Columbia:

About half of Canada's grizzlies live in B.C. Grizzly bears are found throughout most of mainland B.C. and inhabit approximately 90% of their original range (Figure 3). In 2018, about 15,000 grizzly bears were thought to live in B.C., about a quarter of the entire North American population.

Historically, unregulated hunting and persecution of grizzly bears from the eras of European settlement to the mid 19th century resulted in reductions in grizzly bear abundance and distribution throughout most of North America, including parts of B.C. The distribution and population size was probably at its lowest in the 1960's and 1970's and both have increased since that time. Population density appeared to reach a

maximum in about the 2000's in the interior areas of the province where bears were never extirpated. Populations in some coastal areas have declined in recent year due to declines in salmon returns. The distribution continues to expand in many parts of the province, including some coastal areas. Many areas of current population expansion also support farming, ranching, and other human occupation which has led to human-bear conflict in places where it has not previously occurred.

In addition, grizzly bears have recruited new food sources during the population expansion such as salmon, kokanee, road-killed ungulates, live and dead livestock, agricultural crops, the remains from hunter killed ungulates, and managed and unmanaged fruit trees to the point that these human-dominated landscapes in some case support substantive grizzly bear populations. In some human-dominated landscapes, private land such as ranches, large farms, mines, or private woodlots may also provide refuge from other sources of human disturbance or sources of mortality and therefore provide a home for grizzly bears in and otherwise risky environment.

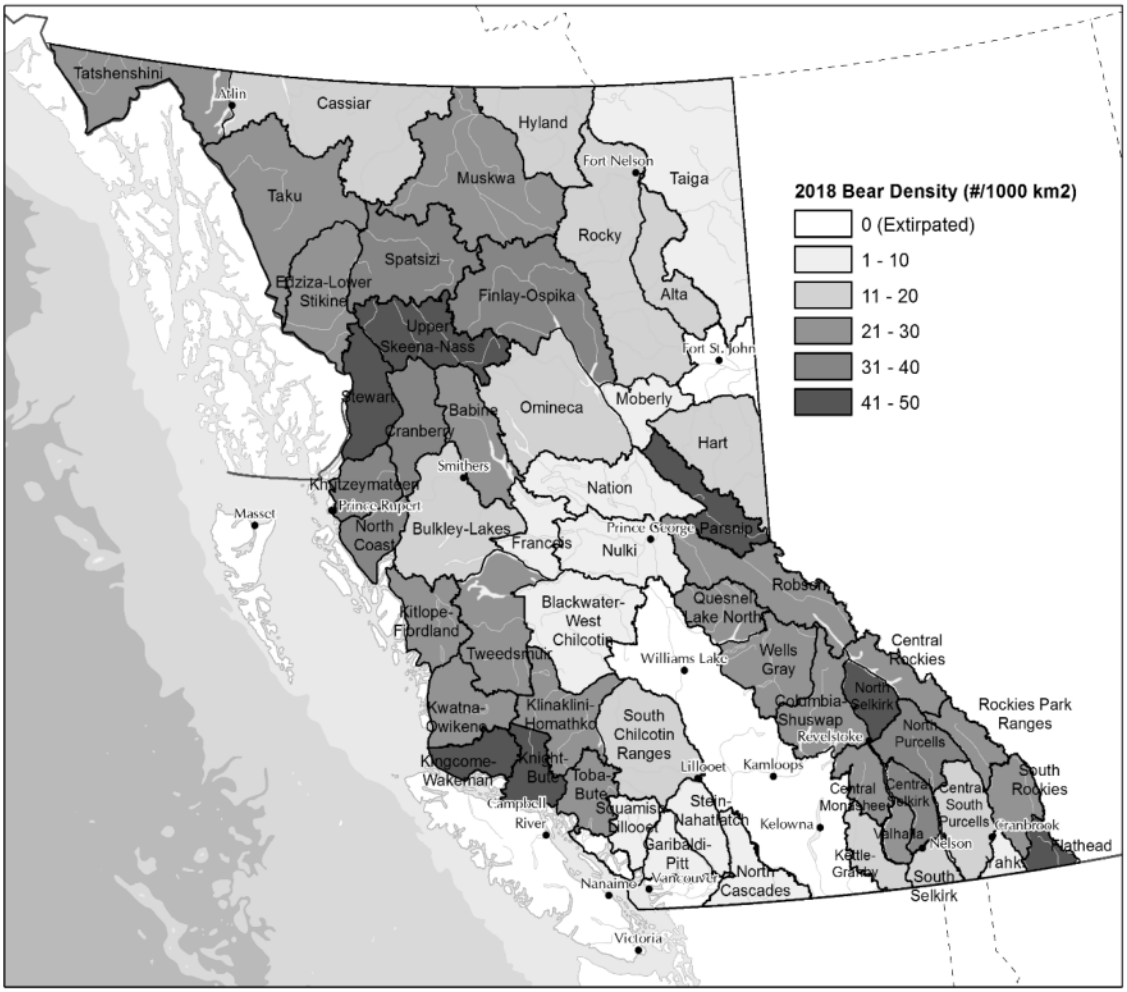

Figure 3. Grizzly bear distribution and density in British Columbia as estimated by the province in 2018 (Ministry of FOR). Extirpated areas are considered to not encompass the home range of breeding female

grizzly bears, although there are transient individuals, and some are currently being recolonized as are some coastal islands.

In B.C., grizzlies are currently managed in 55 Grizzly Bear Population Units (GBPU); these units were created to facilitate stewardship of the species, particularly determining which populations were able to sustain a hunt and how hunting opportunities were allocated, though population connectivity was one factor considered when units originally delineated in 1996 (Table 1). These GBPU boundaries should be reviewed and modified over time.

Populations in three GBPU's are listed as an extreme conservation concern, 14 are high concern, 14 moderate and 24 are considered of low conservation concern. The lower Fraser Valley/Lower Mainland population is listed as extirpated. They are very rare on the Sunshine Coast, central interior from the US border to north of Quesnel, and northeast BC around the Peace River Lowlands near Fort St. John and Dawson Creek. Grizzly bears are also rare recent migrants to Vancouver Island and are not present on Haida Gwaii and many other smaller coastal islands. At any given time, the number of grizzly bears on Vancouver Island is thought to be fewer than 10 individuals. People are encouraged to record (photos, video) and report any grizzly bear sightings on Vancouver Island to the regional wildlife office in Nanaimo.

Conservation rankings for grizzly bears in B.C. are based on the best available provincial knowledge at their time of ranking and several discrepancies with local information and data have been flagged, especially in salmon consuming GBPUs. Through Indigenous knowledge and science and, territorial, regional, and local planning processes, it is anticipated that improvements to the information used to classify GBPU's, including amendments to their boundaries may result in increased confidence and acceptance of GBPU classification.

Table 1. Status and description of grizzly bear population units (GBPU) in British Columbia. Population size and density estimates (bears/1000 km^2) come from a combination of field-based inventories, model derived estimates and professional opinion of government wildlife staff (https://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/wildlife-wildlife-habitat/grizzly-bears/grizzly_bear_pop_est_report_2018_final.pdf). Conservation concern is highlighted with red being greatest concern grading to dark green being least concern. Threat level was based on professional opinion until 2012 and a modified NatureServe ranking method at the provincial scale for the 2019 analysis (https://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/wildlife-wildlife-habitat/grizzly-bears/bc_gbpu_2019_ranking.pdf). Conservation concern in 2019 did not include local level information and many will need to be adjusted based on local input. See the British Columbia Grizzly Bear Population Estimate for 2018 for further information on estimation methods.

GBPU Name	2018 Population Estimate	2018 Estimated Bear Density	Estimation Method	Threat level 2012	2019 Conservation Concern Rank
Alta	132	10	expert opinion	Viable	M3: Moderate
Babine	313	23	model/expert opinion	Viable	M3: Moderate
Blackwater-West Chilcotin	53	2	model/expert opinion	Threatened	M3: Moderate

Bulkley-Lakes	439	20	expert opinion	Viable	M3: Moderate
Cassiar	611	17	model/expert opinion	Viable	M5: Very Low
Central Monashee	147	23	model/expert opinion	Viable	M2: High
Central Rockies	169	28	model	Viable	M4: Low
Central Selkirk	188	34	model	Viable	M3: Moderate
Central-South Purcells	176	16	inventory	Viable	M2: High
Columbia-Shuswap	318	25	model/expert opinion	Viable	M2: High
Cranberry	352	31	model/expert opinion	Viable	M4: Low
Edziza-Lower Stikine	398	29	model	Viable	M5: Very Low
Finlay-Ospika	971	33	model	Viable	M5: Very Low
Flathead	140	40	inventory	Viable	M2: High
Francois	58	7	expert opinion	Viable	M2: High
Garibaldi-Pitt	3	1	inventory	Threatened	M1: Extreme
Hart	244	12	model/expert opinion	Viable	M3: Moderate
Hyland	231	13	expert opinion	Viable	M5: Very Low
Kettle-Granby	87	13	inventory	Threatened	M2: High
Khutzeymateen	277	38	model/expert opinion	Viable	M4: Low
Kingcome-Wakeman	199	41	inventory	Viable	M4: Low
Kitlope-Fiordland	214	23	expert opinion	Viable	M4: Low
Klinaklini-Homathko	251	20	model/expert opinion	Viable	M4: Low
Knight-Bute	250	47	inventory/expert opinion	Viable	M4: Low
Kwatna-Owikeno	229	25	expert opinion	Viable	M4: Low
Moberly	71	9	model	Viable	M2: High
Muskwa	840	24	model	Viable	M5: Very Low
Nation	170	10	inventory/expert opinion	Viable	M3: Moderate
North Cascades	6	1	expert opinion	Threatened	M1: Extreme
North Coast	190	30	expert opinion	Viable	M3: Moderate
North Purcells	332	39	model	Viable	M3: Moderate
North Selkirk	265	49	model	Viable	M3: Moderate
Nulki	44	3	model/expert opinion	Viable	M2: High
Omineca	402	14	model/expert opinion	Viable	M5: Very Low
Parsnip	455	43	model/inventory	Viable	M5: Very Low
Quesnel Lake North	187	22	model/expert opinion	Viable	M3: Moderate
Robson	534	28	model/inventory/expert opinion	Viable	M3: Moderate

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Rockies Park Ranges	116	20	model	Viable	M2: High
Rocky	538	14	model/expert opinion	Viable	M3: Moderate
South Chilcotin Ranges	222	12	inventory	Threatened	M3: Moderate
South Rockies	170	21	inventory	Viable	M2: High
South Selkirk	58	14	inventory	Threatened	M2: High
Spatsizi	666	32	model	Viable	M5: Very Low
Squamish-Lillooet	46	9	inventory	Threatened	M2: High
Stein-Nahatlatch	22	3	inventory	Threatened	M1: Extreme
Stewart	358	40	expert opinion	Viable	M5: Very Low
Taiga	94	2	model/expert opinion	Viable	M4: Low
Taku	576	21	expert opinion	Viable	M5: Very Low
Tatshenshini	407	28	model	Viable	M4: Low
Toba-Bute	130	21	inventory	Viable	M4: Low
Tweedsmuir	368	22	model/expert opinion	Viable	M5: Very Low
Upper Skeena-Nass	755	47	model	Viable	M5: Very Low
Valhalla	88	25	model	Viable	M2: High
Wells Gray	345	25	model/expert opinion	Viable	M4: Low
Yahk	20	7	inventory	Threatened	M2: High

4.3 Habitat and Biological Needs of Grizzly Bears

Grizzly bears are wide-ranging omnivores that require large areas to meet their life requisites. Across their range, the species is a habitat generalist occupying temperate rain forests, montane forests, boreal forest, subalpine forests and meadows, alpine, subarctic taiga, arctic tundra, and even sagebrush and grasslands. The major factor influencing grizzly bear habitat choice within a bear's home range is the abundance and distribution of food and the presence of humans, who they commonly avoid. Roads bring bears and people closer together, which can create conflicts that lead to mortality, but they are also avoided like any other human development, which can cause reduction in density (Table 2).

Grizzly bears must gain sufficient energy and protein reserves in a six to eight-month active season for hibernation and reproduction, so they concentrate their feeding in habitats with an abundance of high-quality foods. Grizzlies learn to use specific locations with abundant food, and these become centers of activity within a home range. They often make predictable seasonal movement within their home range which are driven by food availability, although the timing of these movements may change among years based on annual weather influences on food abundance. In spring. Breeding males often expand their home range in search of eligible females; breeding males do not appear to eat much during the breeding season.

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While considered omnivorous, grizzlies eat primarily plant-based foods in many areas. Habitat selection often varies among individuals. For example, during fall some bears in an area eat mostly fish while others eat mostly berries. An individual's diet can vary from near complete herbivory to near complete carnivory within a population. There may also be significant variation in habitat selection within a population based on sex, age, and reproductive status, with lone adults often occupying habitats that are higher quality, relegating subadults and females with dependent offspring to riskier or lower quality habitats.

Habitats preferred by grizzly bears change over the year. Seasonally important habitats have usually been separated into (1) spring/early summer or pre-berry/pre-salmon period, and (2) summer/early-fall salmon and berry producing period, and sometimes include a post-berry period. During spring, bears often use low elevation habitats, eating winter-killed and new-born ungulates, and emergent vegetation such as grasses and forbs, and roots. Riparian habitats are often important at this time. Other bears remain high in the mountains during spring and forage on wind-blown ridge-tops or early emergent vegetation on avalanche slopes. Avalanche paths are key spring feeding habitats in many areas but not all avalanche paths are used. High use avalanche paths are often the sub-hygric or wetter paths. During late spring, some bears move to higher elevations following the phenological green-up of vegetation, while many remain in valley bottoms or move to ungulate calving areas to hunt new-born ungulates.

During summer/early fall, many bears move to areas where berries are found. Summer and fall are also when salmon reach spawning channels and may be available to bears. The berry and salmon season is when bears gain most of their weight for hibernation. Animals such as ants and other insects, ground squirrels (*Spermophilus* spp.), marmots (*Marmota* spp.), and ungulates are also taken in spring and summer. A review of diet observations by biologists across BC documented that bears eat many different foods but that some plants and berries are eaten wherever they occur and are perhaps more important to population health. This report includes a spreadsheet tool to allow users to summarize diet observations by ecoprovince to characterize diet by ecosystem without going in the field. It is available here: https://a100.gov.bc.ca/pub/acat/public/viewReport.do?reportId=59121.

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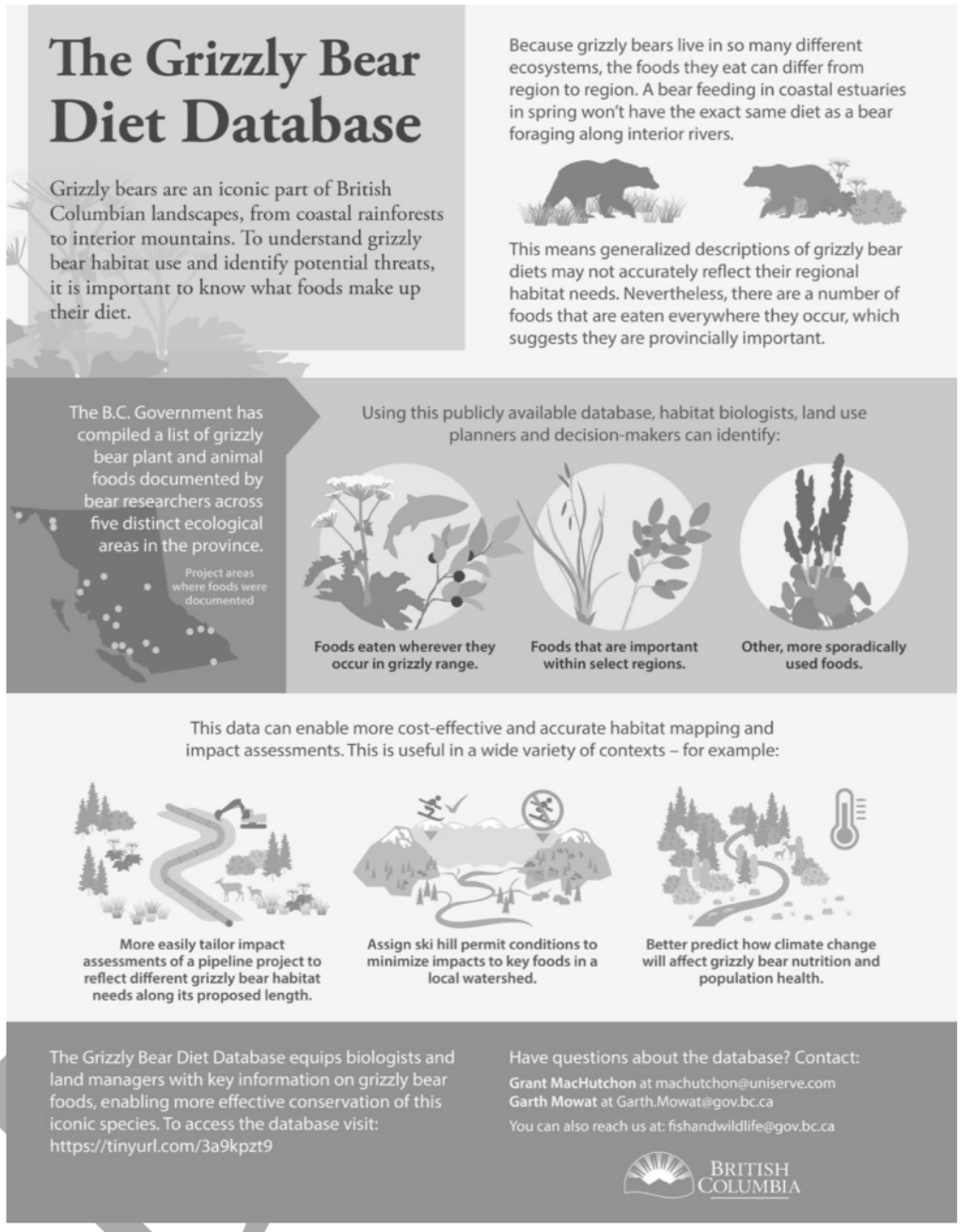

Figure 4. The Grizzly Bear Diet Database

Hibernation is an adaptive strategy to avoid seasonal limitations in food. Unlike most hibernators, grizzly bears can be aroused while hibernating and disturbances while denning can result in fitness costs if bears become active during this period. In mountainous areas, grizzly bear dens are often in alpine and timbered subalpine areas, while in flatter areas, bears den on other sloped areas including small drainage slopes. Dens may be located in natural caves, hollows under the roots of trees or excavated on steep slopes ranging from 55-90%. Most dens are located to ensure a long-lasting snow cover. Dens are usually located in areas where soils are well drained to prevent flooding and in soils cohesive enough to maintain the physical stability of the den.

Grizzly bears exit their den as early as March and as late as late May. Typically, adult males exit their den first followed by other independent bears while adult females that denned with their young often exit the den latest in the spring. In particular, adult females with young cubs who were born that winter are often the last bears to emerge from the den and even after emergence they often stay near the den for several weeks before moving to lower elevations. Female grizzly bears also den with their yearling offspring, and they may also den with their two-year old offspring. Grizzly bears tend to den near the treeline in mountainous areas and in these areas, spring is often marked by a trek downhill to find areas that green-up earliest in their environment. Sometimes these early green-up areas are on warm aspects at moderate, or even higher, elevations.

In fall, bears tend to go into their den in the reverse order they leave it with pregnant female, and females with young cubs denning first while adult males may be found outside into December in southern parts of the province, or simply using makeshift temporary dens in parts of the coast. Bears in North America have responded to the recent warming climate by shortening their denning period.

Some human-disturbed habitats, like road allowances, logged areas, seismic lines, and reclaimed well sites and pipelines may attract bears to feed. Areas of human activity are generally used less frequently by bears or characterized by high human-caused mortality. For instance, road use is affected by traffic volume, where some bears avoid the road when the traffic is high (Figure 5).

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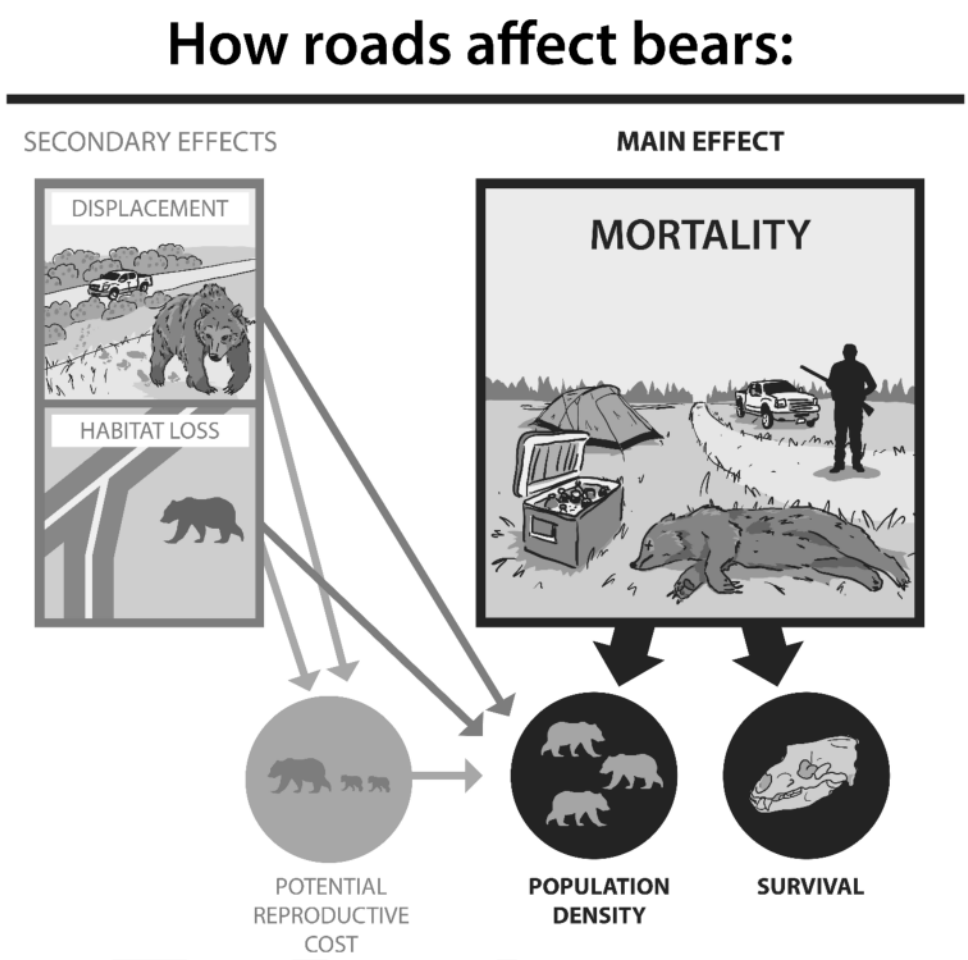

Figure 5. How roads affect bears and can lead to displacement, habitat loss, and, depicted in the image above, human caused mortality due to conflict from unsecured attractants.

Roads may remove habitat entirely, cause disturbance such that habitat is avoided, or lead to bear-human conflicts. Mitigating the effects of motorized access will lead to the greatest benefits to the local bear population if:

a) roads cross the highest quality grizzly bear habitats or occur in areas with rich food resources (e.g., productive berry patches or salmon streams);

b) open road densities exceeded 0.6 km/km^2; and

c) less than at least 60% of the management unit's area is secure habitat (i.e., > 500 m from an open road in patch sizes of at least 10 km^2). Medium quality habitats containing non-limiting resources such as riparian areas or avalanche chutes should be managed close to or below 0.6 km/km^2 and with at least 60% of the management unit in secure habitat. The portions of the management unit with lower quality habitats can be managed at road densities > 0.6 km/km^2.

Much of the productive lands in the contiguous 48 states and southern Canada are dominated by anthropogenic influences. For bear populations in these areas, human settlements and alteration of the

landscape limits habitat choices and fragments populations and can impact individual bears through increased stress and disturbance. Reduction in habitat use by grizzly bears can extend over a land area much larger than that occupied by the development itself. Consequently, assessments of grizzly bear habitat commonly apply indicators of functional habitat loss in consideration of the effects of human activities.

There are large areas of British Columbia that have few human residents. Many of these areas are still affected by human use such as logging, oil and gas exploration and extraction, and mining, and these developments often reduce habitat quality and bring people into encounters with bears. Some areas offer habitat protection for grizzly bears, such as the Muskwa-Kechika Management Area or the Great Bear Rainforest. Kaska Dena Dene K'éh Kusān have asserted additional areas for habitat protection such as the Kwadacha Indigenous Protected and Conserved Lands, which is one of the largest remaining pristine and intact lands in North America. They have proposed another Indigenous Protected Area in the Ingenika Watershed in the Omineca Region. There are also parks in the province that provide habitat protection, although few are as large as the above-mentioned areas, and weren't necessarily designed to maintain connectivity of wildlife habitats. Large protected and connected areas provide the greatest long-term conservation certainty for grizzly bears and serve as source populations that can support populations in adjacent areas if they experience losses or declines. Key to grizzly bear persistence in B.C. is how we live and manage the lands between protected areas, and connecting our smaller protected areas with corridors, may improve their functionality to grizzly bears.

Table 2. Summary of essential functions, features, and description of grizzly bear habitat in British Columbia. These components are essential for either the health of individuals or populations.

Component	Function(s)[a]	Feature(s)[b]	Description
Winter dens	Dens provide refuge from weather and people where individuals can safely pass the winter and give birth.	The physical attributes of dens vary greatly among ecosystems, but most are high in the mountains in B.C.	Sites with long-lasting snow cover for insulation, soils that are well drained to prevent flooding, and cohesive enough to maintain physical stability.
Seasonally important forage sites	Regionally preferred forage species that allow individuals to gain weight needed for denning and reproduction.	Varies greatly among forage type selected however, foods selected during this season are usually highly clustered and patchy allowing individuals to forage intensely in one area for many consecutive hours or days.	Sites with accessible energy rich food such as: salmon, berries, whitebark pine seeds, or carcasses including 'gut piles' from animals killed by hunters which are often at low elevations in areas used by people.
Spring forage sites	Provide protein-rich new-growth plant-based foods or winter killed/weakened ungulates or their newborns (neonates).	Often sites with early green-up such as low elevation riparian areas, estuaries, south facing slopes, southwest facing avalanche chutes or even roadsides and pipeline corridors. Energy rich roots and tubers are also eaten.	Sites that green-up early in the year and support preferred forage; avalanche run-out zones and other places where winter killed ungulates may be found; coastal estuaries especially sedge flats; south facing avalanche chutes that

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Component	Function(s)[a]	Feature(s)[b]	Description
			are herb dominated; pipeline rights-of-way; ungulate calving areas.
Interpopulation connectivity habitat	The process of integrating new individuals into an existing population. This includes the rescue effect provided by movement among sub-populations.	Suitable space that allows bears to move among sub-populations safely.	Zones that provide safe connectivity with adjacent populations. Habitat type is less important than security from human disturbance or persecution.
Source populations	Provide abundant young that can emigrate to nearby areas to support less stable populations.	These areas must be large enough to support a self-sustaining bear population and protected from human-caused habitat and population losses.	Large populations that have low human disturbance and mortality and are spatially connected to other populations or sub-populations that are not self-sustaining.

[a] Function: a life-cycle process of the species (e.g., include either animal or plant examples: spawning, breeding, denning, nursery, rearing, feeding/foraging, and migration; flowering, fruiting, seed dispersing, germinating, seedling development).

[b] Feature: the essential structural components of the habitat required by the species.

4.4 Ecological Role

Indigenous knowledge of grizzly bears passed down through generations of oral history and stories or learned throughout the experiences of Indigenous Peoples living today suggests that grizzly bears act as a strong indicator of the ecological and cultural health of a landscape through their physical presence and influence on plants, animals, and humans. Many First Nations speak to the power of the grizzly bear, and the grizzly bear's role as stewards or guardians of the land and animals. Grizzly bears, like humans, were acknowledged as a living embodiment and extension of the land. Some Nations feel strongly that grizzly bears should be viewed as part of a community in their environment, not as a stand-alone species, and that ecosystem health should be prioritized in their stewardship.

Grizzly bears are commonly referred to as an "umbrella species", meaning that conservation efforts that benefit grizzly bears can have positive impacts on many other species within the ecosystem.

The relationship that grizzly bears have with other plant and animal species is complex. Predation is an important ecological process and grizzly bears are apex predators that commonly feed on ungulates (especially neonates), ground squirrels, marmots, and anadromous fish. There is regionalized evidence that there is a regulatory role played by bears upon their prey in some ecosystems. For instance, grizzly bear predation upon refugee populations of Arctic ground squirrels (*Spermophilus undulates*) helped maintain relatively constant population sizes (i.e., regulatory effect). For salmonids and ungulates, where the salmon or ungulate population is at low density, grizzly bear predation may contribute to holding

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populations below a habitat's carrying capacity, however further research is needed to better understand these relationships in different ecosystems.

Grizzly bears play an essential role in nutrient distribution from salmon and other marine species into forests, both through predation and scat. Nutrient inputs and their cycling are key processes controlling the productivity of ecosystems. Nitrogen is frequently a limiting nutrient in northern forests. Principal sources of input are from atmospheric deposition and Nitrogen-fixing plants. However, freshwater and riparian ecosystems may also benefit from marine-derived nitrogen from the bodies of salmon or other anadromous fish returning to their natal freshwater streams to spawn. The implications of animal-distributed nitrogen from fish to the forest are widespread throughout food webs.

When abundant, grizzly bears are an important disperser of seeds for the numerous plant species producing fruits because they eat large quantities and commonly excrete seeds that can later germinate. Scats commonly contain thousands of seeds and passage through the digestive system improves germination rates. The seeds of Whitebark pine, an endangered species, are a preferred forage and heavily used where whitebark pine is still abundant.

Grizzly bears may structure plant communities and influence nitrogen availability when they dig for roots and corms such as glacier lily bulbs. Deep holes that grizzly bears dig for ground squirrels initially have lower species diversity than adjacent mature areas, however as the area around digs matures, the number of plant species is greater than similar, mature areas without digs - suggesting that bear digs contribute to the overall diversity of communities.

Despite the ecological role that grizzly bears play, their importance to ecosystem function varies. Grizzly bear foraging is more likely to redistribute nutrients or seeds or maintain plant community structure where grizzly bears are at higher densities. Similarly, because grizzly bears occur at low densities in many parts of North America, and may only feed on prey opportunistically, in most cases their impact on prey densities may be limited.

4.5 Limiting Factors

A major factor limiting grizzly bear population growth is their low rate of reproduction. Grizzly bears have one of the lowest reproductive rates among terrestrial mammals in North America due to their late age of first reproduction and the long interval between litters. In some regions of North America, it may take a female more than 10 years to replace herself in a population. Typical females may give birth to a maximum of 10 cubs before they stop breeding in their mid- to late 20s. In some places, half of these cubs will die within their first year of life. Surviving cubs usually remain with the mother for 2 or 3 years resulting a 3-to-4-year interbirth interval although birth intervals as long as 6 years have been observed. Reproduction is higher in more productive habitats.

Habitat quality affects population density through availability of spawning salmon and high-energy plant foods such as huckleberry. Habitats with abundantly available salmon may have one hundred times more

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bears than areas of poor habitat such as barren grounds or boreal forests. A strong relationship between population density and forage abundance has been found. Changes in these important foods are also linked to fluctuations in abundance and distribution of bears.

In some areas, small, isolated grizzly bear populations have significantly elevated conservation risk. Based on the International Union for the Conservation of Nature Red List, Grizzly bears along much of the southern fringe of their distribution in B.C. occur in small semi-isolated populations, including in the North Cascades, Stein-Nahatlatch, Yahk, and the South Selkirk Mountains GBPUs and some extirpated areas adjacent to existing GBPUs.

5 EFFECTS ON OTHER WILDLIFE

There are many ecological zones in B.C. and the ability of grizzly bears to exploit terrestrial and aquatic foods results in various ecological roles within the communities they inhabit. In areas where salmon are not present, grizzly bears likely have higher predation on ungulates and other wildlife species. Grizzly bears can be a top-down limiting factor on prey species, largely through predation on neonate ungulates. Studies in Alaska, British Columbia, and the Yukon Territory have shown that grizzly bears often kill moose and caribou calves in some areas.

Interactions among grizzly bear and other apex predators such as wolves, cougars, and black bears are complex and can range from negligible to high, depending on the density of grizzly bears. These effects can result in reduced kill rates by wolves, displacement of black bears from important habitats, and displacement of cougars from kill sites. Other ecological influences include the ability of grizzly bears to disperse seeds, cultivate soil, and increase nitrogen in alpine areas, and the fertilization of upland riparian habitat adjacent to salmon spawning streams. Overall, ecological interactions are complex and include many factors such as sex of the bear, population densities of predators and prey, and geographic area of occupancy.

6 THREATS

Human activities and developments have a cumulative impact that affect individual bears and therefore populations by causing energetically expensive reactions by bears that disrupt their normal behaviour, displace them from high quality habitats, alter bear habitats, disrupt the bears' social system, or increase mortality rates because of increased contact with hunters, anglers, other land and resource users, or residents (see the remainder of the threats section for more detail). Grizzly bears can adapt to many habitat changes and a temporary increase of human presence; however, many activities and development result in increased motorized access. An increase in bear mortality or permanent displacement can occur if the access is long term and there is an increase of human activity or settlement. Areas with little human disturbance that are far from disturbance generally support more bears.

The impact of various threats to grizzly bears were estimated for individual GBPUs using a modified version of the NatureServe elemental calculator. The calculator assigns one of 5 classes of overall threat

DRAFT

impact: Negligible, Low, Medium, High, or Very High. The NatureServe calculator summarizes the individual impacts of 11 IUCN threat categories to determine cumulative impacts to species (residential and commercial development, agriculture and aqua-culture, energy production and mining, transportation and service corridors, biological resource use, human intrusions and disturbance, natural system modifications, invasive and other problematic species and genes, pollution, geological events, climate change and severe weather, and how these threats impact connectivity). Figure 6 shows examples of some of the threat calculations for B.C. Threat impact estimates within different threat categories are based on threat scope and severity. The NatureServe calculator combines the individual IUCN threat impact estimates to determine the overall threat impact class (for a chosen population unit).

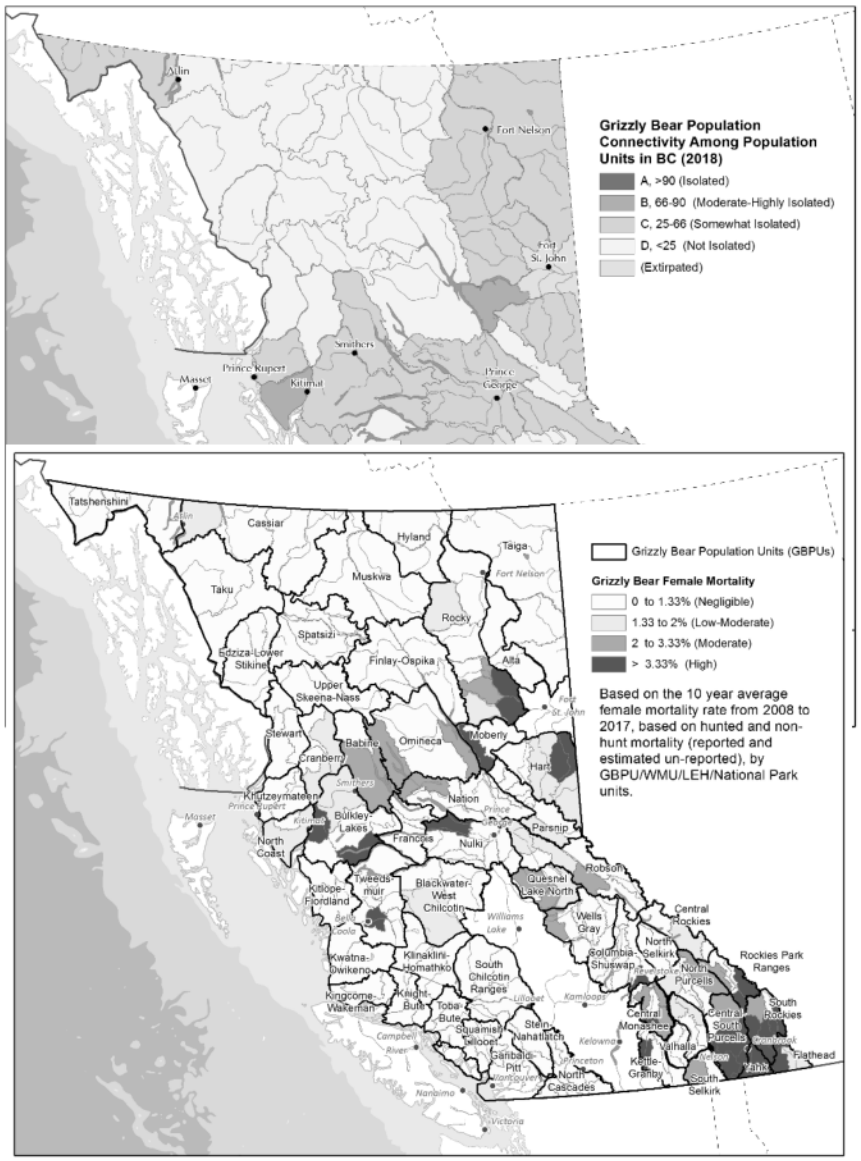

Figure 6. Examples of population connectivity (top map) and female mortality (bottom map) used to calculate grizzly bear threats for B.C. Connectivity was mapped using expert opinion while female mortality was calculated based as the number of female kills reported in the Compulsory Inspection data

divided the provincial population estimate for 2018. These calculations were done for each Wildlife Management unit that had a population estimate.

Spatial metrics of mortality risk, population isolation, and food quality were used to estimate provincial and GBPU specific threats. These metrics were similar to those used in a provincial scale cumulative effects assessment for grizzly bears. The outcome of that analysis is presented visually in Figure 7 below. The final assignment for each unit does not include on-going mitigation measures in most cases. Nor does it include local knowledge or very recent changes to threats such as the hunting closure in 2017 or reduction in salmon available on the Chilko River due to the 2019 landslide on the Fraser River. Future population unit level plans and objectives should address mitigation measures, include local knowledge, and re-evaluate present and future local threats. Hence, the threat assignments shown in Figure 7 should be considered general and subject to modification. Discrepancies between this ranking outcome and Local Ecological Knowledge have been identified for coastal GBPUs and others.

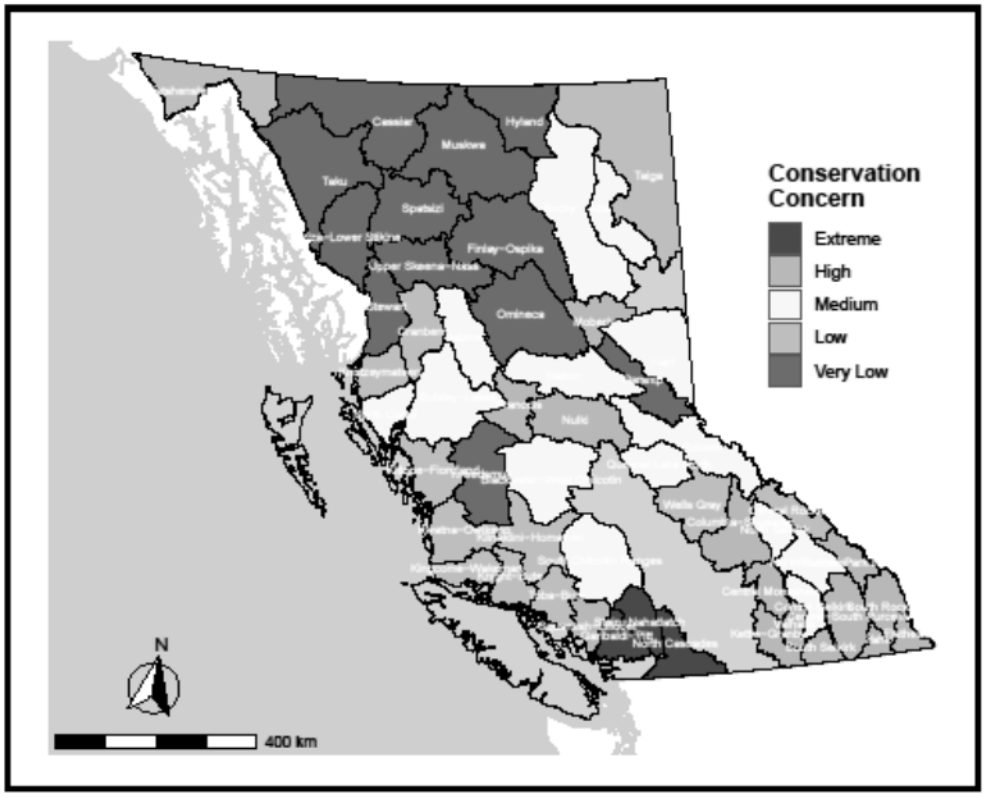

Figure 7. NatureServe Calculator - Conservation concern for all grizzly bear population units in B.C. except those areas that do not currently support a breeding grizzly bear population (grey areas on figure).

Human-caused mortality

Perhaps one of the greatest threats to grizzly bears comes from the killing of bears by people. This may include bears killed in direct conflict with people, bears killed illegally by people (poaching), bears that are killed in road or rail accidents, bears killed under aboriginal rights, or in the past through legal hunting (there is currently no licensed grizzly bear hunting in B.C.). There has been gains in reducing this threat, with progress most often realized in areas that have focused conflict reduction programs.

In 1999, an investigation into the causes of mortalities for radio-collared grizzly bears in 13 study areas in the Rocky and Columbia Mountains of Alberta, British Columbia, Montana, Idaho, and Washington found that people killed 77-85% of the grizzly bears known or suspected to have died while collared. In jurisdictions that permitted grizzly bear hunting, legal harvest accounted for 39-44% of the mortalities. Other major causes of mortality included management agency kills of bears that were involved in human-bear conflict, self-defence kills, and poaching. A more recent study, in the Flathead Valley of southeastern B.C., found that for every radio collared bear killed outside of the legal hunt, five others died but were not reported.

Response to grizzly bear-human conflict is a large workload for the B.C. Conservation Officer Service (Figure 8A) and both individual and organizational responses to conflict often create acrimony with the public. The number of calls and hence CO Service workload has been increasing for at least three decades. The WildSafeBC program was created to educate the public about wildlife conflict and has likely helped to reduce conflict with bears, give the public greater certainty about best practices, and reduce Conservation Officer workloads. The number of bears killed in conflict with people has not increased with the number of calls (Figure 8), which may be due to changes to conflicts responses by the Conservation Officer Service or the implementation of the WildSafeBC program and other coexistence measures.

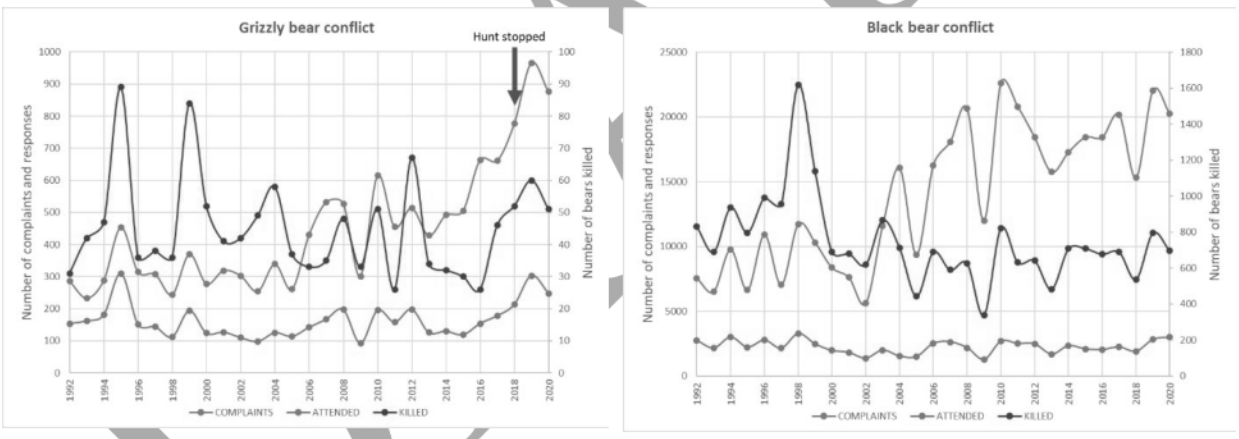

Figure 8. The number of calls per year to the BC Conservation officer service regarding bear conflicts with people, the number of incidents attended, and the number of bears killed each year in conflict for grizzly (A) and black bears (B).

Before licensed and regulated hunting of grizzly bears was closed across B.C. in 2017 it is possible that hunting was a threat to grizzly bears in some areas, but given the conservative rates of harvest that risk was very low at the provincial level. Grizzly bears were hunted under a conservative harvest management procedure from the '90s to 2017, and no large-scale declines were attributed to overharvest under regulated hunting. There were instances where the allowable human-caused mortality of grizzly bears within specific GBPUs, and in specific years, was exceeded, although in those cases the excess mortality

was generally attributed to a combination of both hunting and non-hunting mortality (i.e. road and rail kill, conflict kills, etc.). In these instances, hunting opportunities in those GBPUs were either reduced or the GBPU was closed to hunting.

Under the provincial *Wildlife Act* it is an offence to

- posses the male bear genitalia separated from the carcass of a bear,
- possess a bear gall bladder or bile, and
- traffic in bear gall bladders, bile, male genitalia separated from the carcass, or a paw separated from the carcass and the hide.

There are many unknowns regarding the extent of illegally trafficked grizzly bear parts in B.C., or what the impact of these illegal activities may have on grizzly bear sustainability or conservation, although it is a serious threat for some other bear species in other parts of the world. It is likely that the majority of illegal trade in bear parts in B.C. is for black bears, given their range, distribution, and populations all significantly exceed those of grizzly bears. The province is large, and enforcement of wildlife laws is a challenge. The Conservation Officer Service does an admirable job with the resources they have, but they can always use help. Please step up and add to the eyes and ears of the provincial Conservation Officer Service. If someone witnesses someone breaking a wildlife law, they are encouraged to contact the Conservation Officer Service Report all Poachers and Polluters hotline at 1-877-952-7277.

Threat 1. Residential & commercial development (estimated to be Negligible to Medium among individual GBPUs)

Housing, urban developments, and commercial and industrial developments have similar impacts on bear habitat. These developments can result in direct habitat loss and displacement and can reduce survival rates for bears of all ages and can also result in increases to highway traffic/road mortality, outdoor recreation, attractants, and fragmentation of habitats.

Modelling exercises suggest that areas with greater than approximately 6 people per km^2 no longer support grizzly bears. These impacts are often discussed in concert with cumulative effects on grizzly bears. While habitat loss or displacement from habitat is caused by this threat, direct human-caused mortality resulting from human development is more often documented and hence assumed to be a bigger threat (see Threat 5). Conservation mitigations for these types of developments include land conservation efforts that retain open space (easements, purchases, and trades) coupled with the implementation of community programs that minimize human-bear conflicts and preventable conflict-related bear mortalities.

Human development can reduce movement among bear populations by creating barriers as described in Threat 4. Crossings can be improved on transportation corridors using fencing and crossing structures such as overpasses and underpasses, but this is not possible in urban and suburban areas. It is usually assumed that the human-caused mortality associated with communities and dwellings increases conservation risks for bear populations and contributes to fragmentation. Land acquisition, subsequent habitat improvements, and programs to minimize human-caused mortality that encourage crossings

DRAFT

between communities can be a long-term solution to conserve or improve connectivity between settled areas (see South Selkirk Recovery example below).

Threat 2. Agriculture (estimated to be Negligible or Low for individual GBPUs)

Grizzly bears occasionally kill livestock or depredate crops such as corn or grapes. Crop depredation incidents are currently increasing, and will likely continue to increase in the future, as bears reclaim or are re-introduced into unoccupied areas. The government collaborates with the BC Cattlemen's Association to compensate livestock producers when stock are lost to wild predators (https://www.cattlemen.bc.ca/lpp.htm). Wildlife specialists investigate the attack scene to try to learn which species killed the stock and how best to stop this from happening again. The specialist may remove wolves or coyotes that have killed stock but if a grizzly bear kills stock the COS is called. The COS then follows the Preventing and Responding to Conflicts with Large Carnivores Procedure. Government is working towards reducing future conflicts by increasing education, improving animal husbandry practices, and protecting important crops using electric fencing. In future, zoning may be needed to prioritize where grizzly bears conservation is desirable and where it is not.

Agricultural developments can have similar negative impacts as urban, industrial, or recreational developments, resulting in habitat loss or displacement of bears from preferred habitats, and reduced survival rates for bears of all ages. The crops or livestock in these areas also have the potential to attract bears close to people, where bears are subsequently killed because of conflicts (Threat 5). High fences that exclude wildlife from certain fields to reduce crop depredation also exclude grizzly bears from the resources in the field but more importantly, they can disrupt movement among habitats which can reduce population connectivity. Similar to residential and commercial developments, the impact of agricultural developments on grizzly bears has not been considered on its own, but rather as a suite of impacts for cumulative effects assessments, and mitigation measures are similar, requiring programs to retain open spaces, protect livestock from bear attack, and prevent human-bear conflicts.

The Bear Smart and WildSafeBC programs (previously known as Bear Aware) work to minimize conflict between animals and people throughout the province "through collaboration, education and community solutions". Local community programs are available when there are sufficient funds pooled from the province, local municipal and regional governments, First Nations, ENGOs, and regional funding partners (e.g. Columbia Basin Trust funding supports delivery of the WildSafeBC program throughout the Columbia Basin). Very rural communities such as ranching communities or small, and/or remote, First Nations communities, typically do not have sufficient resources or agreements in place to facilitate local coordinators, and WildSafeBC is financially constrained in what services they are able to provide. There are also several examples of ENGO funded cost-share bear attractant management programs in B.C. that have been effective in reducing human-caused grizzly bear mortality.

Future efforts need to focus on securing funding and developing programs to support all rural residents and giving small communities the capacity to respond to their own conflicts. An example could be providing stable First Nation Guardian funding and training, and increased access to tools and solutions such as electric fencing and bear-resistant infrastructure and solid waste management. There may be an

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opportunity for government to partner with farmers and ranchers to improve co-existence with large carnivores.

Threat 3. Energy production & mining (estimated to be Negligible or Low for individual GBPUs)

The effects of industrial activities include direct loss of habitat, disturbance of denning areas resulting in abandonment of dens, habitat avoidance, and bears killed in conflict with people. Similar to other human developments, there are only a limited set of studies that examine the stand-alone impact of mines, oil and mineral exploration, and other large scale industrial developments. Displacement from intensive seismic exploration and intensive gas exploration and salvage logging in southeast B.C. far from human settlement was minimal. The impacts of habitat loss and displacement, and reduced survival rates from these developments are felt through cumulative impacts, in consideration with a broader suite of threats that usually includes roads and industrial camps. A key resulting impact from this suite of threats is direct human-caused mortality when bears come into conflict with workers at these sites (Threat 5); however, after decades of industrial activity in one study area (Flathead Valley), none of the almost 200 radio-collared bears were killed at industrial camps, but 32 died in conflict with people elsewhere in the valley and only a few from natural causes. Whether this applies more broadly to other areas of B.C., or whether bears may have died or had poorer health due to displacement form preferred habitats, is unknown.

Oil exploration may impact denning habitat because of the vibrations from explosions and drilling that are then transmitted through the ground, up to and over 1 km away. Observations on numbers, distribution, locations of dens, and responses of grizzly bears to oil exploration disturbances were recorded on Richards Island, Northwest Territories. While bears occupied most of the study area homogenously, they avoided camps. Though no population decline was observed during the three-year period of study, this time frame is very short to measure population trends, and long-term persistence of impacts may cause population declines over time.

Bear populations can be sustained with some industrial activities if those activities are conducted to maintain important habitats, and with properly located camps, incinerated garbage, restricted possession of firearms, and closed motorized access once a project is completed. Some industries employee conflict specialists who work specifically to reduce conflicts with the development and wildlife. Mortality impacts may not be immediate, but, if access (e.g., road networks) remains, the grizzly population remains vulnerable and may be impacted long after the development is gone (see Threat 4 and Threat 5). Post-development reclamation and access control will likely reduce the long- term effects of mines, but this effect has not been quantified to date.

There are many large reservoirs in B.C. These have eliminated large areas of riparian habitat where bears would have foraged in the past, particularly during spring. Water levels in many reservoirs fluctuate greatly and at low water levels, some bears forage on grasses and forbs that grow in the drawdown zone. Reservoirs on the Columbia River have eliminated anadromous salmon from that system in B.C., which historically was a major food for grizzly bears.

DRAFT

Threat 4. Road and Rail corridors including population connectivity (estimated to be Negligible to Medium for individual GBPUs)

Transportation corridors have a variety of negative implications for grizzly bears. These structures result in habitat loss and displacement of bears as well as direct mortality from collisions with vehicles and trains, particularly with trains where earlier grain spills, or collisions with wildlife has left carcasses, has occurred. Along some highways, bears become habituated to people and even food conditioned which may lead to human-bear conflict and eventually direct human-caused mortality. The combination of these factors along a transportation corridor that crosses entire reaches of occupied bear habitat can lead to fragmentation and population isolation which can significantly influence conservation status. Some bear populations in the southern extent of their range have significant genetic differences reflecting a lack of historic movements across the corridor. Some areas, due to direct conservation efforts thanks to multiple agencies, volunteers, academics, and industry, are becoming less fractured, while other fractures, particularly in the southern Coastal Mountains, remain problematic. Although there has been expansion to the point of reconnection in some south coastal grizzly bear populations, others remain largely isolated. Bears in the North Cascade Mountains of southern B.C., a population with very few individuals, are separated from occupied bear habitat to the northwest by the Fraser River canyon, a major transportation corridor with a large river, settlements, and many other developments. Only one or two male bears are known to have crossed this corridor in the past 3 decades and neither appears to have stayed in the unit. The Stein/Nahatlatch population only contains about 20 bears and these bears have lower genetic diversity than other populations in North America except Kodiak Archipelago. Although some males move to and from this population to the north, females do not.

Forestry and other industrial roads are an integral part of most human developments. A study in the Flathead Valley of B.C. looked at the displacement effect of roads on grizzly bears in an area where bears were hunted, and they found that most bears avoided habitats within 250 m of roads. This equated to a habitat loss of 8.7% within their study area. This was significant because many habitats close to roads contain important bear foods. Avoidance of roads was independent of traffic volume, with even just a few vehicles a day displacing bears, however, in the Parsnip Valley, grizzly bears avoided primary logging roads but not secondary roads. That lead to higher mortality for of grizzly bears because use of secondary roads was not predictable. A lot of people travelling them were hunting other species, particularly moose, and grizzly bears were shot as a result of human-bear conflict. Perhaps more importantly, 17 of 21 radio collared bears that were killed by people and had known mortality locations died within 150 m of a road; all 4 killed further from roads were by legal hunting.

A study in 1996 examined the relationships between grizzly bears, habitat, and roads in the Swan Mountains of Montana. Selection for landscape units declined as road density increased and there was no selection for private lands. Grizzly bear seasonal use of areas within a 500 m buffer surrounding roads was either neutral or positive for buffers surrounding closed roads and roads receiving less than 10 vehicles per day, but bears avoided buffers surrounding roads having greater than 10 vehicles per day. Within the six-year timeframe of the study, eight grizzly bears were killed by humans. All deaths were

DRAFT

influenced by road access and unnatural food sources. These deaths were additive to natural mortality and were too many to allow for population growth.

Mitigations for the impacts of roads often requires access planning to reduce the number of open roads, but also their juxtaposition with important bear habitats. In protected areas, more options for managing traffic on roads may exist. For many years, grizzly bears that used roadside corridors in Yellowstone National Park (YNP) were captured and translocated, removed, or hazed away from habitat adjacent to park roads for human safety concerns. This practice reduced the overall amount of habitat available to bears in the park and increased human-caused bear mortality; translocated bears, put into unfamiliar areas with different habitat were often killed after translocation because they got into conflict with people in the areas they were translocated to. Bear managers in YNP revaluated this approach and implemented management of tourists who were stopped at roadsides viewing bears with no stopping zones, temporary area closures, fencing, vegetation screening, and baiting bears away from roadsides (diversionary feeding). These management actions have increased the overall amount of roadside habitat available for bears and reduced the number of human-caused mortalities. Bear density also increased during this period.

In many parts of B.C., road density has significantly reduced the potential density of bears and, in some areas, to the level that the population is threatened. For more complete treatment of this topic see the Proctor et al. 2019 review of resource roads and grizzly bears which is cited in the Recommended Readings section. The only way to recover some of these impacts is to reduce road traffic or close a portion of the roads, both of which reduce human/bear interaction and disturbance to bears. This must be a large part of grizzly bear recovery and coexistence in some parts of B.C. Currently this requires a detailed planning and consultation process, which can take considerable time. Increases in food on logged or burned areas can be short-lived in some ecosystems, so post-harvest access planning may yield little benefit to bears if the closures happen well after harvest. Pre-harvest access planning can yield better results for bears and is a less arduous process because the fate of the road can be written into the development prescription before the block is harvested. Pre-harvest access planning is the best way to minimize the impact of roads on bears into the future in B.C., however, this should not undermine efforts to close existing roads to improve habitat.

Transportation planning to increase population connectivity has been shown to reduce barriers to movement from highway traffic. There are many structural measures that can be used, and several have been tested in B.C., mostly in national parks. A multi-agency connectivity program is being implemented across Highway 3 in the Rocky Mountains. Many tools exist to analyze habitat connectivity and the maps generated by these analyses can be a starting point for local discussions around mitigation. Implementing crossing structures will require local planning and cooperation among many stakeholders due to the costs involved. Existing transportation structures such as vehicle bridges and drainage culverts can be modified to facilitate wildlife movements, which may offer feasible solutions in some areas.

DRAFT

In addition, planning tools like Land Use Plans can include steps to maintain or improve habitat connectivity such as the Chilcotin Land Use Plan, however it is extremely difficult to evaluate the impact of these measures.

One of the mandates for the Ministry of Forests is to, with support from the Parliamentary Secretary for Environment, lead work with neighbouring jurisdictions to cooperatively develop and invest in new strategies aimed at better protecting our shared wildlife and habitat corridors, including work to implement the *Together for Wildlife* strategy.

Threat 5. Resource use including forestry (estimated to be Negligible to High for individual GBPUs)

In B.C., timber harvesting has resulted in a mosaic of seral stages across the landscape. Forest harvesting can, in some ways, resemble the actions of fire on the landscape of fire-dependent ecosystems (mostly in the interior) by removing the conifer canopy and allowing grasses, forbs, and shrubs to grow more rapidly, and sometimes can produce more bear foods. Logging in coastal areas may also produce more bear food however regeneration to young conifer forest is typically faster on the coast than the interior. There are, however, important considerations for maximizing bear food in logged areas. For example, the cover of preferred bear foods is generally less abundant on logged sites where herbicides or mechanical spacing are applied. Site treatment is at least partially responsible for this differential response. Scarification destroys the vegetative reproductive organs of many shrubs and summer logging using modern extraction equipment also damages stems, rhizomes and mycorrhizae, delaying the recovery of these shrubs post-logging. Winter logging damages fewer plants and is preferred for sites that already have high cover of a target perennial such as soapberry or huckleberry.

A major difference between burned sites and clearcut sites, is that even if bear foods are initially abundant in clearcuts, conifer regeneration is relatively rapid hence the flush of new food is only available until the regenerated coniferous trees grow to a point that the canopy closes. The result is large areas with predominantly closed canopy, second growth forests that contain very little bear food. The industry has developed many practices to speed up reforestation and shorten the early seral period which is the stage that generates the most food for bears.

In conclusion, habitat quantity can potentially, and temporarily, be improved by logging, but open roads left behind can negate the potential benefits and during the much longer duration of closed canopy in second growth forests habitat quality and quantity decreases drastically. Potential benefits can also be short-lived so spacing new logging frequently across the landscape will create a mosaic of new habitat for bears better than large amounts of logging following by decades of no activity. The impact of forestry on bears at a landscape scale is likely dependent on whether natural disturbance regimes are still in place, with landscapes without natural disturbance regimes, such as coastal wet forests, benefiting disproportionality from foods created by logging, while bears in systems that are dominated by natural disturbance may benefit less, or even be harmed, from logging. Habitat quality can be improved by using logging practices that damage perennials less such as winter logging or selective cutting. Any practice that lengthens the early seral period such as delays in planting, reduced stocking densities, planting slower

DRAFT

growing or mixed species, and reduced or eliminated use of herbicides or juvenile spacing will allow greater development of annual herbs and grasses and perennial shrubs and lead to more grizzly bear food. Pro-active approaches to forestry such as cultural burning that encourage these measures will benefit bears. Screening cover between roads and logged areas will allow greater use of forest openings by many different animal species. Wildlife friendly logging practices can increase the number of prey species such as moose and thus benefit grizzly bears. In many parts of the province, silvicultural prescriptions that will increase the amount of bear food on a block post-harvest could be implemented, although there may be increases to delivered wood costs or the free-to-grow period.

Forestry may also destroy bears dens or disturb denning bears such that they abandon their dens. Grizzly bears in BC usually den at elevations above forestry operations and conflicts with denning grizzly bears are rarely observed. Forestry impacts to denning grizzly bears are most likely in less mountainous areas, where bears are likely to den at lower elevations, that are more likely to be impacted by industry.

Threat 6. Reductions in food(estimated to be Negligible to High for individual GBPUs)

Declines in Pacific salmon stocks will negatively impact grizzly bear survival and reproduction in areas where their ranges overlap. There are correlations between salmon abundance and consumption and grizzly bear litter and body sizes, densities, and cub production; however, the consequences of declining salmon stocks on grizzly bear populations is complicated by regional variations in other food sources and grizzly bear adaptations to natural stochasticity in food resources. Massive declines in salmon returns appeared to cause more grizzly bear conflicts in the Owikeno Lake area of southern B.C. Many of these bears were reported to be in very poor body condition, and some local bears were subsequently killed in conflicts with humans. After the decline in salmon returns, salmon was a smaller part of the diet of bears in Owikeno Lake area than in other places on the mid-coast. Many salmon populations that spawn in BC have declined over the past few decades and this reduction in a key food resource is a big threat to local populations. Any initiatives to recover or improve upon salmon stocks can have beneficial impacts to grizzly bears.

Commercial picking of huckleberries directly competes with grizzly bears for an important food used by bears to gain weight in the fall. Other than some localized commercial berry picking restrictions in parts of the Kootenay region, this practice is largely unregulated in B.C. and the location and abundance of berries that are harvested are currently unknown hence the impact of this industry is uncertain and likely to vary by area.

Threat 7. Human intrusions & disturbance including commercial and non-commercial back-country recreation (estimated to be Negligible or Low for individual GBPUs)

British Columbia has desirable landscapes that will likely see increased outdoor recreation. Recreational developments can negatively affect bears because recreation areas are often in good habitat for bears. Back-country recreation is increasing markedly throughout B.C. and associated developments need to be

DRAFT

considered carefully to minimize impacts on bears and other wildlife. Local knowledge can inform permitting decisions as well as tools that map important habitats. Regional or local cumulative effects analyses have often summarized locally available data to support decision making. The Elk Valley Cumulative Effects Management Framework[2] and the Skeena Environmental Stewardship Initiative[3] are examples of this.

Qualitative models suggest that when the number of people increases to over 100 per day, the displacement effect on bears is high. Displacement effects can alter daily activities, including reductions to calorie intake. Grizzly bear feeding behavior on aggregations of adult army cutworm moths (*Euxoa auxiliaris*) in the alpine of Glacier National Park, Montana, was studied with respect to recreational climbers. When bears detected climbers, a substantive reduction in energy intake occurred because they spent 53% less time foraging on moths, 52% more time moving within the foraging area, and 23% more time behaving aggressively. Although bear viewing is characterized as a non-consumptive recreational activity, negative impacts of viewing activities on bears have been well documented, particularly in B.C., Alaska, and Yukon. Spatial, temporal, and behavioral changes to bear feeding activities can occur because of human presence for the purpose of viewing.

The degree of displacement caused by human activity can vary depending on the availability of cover and the type of activity. Reactions of grizzly bears to human activities in southeastern B.C. and northern Montana using radiotelemetry have been studied. Bears responded more strongly to ground-based human activities, such as people on foot or in moving vehicles, when in the open than when in cover. Cover had less effect on their response to fixed-wing aircraft. Bears generally displayed stronger reactions to human activities, other than to people on foot, that occurred less than 76 m away. The strongest response of bears was to people on foot, and these reactions were most extreme in areas of very low human use. A camera-based study in southwest B.C. found that faster moving vehicles such as motorized vehicles and mountain bikes caused greater grizzly bear displacement than slower vehicles such as horseback riders and hikers.

Increasing demand for backcountry recreation opportunities during winter (e.g., snowshoeing, helicopter-assisted skiing, and snowmobiling) in steep, high elevation terrain has elevated concern about disturbance to grizzly bears denning on the Kenai Peninsula, Alaska. To help identify areas where such conflicts might occur, a spatial model was developed to predict potential den habitat. In comparing the areas of highest probability of providing den habitat with patterns of snowmobile and non-motorized recreation, the authors found limited overlap between the two recreation activities and potential den habitat. At the landscape scale, however, backcountry skiing overlapped more with high-quality den habitat than did snowmobiling. Research on the impacts of recreation on denning is limited.

[2] www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/cumulative-effects-framework/regional-assessments/kootenay-boundary/elk-valley-cemf

[3] https://data.skeenasalmon.info/dataset/ssaf-state-of-value-report-for-grizzly-bear-2020/resource/12245066-ef58-4636-aa6e-27388071d42b

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If important foraging, denning, or security areas are spatially identified, human activities can be routed in areas that are less likely to be used by bears. Alternatively, access can be limited during periods that bears are using the area.

Threat 8. Natural events such as wildfires and landslides (estimated to be Negligible threat)

There is strong evidence that wildfires and some fire management practices such as prescribed burning or understory fuel removal improve grizzly bear habitat. The importance of fire in maintaining food resources that grizzly bears need, with optimum food availability at the early-seral, shrub-dominated phase of stand development has been long understood. Grizzly bears strongly select for open burned habitat where huckleberry (*Vaccinium sp.*), one of their major summer food, was plentiful. Reproductive rates were partially determined by huckleberry production and the abundance of these fruit in burned areas was thought to be the underlying cause of a much higher density of bears in an industrially developed portion of the Flathead Valley (southwestern BC) compared to the adjacent, protected part of the valley that had no major berry fields. In Southeastern BC, huckleberry abundance was related to habitat selection, female survival, and reproductive success and, in Scandinavia, bilberry (*Vaccinium myrtillus*) and lingonberry (*V. vitis-idaea*) abundance also had a strong influence on habitat selection and female reproductive success.

Due to increasing fuel abundance, wildfire suppression has been a major factor affecting natural fire regimes resulting in fewer but, when combined with changing climate, more intense fires. The implications of this novel fire regime on grizzly bears are uncertain but are likely beneficial. The large fires in the hot, dry 1930s, created huckleberry fields that were used by bears for many decades in the Flathead valley.

The direct impact of landslides to grizzly bears are likely negligible, and in some cases the vegetation that establishes in the year following a landslide may create beneficial habitat to grizzly bears. However, indirectly landslides can negatively impact grizzly bear populations by creating barriers or obstacles to the upstream passage of salmon in rivers and reducing available habitat for salmon spawning. Examples of this include the 2019 landslide on the Fraser River which reduced salmon passage to bears feeding on the Chilko River, or the 2021 landslide on Elliot Creek, upstream of Bute Inlet, which damaged important rearing habitat for juvenile chum and coho salmon and could have long term impacts to the availability of salmon to bears in the watershed.

Threat 9. Diseases (estimated to be Negligible threat)

Salmon Poisoning Disease (SPD) is caused by a rickettsial organism (*Neorickettsia helminthoeca*) and is found in freshwater systems on Vancouver Island and other locations in the Pacific Northwest and is well recognized to cause morbidity and mortality in domestic dogs. This parasite is documented to also affect bears and has been identified as a recent concern with identifying source populations for grizzly bear reintroduction in the North Cascade ecosystem. The potential implications to grizzly bear populations are that animals from areas that are not endemic for this parasite may be much more susceptible to its effects with potential mortality. A genetic resistance is suspected but not yet confirmed. Research also needs to be conducted to develop SPD surveillance techniques specific to bears.

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Researchers examined the gastrointestinal tracts of grizzly bears from populations of Alberta and B.C. Specimens were examined for helminths (parasitic worms), which were identified to the species level. They found seven parasite taxa: *Dirofilaria ursi*, *Baylisascaris transfuga*, *Uncinaria rauschi*, *U. yukonensis*, *Taenia arctos*, *Diphyllobothrium dendriticum*, and *D. nihonkaiense*. They also documented the first report of tapeworms *D. dendriticum* and *D. nihonkaiense* in North American bears. While individual parasite loads were high in some individuals, the research methods did not allow for documentation of population level affects.

Recently, hepatic sarcocystosis caused by an unknown *Sarcocystis* spp. was identified as a syndrome in black and young grizzly bears in B.C. The life cycle of this parasite in bears is not known, but there appears to be the potential for the infection to be fatal in all species of bears. Intramuscular sarcocysts are a common finding in many species, but are typically quite uncommon in bears, generally affecting less than 2% of bears in the United States.

Hepatitis and encephalitis (inflammation of the liver and brain) associated with *Sarcocystis* was likely the cause of death in three yearlings, as well as the cause of aggressive behaviour of a single aged black bear female, in study on Vancouver Island. Three other bears that died of other causes (e.g., euthanized, shot, or electrocution) also had multifocal necrotizing hepatitis associated with *Sarcocystis* spp., which may have affected their general health and/or predisposed them to trauma. Grizzly bears may respond to *Sarcosystis* infection the same way black bears do given their close evolutionary relationship. Analysis to further characterize the *Sarcocystis* spp. infecting bears and its cohort-specific impacts with a full understanding of this parasite's life cycle needs to be carried out.

Other infectious diseases such as avian influenza, rabies, trichinella, canine distemper, canine hepatitis, and demodectic mange can affect bears but either are not identified or have not caused significant population or conservation concerns to-date in B.C. or elsewhere. However, except for measuring body condition, survival, and reproduction during studies where bears are captured and handled, there have been no standardized efforts to assess grizzly bear health in BC or many other parts of North America. The impact of parasites on the health of bears is still poorly understood and the integration of parasitic disease surveillance into wildlife management and conservation programs is limited. In the last decade, habitat loss and fragmentation promoted disease emergence and mortality in giant pandas (*Ailuropoda melanoleuca*), parasitized by the intestinal nematode, *Baylisascaris schroederi*. This example demonstrates how progressive habitat fragmentation in the southern portion of grizzly bear range may not only increase positive density-dependent effects on pathogen transmission, spread, and persistence but may also influence bear health through other stress mediated mechanisms. While density-dependent effects of disease are likely, population level effects have not been seen in grizzly bears in B.C.

Threat 10. Pollution (estimated to be Negligible threat)

While some grizzly bears rely entirely on terrestrial foods, others focus to returning spawning salmon (*Oncorhynchus* spp.) in late summer. Salmon are a potential source of bioaccumulation of persistent organic pollutants (POPs). POPs resist breakdown, store easily in fat, and bioaccumulate through the food

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chain. POP concentrations and patterns measured in grizzly bears feeding on fish in coastal BC were high. While bears consuming a higher proportion of terrestrial vegetation exhibited POP patterns dominated by the more volatile organochlorine (OC) pesticides and the heavier polybrominated diphenyl ethers (PBDEs), bears consuming salmon were dominated by the more bioaccumulative POPs (e.g., DDT, chlordanes, and BDE-47). The ocean-salmon-bear pathway is via atmospheric contaminant transport, deposition into the marine environment, uptake into marine biota, accumulation through the food web, and retention in the bear tissues. Christensen et al. (2005) estimate that salmon deliver 70% of all OC pesticides, up to 85% of the lower brominated PBDE congeners, and 90% of polychlorinated biphenyls (PCBs) found in salmon-eating grizzly bears, thereby inextricably linking these terrestrial predators to contaminants from the North Pacific Ocean.

PCBs and other POPs have potential long term health impacts for bears. They can mimic, block, or disrupt the function of naturally occurring hormones in both humans and wildlife, and have been implicated as a causative factor in cancer, embryonic malformation, sterility, growth retardation, immunologic dysfunction, and reproductive abnormalities. In controlled studies of laboratory mammals, organochlorines including the pesticide DDT and the PCBs have caused changes in bone composition including reduced bone mineral density. Organochlorines have also been implicated in other bone diseases including periodontitis, a degenerative condition of tissues and bones surrounding the teeth. However, these effects have not been described or observed in wild bears.

Threat 11. Climate change & severe weather (estimated to be Negligible or Low for individual GBPUs)

Generalist species typically respond better to environmental change than more specialist species. Correspondingly, grizzly bears may be more resilient to some effects of climate change than other species. The effects climate change may have on grizzly bears relate to increased stochasticity in the availability of food resources. Whitebark pine (*Pinus albicaulis*) seed production, for example, which occurs throughout the southern portion of grizzly bear range in the United States and B.C., is often cited as an important food resource and will likely suffer from further climate change impacts. Historically limited by low winter temperatures at high elevations, recent beetle outbreaks facilitated by warmer temperatures have caused high mortality throughout the species range, leading the listing of Whitebark pine as Endangered in Canada.

Predicting the trophic and food web effects of climate change on bears are complicated by the diversity of foraging strategies bears use. For instance, in Alaska, grizzly bears have reduced their consumption of salmon in favour of red elderberries (*Sambucus racemose*) on parts of Kodiak Island. Elderberries have less protein than salmon but are more digestible and convert to body fat faster. Warmer spring temperatures cause berries to ripen earlier than usual, resulting in this food resource being available at the same time as sockeye salmon (*Oncorhynchus nerka*). In years with earlier springs, bears departed salmon spawning streams to forage on berries on adjacent hillsides. However, once bears are done foraging on berries, salmon runs were largely finished. In years with later springs, bears can capitalize on both food sources by eating berries after the sockeye runs have finished. On average, red elderberries are

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ripening two and a half days earlier every decade, suggesting berry ripening will regularly overlap with the salmon run by 2070. It is uncertain how this phenological shift will impact grizzly bear populations.

The effect of climate change on bear foods is likely to be diverse and will vary greatly across the province and among foods. For example:

- climate change is presenting unprecedented environmental conditions for salmon populations across B.C.'s coast and it is predicted that salmon productivity will be challenged by diminished water flows and increased in-river and marine water temperatures.
- Denning periods will shorten but the impact this may have on bear populations is uncertain although it is suspected human-bear conflicts may increase as a result.
- Forest fires have and will alter large areas of habitat although the impact on habitat quality depends on fire severity and vegetation recovery post-fire.

An additional threat of climate change on grizzly bears may be the movement of people from more southern, hotter parts of the world towards more northern locations, such as B.C.

7 CURRENT STEWARDSHIP APPROACH

The provincial framework of grizzly bear stewardship integrates population and habitat decisions and support tools and is implemented through legislation and the natural resource management system. Regulatory and policy mechanisms exist with the Forest and Ranges Practices Act (FRPA), Oil and Gas Activities Act (OGAA), B.C. *Wildlife Act*, the *Land Act, Park Act* (Park, Conservancy and Recreation Area Regulation), *Environmental Assessment Act*, *Environment and Land Use Act*, and various land use orders and regulations. Policy mechanisms include, but aren't limited to, the Interim Cumulative Effects Policy, Environmental Mitigation Policy, Identified Wildlife Management Strategies, and Land Use Plans and planning guides and Protected Area Management Plans. Collectively these provincial tools, some of which have been co-developed with First Nations are intended to ensure the stewardship and protection of grizzly bears and their habitats.

This document is not intended to capture the many Indigenous customs or practices specific to the stewardship of grizzly bear, nor the food, social, and ceremonial harvest rights that are diverse among First Nations. That said, various existing and emerging government-to-government agreements such as those associated with the Great Bear Rainforest in the Pacific North Coast contain specific content related to grizzly bear assessment and management. Treaties also include wildlife chapters that supports joint management of wildlife.

On October 24, 2017, the Office of the Auditor General conducted "An Independent Audit of Grizzly Bear Management" for B.C. This comprehensive review contained ten recommendations to improve on the management of this species, which the Provincial government accepted. Following the audit, the Ministry

Page 812 of 1021 Transition Binder 2024

of Forests submitted a Detailed Action Plan to the Select Standing Committee of Public Accounts that outlines how the recommendations from the audit will be acted upon. The Detailed Action Plan is updated and submitted annually to demonstrate progress made in implementing the recommendations. This continued review and transparency is expected to continuously improve the stewardship approach and outcomes for grizzly bear (and other wildlife and habitat values).

7.1 Habitat Management

Legislation, Tools, and Special Habitat Protection

1) FRPA and OGAA

The main framework for the conservation of grizzly bear habitat resides under the Identified Wildlife Management Strategy (IWMS; MoE 2004) in FRPA. Grizzly bears are designated as a species at risk under FRPA and OGAA and fall within the special habitat protections authorized under the Government Actions Regulation (GAR) and the Environmental Protection Management Regulation (EPMR). The Grizzly Bear Species Accounts and Measures IWMS provides direction, policy, procedures, and guidelines to manage the conservation of important ecological features and habitats for species at risk. Under the authority of GAR/EPMR, the Province can invoke habitat protection measures to designate Wildlife Habitat Areas (WHAs) or specified areas, or issue ministerial orders to establish WHAs that identify specific locations and, under GAR, prescribe forest and range practices within those areas. WHAs have been established throughout the province (See Figure 9. Grizzly Bear Wildlife Habitat Areas and Specified Areas) to protect a variety of special habitats including avalanche chutes, riparian forests, wetlands, as well as forests that provide thermal and visual cover.

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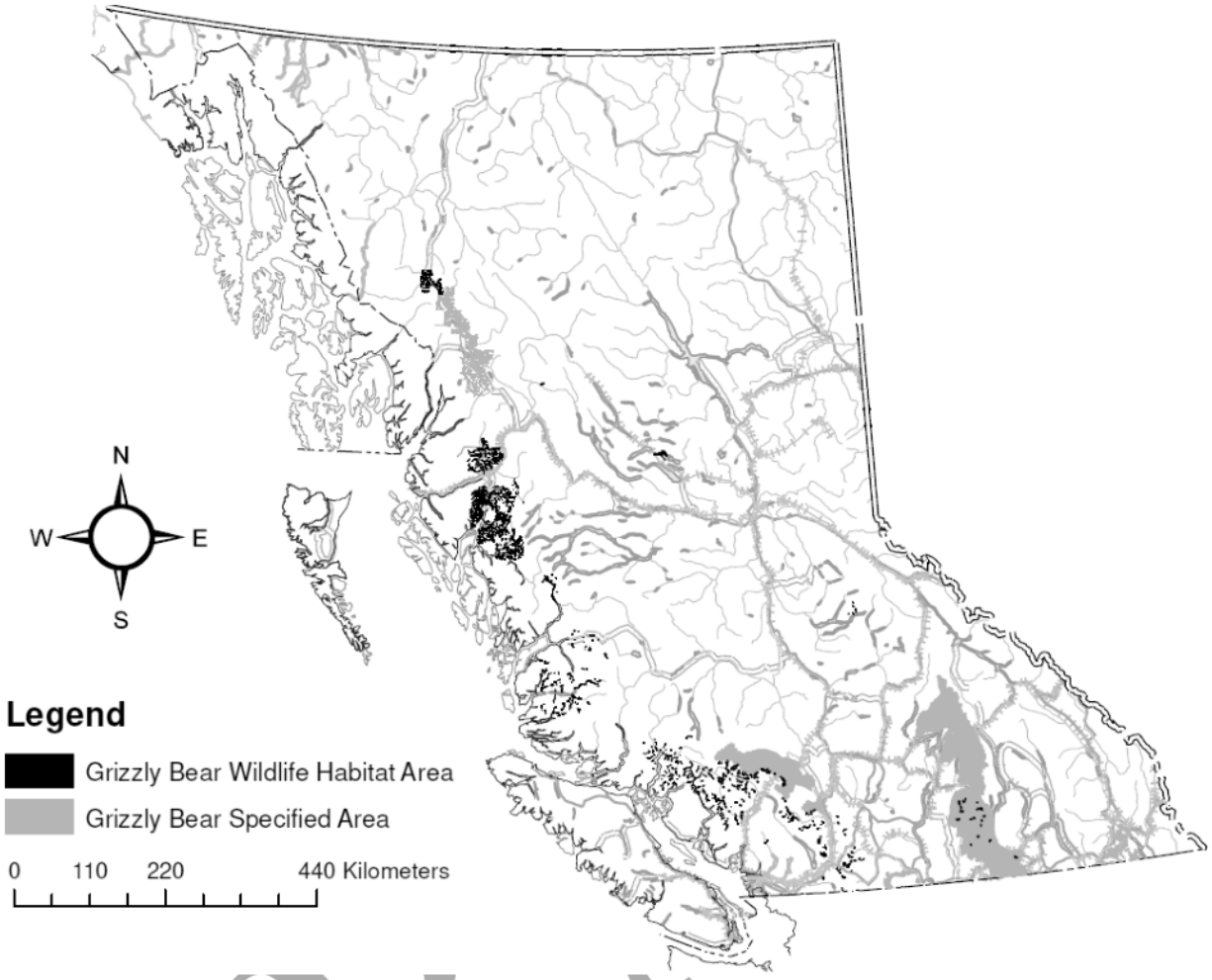

Figure 9. Grizzly Bear Wildlife Habitat Areas and Specified Areas

During the writing of this framework a new forest management system termed Forest Landscape Planning has been endorsed by the Province of B.C., and pilot projects for Forest Landscape Planning are underway in various parts of the province. Given the relatively recent announcement of this initiative this framework does not go into detail, however, more information on Forest Landscape Planning can be found at https://www2.gov.bc.ca/gov/content/industry/forestry/managing-our-forest-resources/forest-landscape-plans#4.

2) B.C. Wildlife Act

The B.C. *Wildlife Act* can be divided into legislation and regulations. The legislative component of the act has prohibitions on specific activities that people can do in relation to wildlife, and the regulatory component provides tools that support the overall intent of the act.

Legislation under the *Wildlife Act*, specific to grizzly bears, include prohibitions on possession, transport, export, killing, hunting, feeding, or attracting bears. There is also some authority in the act to protect wildlife habitat through Wildlife Management Areas (WMAs), where the alteration, destruction, or damaging of wildlife habitat in a manner that is harmful to wildlife or wildlife habitat is prohibited.

However, WMAs are currently not commonly used as a tool to protect grizzly bear habitat. Exemptions to all of these prohibitions, for example to allow for protection of private property or wildlife rehabilitation facilities, are available either through regulation or permits.

Regulatory tools under the *Wildlife Act* that relate to grizzly bear population stewardship include hunting regulations (there is no open season on any wildlife in B.C. unless one is designated in regulation) and motorized vehicle prohibitions/restrictions (i.e., access management) to protect habitat, minimize displacement, or reduce the potential for interaction between humans and grizzly bears. The Conservation Officer Service has the authority to enforce many of these tools including decisions regarding public safety.

WMAs empowered under the *Wildlife Act* can be designated on land and extend onto private lands under lease to the Ministry (FOR). None are specifically designated for grizzly bear, but several recognize grizzly bear habitat as one of several natural values, e.g., Tagin and Columbia Wetlands.

The *Wildlife Act* also has laws that prohibit people from intentionally feeding grizzly bears or attracting grizzly bears to any place where there are likely to be people. These laws are in place for the protection of both humans and grizzly bears; grizzly bears that become food conditioned and habituated to humans pose a safety risk to humans and to themselves. If a conservation officer believes on reasonable grounds that the existence or location of an attractant in, on, or about any land or premises, other than in a private dwelling, poses a risk to the safety of any person because the attractant is attracting or could attract dangerous wildlife to the land or premises, the conservation officer may issue a Dangerous Wildlife Protection Order directing an owner, occupier or person in charge of that land or premises to contain, move, or remove the attractant within a reasonable period as specified in the order.

3) Land Act

The *Land Act* has provisions to limit human use which could be used to protect bears and bear habitat. An order was recently enacted in the Kootenays to close certain areas to commercial huckleberry picking to reserve the resource for bears and non-commercial pickers. The Land Use Orders Regulation have also been used to establish objectives for protection and stewardship of grizzly bear habitat (e.g., the Great Bear Rainforest Land Use Order) for the purposes of the *Forest and Range Practices Act*. Other sections can be used to identify important habitat values in the authorization process so that decision makers may add conditions to permits if activities are authorized. These notices are typically managed as either administered or non-administered lands under the Conservation Lands Program.

4) Park Act

The *Park Act* contains provisions for much greater limitations to human behaviour, attractant management, commercial activity, and restrictions on human access to protect animals but these provisions only apply in provincial parks and protected areas. Other designations contribute to the protection of grizzly bear habitat throughout the province. The parks and protected areas of B.C. include

Page 815 of 1021 Transition Binder 2024

15.4% of the province, protecting many important areas for grizzly bears due to their size and in some instances remote location, for example, conservancies in the watershed of the Khutzeymateen River were designated to protect provincially important grizzly bear habitat.

5) Land Use Planning

During the 1990s, the Province embarked on an ambitious land use planning exercise under the Commission on Resources and Environment (CORE) review. The development of Land and Resource Management Plans (LRMPs) divided the province into subunits and laid the foundation for the establishment of new protected areas and/or special resource management zones for sensitive species. The plans also often contained general measures about habitat stewardship that applied to the entire planning area. Further, higher level plans adopted under the LRMP process were legally adopted under the *Land Act.* This foundational exercise provided the higher-level planning and direction that supports habitat protection carried out since 2004 under FRPA and OGAA. The extensive network of WHAs in the Sea to Sky area and in the Kalum Forest District, motor vehicle prohibitions/restrictions in the Sea to Sky and Lillooet LRMPs, and Grizzly Bear Management Areas in the North and Central Coast can be traced back to LRMP direction and commitments made during the CORE review. Additionally, GAR orders covering large Specified Areas in the southern interior (the Okanagan-Shuswap and the Kettle-Granby) are a result of land use planning initiatives.

Several of the last LRMPs to be completed in B.C., notably the Central Coast, North Coast and Haida Gwaii LRMPs, were conducted on a government-to government basis. The processes were co-chaired by provincial and First Nation representatives. Recommendations from the LRMP tables informed subsequent government-to-government discussions to develop collaborative land use agreements. Co-developed land use regulations such as the Great Bear Rainforest Order identify objectives for grizzly bears including the protection of dens and high-class habitat values (e.g. spring and summer forage habitat). The order also protects aquatic habitat, which helps protect grizzly bear access to fish and riparian habitat, and it protects large tracks of forest as landscape reserve which provides forest cover and connectivity.

6) Cumulative Effects Framework

Cumulative effects (CE) assessments for grizzly bears have been completed or are in progress throughout the province under the provincial Cumulative Effects Framework. These assessments evaluate the current state of, and risks to grizzly bears and their habitats, through several indicators (e.g. road density and available core secure habitat). The reporting on these assessments also identifies potential mitigation measures to address those risks. Assessment reports for grizzly bear can be accessed on the CEF website. These assessments can inform strategic, tactical, and operational decisions related to stewardship of grizzly bear. However, in several regions, Local Ecological Knowledge (LEK) was not incorporated and accordingly, results from this framework may change if this information is integrated in line with the *Together for Wildlife Strategy* and *DRIPA.* Guidance has been developed to assist natural resource staff and decision makers in applying the grizzly bear CE assessments in those decisions. Several projects are

Page 816 of 1021 Transition Binder 2024

currently implementing mitigation measures in response to cumulative effects assessments which are often related to access management.

7) Allowable Annual Cut Determination

In B.C., under Section 8 of the *Forest Act,* timber supply (i.e., allowable annual cut measured in m^3 of wood volume, AAC) is determined within timber supply units (i.e., timber supply areas or tree farm license areas) at least once every 10 years. The Chief Forester determines the allowable annual cut through a timber supply review process. Related to grizzly bear management, the *Forest Act* establishes that the Chief Forester must consider "*the constraints on the amount of timber produced from the area that reasonably can be expected by use of the area for purposes other than timber production*" and "*the economic and social objectives of the government, as expressed by the minister, for the area, for the general region and for British Columbia*." Objectives for grizzly bears may be established through Land Use Objective Regulation orders, notices made through the Forest Planning and Practices Region, or the Government Actions Regulation. Thus, as part of the process, there is consideration of how these habitat objectives for grizzly bears should influence timber harvest. But there is considerable debate about the effectiveness of these processes and two Forest Practice's Board reviews found the management of roads and the enforcement of Government Action Regulations did not meet the intent of the current regulation or policy. In addition, the determination of AAC may impact the rights of First Nations so government is obligated to consult on the decision, and in some cases, grizzly bears are identified as species of cultural, social, and economic importance. Consideration of grizzly bears has been a component of some recent timber supply reviews[4,5] although it is not clear that adequate systems are in place to manage road density or protect bear habitat.

The Forest Analysis and Inventory Branch is responsible for completing analyses for timber supply reviews. Analysts in the Branch have and continue to integrate indicators of grizzly bear habitat with forest harvest and timber supply analyses to simulate future habitat 'supply' under current alternative forest management regimes (e.g., [6],[7]). Similarly, analysts are investigating how the tree harvest method, post-harvest block treatment, planting density and species, and stand tending affect grizzly bear habitat. These relationships may be incorporated into forest development planning using new models and existing tools to assess trade-offs between timber and grizzly bear habitat supply under different forest management scenarios. For example, these tools could be used to support the development of local or regional grizzly bear stewardship plans that could then inform timber supply determinations.

[4] https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/stewardship/forest-analysis-inventory/tsr-annual-allowable-cut/prince_george_tsa_rationale_2017.pdf

[5] https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/stewardship/forest-analysis-inventory/tsr-annual-allowable-cut/arrow_tsa_rationale_2017.pdf

[6] https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/stewardship/forest-analysis-inventory/tsr-annual-allowable-cut/wildlife-analysis/pg_grizzly_bear_popn_model_report_20161027.pdf

[7] https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/stewardship/forest-analysis-inventory/tsr-annual-allowable-cut/wildlife-analysis/pg_grizzly_bear_popn_model_report_20161027.pdf

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8) Referral Process

When authorizations are considered under any of the above noted legislations, the supporting policy and information received through consultations may result in the addition of enforceable considerations or expectations applied to permits. Conditions further mitigate the potential impact of negative effects. The Environmental Mitigation Policy guides the general approach to this referral process. Guidance, specific to grizzly bear, is also made available to proponents during the application process.

10) First Nation Engagement Processes

Several individual First Nations, or groups of First Nations, have negotiated government-to- government agreements with the province, variously referred to as 'Reconciliation Protocols', 'Engagement Frameworks' or 'Strategic Engagement Agreements' that establish new forms of 'shared decision making.' These agreements are each uniquely tailored to match local circumstances but share common features, including a commitment to work together in a spirit of mutual respect, and to make sincere efforts to achieve progress toward reconciliation.

These agreements do not resolve all of the uncertainty related to land use in B.C., nor do they attempt to resolve the underlying questions of jurisdiction. What they do provide is a framework for collaboration between two governments which, despite their differences, seek to build working relationships with one another, develop trust, and find ways to reach mutually agreeable decisions about how land and resources should be managed.

Reconciliation and Engagement Agreements establish collaborative government-to-government processes for information sharing, adjudication and decision making on Applications for Land and Resource Decisions under relevant legislation whether a decision has been requested by a non-governmental Applicant (e.g., approval of a *Land Act* tenure or park use permit) or a decision is being proposed by a provincial Agency (e.g., a hunting regulation change). Through these processes, provincial Agency and Applicable First Nation Representatives typically share information and review and discuss relevant issues and interests with the goal of reaching consensus on recommendations for a Decision. Final recommendations, consensus or otherwise, are provided to provincial Agency and Applicable First Nation Decision Makers, who then consider the recommendations and make decisions as per their own laws, policies, and customs.

7.2 Licensed Hunting Prohibition

In the winter of 2017, licensed grizzly bear hunting was closed in B.C. The broad closure was not specifically or directly in response to a conservation concern. Rather it was largely a reflection of many British Columbians' ethical or moral opposition towards grizzly bear hunting. Both the hunt, and the closure of the hunt, continue to generate strong reactions and emotions among the public in B.C. and beyond.

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There is a deep spiritual connection between grizzly bears and many Indigenous Peoples. In many cases that connection includes a legal obligation to protect them, speak for them, and provide them with the same place on the landscape as a family member. Some of these Nations have a deep understanding that grizzly bears should not be hunted, and in some areas left respectfully alone to live without any sort of disturbance from humans.

By contrast, some First Nations have hunted grizzly bears since time immemorial and continue to do so. Hunting of grizzly bears for food, social, or ceremonial purposes by Indigenous Peoples within their territory is an aboriginal right. This right is recognized and respected by the Province of British Columbia, and in no way does this Grizzly Bear Stewardship Framework seek or presume to infringe, alter, or change the hunting rights of Indigenous peoples.

This right is separate and distinct from licensed hunting, which remains closed throughout the Province. There are no plans to reopen the licensed grizzly bear hunt in British Columbia.

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8 STEWARDSHIP FRAMEWORK GOALS

The goals of this provincial grizzly bear stewardship framework are to:

1. Summarize existing data to be used as a guide to advise on methods, research, data, approaches, and tools available to regional or local communities to fill knowledge gaps to increase the potential to realize locally desired outcomes for grizzly bears and their habitat.
2. Provide an adaptive approach that seeks to ensure the coexistence of healthy, fully functioning ecosystems and human communities (Ecosystem Based Management) for the co-development of regional or local grizzly bear stewardship plans based on western science and Indigenous knowledge. These plans will consider multi species relationships and cumulative effects of industrial activities, other human activities, and natural processes on grizzly bear conservation.
3. Support reconciliation with Indigenous Peoples through collaboration and partnership directed towards co-governance and joint, collaborative or consent-based decision making on initiatives related to grizzly bear conservation, management of human activities, and ecosystem-based stewardship.
4. Promote safe and respectful co-existence between grizzly bears and people.
5. Inform, educate, and be transparent and open about grizzly bear stewardship in British Columbia to the public, Indigenous governments, and legislators.

9 APPROACHES TO MEET STEWARDSHIP GOALS

9.1 Recommended Stewardship Actions

Grizzly bears are one of most intensively managed wildlife species in B.C. Stewardship activities are required to reduce human-caused mortality (e.g., rail and road mortality), reduce conflicts with humans, and ensure community safety, as well as habitat protection and enhancement, and population recovery in certain areas of the province. Further, effective conservation in B.C. has important implications to the species status at the federal and level given the western population of grizzly bear is listed as a species of special concern under the *Species at Risk Act*, and internationally given grizzly bear populations that connect across the U.S. and B.C. border.

For additional information on steps, actions, resources and tools to meet stewardship objectives see "Appendix B: Approaches to meet Grizzly Bear Stewardship Objectives".

9.2 Tracking of human caused grizzly bear mortality and human-grizzly conflicts

All bears that are killed by a person (e.g., killed for self defence, by an officer in response to conflict, road/rail, or by accident) must be inspected by a government agent and this inspection involves the collection of numerous pieces of data including location, size, sex, age and cause of death. Tracking causes of mortality can inform solutions to minimize these events. This dataset began in 1976 and has been used in management decision-making and research. Similarly, much inventory information has been collected for grizzly bears in B.C. and this information has been used to extrapolate abundance throughout the province using two statistical models. Several population monitoring efforts are on-going across the province and are described below.

It is recommended that the Province continue to record human caused mortality of grizzly bears throughout the province and use those data to inform stewardship actions. Human caused mortalities include hunter kill (pre 2017), animal control, illegal kill, road mortality, and rail mortality. Recorded grizzly bear mortality records can be found at https://catalogue.data.gov.bc.ca/dataset/4bc13aa2-80c9-441b-8f46-0b9574109b93. Failure to promptly report to an officer the killing or wounding of wildlife, either by accident or for the protection of life or property, can come with a $115 fine. Failure to comply with the requirements to have human caused mortality of grizzly bears inspected can result in a $230 fine. Both of these offences, if subject on conviction, can result in a fine of note more than $50,000 or to a term of imprisonment not exceeding 6 months, or both.

It is also recommended that the Province engage with rail companies that operate within BC to improve reporting and mitigation of wildlife mortalities on rail lines.

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Information on how to report human-wildlife conflicts is available at https://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/wildlife/human-wildlife-conflict/report-human-wildlife-conflict.

9.3 Local Planning

One of the purposes of this Grizzly Bear Stewardship framework is to encourage, support, and provide guidance to local or regional level plans ("local" plans) and grizzly bear stewardship initiatives. These plans do not replace or supplant broader policy goals for grizzly bears reflected at the Provincial level. Creation of local planning support is a recognition that other than a desire to reduce human-bear conflict, there is no "one size fits all" approach to grizzly bear stewardship province wide. Grizzly bear life history, habitats, threats, communities, and people are too diverse. Local level planning is intended to address the specific biological and conservation requirements of grizzly bear populations and their habitat and cater to the unique needs of the communities that are most likely to benefit from, or be impacted by, grizzly bear stewardship initiatives. Plans should be developed with the best scientific information as well as information and knowledge from applicable local Indigenous communities. Consent from Indigenous groups should be meaningfully sought in order to finalize any local plans. Decisions on a licensed hunt are made at the Provincial level, not locally. However, as noted above it should be stressed that the hunt remains closed throughout the Province, and reopening it is not contemplated in this document. There are no plans to reopen the licensed grizzly bear hunt in British Columbia.

Local grizzly bear plans should be initiated by Provincial and Regional Wildlife Program staff and First Nations whose territories overlap with the plan area and be informed by interest groups and communities in the area where appropriate. Together for Wildlife has an initiative to establish regional wildlife and habitat advisory structures that represent a broad spectrum of wildlife interests and is meant to provide recommendations to government on wildlife stewardship initiatives; these structures, once established, should also be included in regional grizzly bear plans.

While these regional wildlife and habitat advisory structures have not yet fully formed, and there are some unknowns, some aspects of the structure have been determined. The long-term vision of regional wildlife and habitat advisory structures is to provide an opportunity to foster dialogue between people with diverse perspectives and knowledge systems to represent a unified voice for wildlife. They are focused on promoting healthy ecosystems (e.g., biodiversity, wildlife and their habitat, ecosystem function), with the vision of achieving thriving and resilient wildlife and highly effective habitat stewardship in British Columbia through Ethical Space dialogue.These structures are being established to operate under an advisory role; while advice coming from these committees may influence decisions, they are not intended to be decision-making bodies.

Regardless of the regional wildlife advisory structure that is in place, grizzly bear planning teams should include relevant indigenous and provincial government staff, biologists, and professionals, interested parties such as industry, environmental organizations, agricultural producers, independent biologists, and

DRAFT

other stakeholders. Local governments and members of the CO Service may also like to participate. A local plan could be as simple as a few population and habitat objectives to something as detailed as a recovery plan or a State of Value report. We encourage all planning teams to consider topics such as:

- The accuracy and uncertainty of grizzly bear population size, distribution, and the current GBPU boundaries.
- Current Threat class and the appropriateness of the current assignment.
- Current threats to grizzly bear food and habitat security.
- Human-caused mortality and the need to reduce it.
- Human-caused disturbance and the need to reduce it.
- Road density and human use of the landscape as it relates to all of the points above.
- Current and future damage to human property and livelihoods caused by grizzly bears.
- Threats to inter-population connectivity should be considered and addressed where appropriate.
- Inventory, recording, and protection of grizzly bear habitat features, including winter dens, important forage sites, interpopulation connectivity habitat, and source populations.
- Inventory, monitoring, and research needs.
- Local Indigenous knowledge regarding the status of local grizzly bear populations.
- The relationships between local Indigenous peoples and grizzly bear populations.
- Safety concerns for rural and remote communities.
- Local Indigenous rights, interests, and values with respect to grizzly bears.
- Ways to mitigate the threats identified above and a work plan to implement these measures that includes all affected parties.
- Planning teams are encouraged to consider existing cumulative effects assessments for grizzly bear in the area of interest, which can be accessed from the provincial CEF website. These assessments provide information related to the topics listed above, but it should be recognized that they may not incorporate Local Ecological Knowledge.

We also would encourage local teams to review baseline data (e.g., conflict rates, mortality rates, population size) with which to compare to similar data collected after management actions have been applied to assess the efficacy of their program.

In addition to existing reconciliation and engagement agreements and associated government-to-government processes, the Province can consider entering into shared decision making agreements with First Nations, or groups of First Nations under s.7 of the Declaration Act, for a defined geographical area,

In the Central and North Coast of B.C., an area now known as the Great Bear Rainforest or “GBR”, a unique set of arrangements for the protection and stewardship of Grizzly bears has emerged. In part because of the First Nations’ cultural and spiritual connections with bears, but also because of the successful collaboration between First Nations and the B.C. government. See Appendix A: Grizzly Bear Management in the Great Bear Rainforest, for more information.

DRAFT

Previous Land Use Planning and Land and Resource Management Planning (LRMP) recommendations (https://www2.gov.bc.ca/gov/content/industry/crown-land-water/land-use-planning) have led to laws that protect grizzly bears or their habitat. For example:

- The Sea to Sky and Lillooet LRMPs resulted in seasonal motor vehicle prohibitions to reduce disturbance and displacement of grizzly bears within important habitats such as south facing avalanche chutes or important berry patches.
- In 2009, the Kalum, North Coast, and Central Coast LRMPs resulted in the closure of the grizzly bear hunt in the Nass-Skeena, Khutze-Kitlope-Kimsquit Upper Dean-Tweedsmuir, and Ahnuhati Grizzly Bear Management Areas.
- In 2019 a number of areas were closed to commercial huckleberry picking in the Kootenay Region to ensure grizzly bears and local pickers had enough berries for their needs.

9.4 Inter-jurisdictional Planning

Grizzly bears are sometimes managed for different goals in neighbouring jurisdictions. B.C. and its neighbours continue to benefit from harmonizing overarching stewardship objectives and sharing information and data. Major discrepancies in stewardship objectives could otherwise create an unnecessary source/sink dynamic. Most neighbouring jurisdictions (Washington, Idaho, Montana, and Alberta) with grizzly bear populations benefit from the larger and more contiguous grizzly bear population in B.C. It is particularly important to maintain partnerships where grizzly bears are at extremely low densities and are at risk of local extirpation. Three bear populations in southeast B.C. connect to relatively small populations in Montana and Idaho. The North Cascades population is nearly extirpated in both B.C. and Washington and its recovery will require a collaborative approach from several governments.

British Columbia has been a member of the Interagency Grizzly Bear Committee (IGBC) with many US agencies for several decades. This US led group of high-level managers and biologists meet several times each year to ensure coordinated conservation actions across jurisdictional boundaries within the US but also along the B.C., Montana, Idaho, and Washington borders. In addition, B.C. biologists have worked closely with their US counterparts for over 40 years when grizzly bears were listed in the US under their Endangered Species Act in 1975.

The Border Grizzly Project from Montana began working with BC biologists on field projects in the Flathead Valley in 1978 and cooperation has been ongoing since then. B.C. biologists have also worked closely with US counterparts on both sides of the US border since 1998 in the Yaak and south Selkirk Mountains. In the south coastal mountains, B.C. biologists work with the B.C.-based Coast to Cascade Grizzly Bear Initiative and US-based Conservation Northwest on reducing human bear conflicts and grizzly bear recovery.

Grizzly bears regularly cross most of the B.C./Alberta border and cooperation between the two provinces varies. In no areas is this cooperation as formally established as it is with the US agencies because there is no IGBC equivalent, but cooperation exists at regional and provincial levels. Managers and researchers

DRAFT

have, and continue to share information and data, and have even coordinated inventories on both sides of the B.C./Alberta border.

At a minimum, B.C. should continue to communicate with large carnivore biologists from neighbouring jurisdictions when considering policy changes or developing research programs on grizzly bears. Regionally, a yearly update from jurisdictions should be planned. For example, in the Peace Region, biologists try to have a yearly meeting with Alberta to discuss work that has been done and emerging priorities.

Alberta's work on bears in conflict that have been monitored post-translocation can be applied to B.C. population. Workers in southwest Alberta have implemented a very effective rancher-driven program improving the coexistence between ranchers and large carnivores. A similar program in B.C. could be beneficial. The data on translocated bears from B.C. has not yet been analyzed. As in B.C., Alberta's Government is currently interested in reducing human-bear conflicts by building on their Bear Smart program and more public education.

Yukon and NWT have lower densities of grizzly bears than B.C. but have similar stewardship issues. Gathering data to evaluate populations for sustainable harvest and to assess human impacts from increasing industrial development is a priority in both territories, which has resulted in a recent increase in research and inventory. The Yukon government has developed a Conservation Plan for Grizzly Bears . The Yukon grizzly population is linked to the Skeena and Northern Rocky/Peace Regions and co-operative management could benefit conservation efforts. Cooperation between Alaska and B.C. on grizzly bear management issues has been minimal to date.

Due to the designation of the western population of grizzly bears in Canada (includes Nunavut, Northwest Territories, Yukon, Manitoba, Saskatchewan, Alberta, and British Columbia) as special concern under the *Species at Risk Act*, the federal government is required to develop a management plan for the broader western Canadian population. The province of B.C. and Environment and Climate Change Canada worked together, from 2020-2022, in engaging with First Nations throughout B.C. to gather feedback, indigenous perspectives, and knowledge to inform both the provincial framework and the federal plan. As of February, 2023, the federal plan is still in development, once finalized it will be available here.

9.5 Population Inventory

An inventory is a survey designed to estimate population size or density (i.e. bears per 1000 km^2) at a single point in time (i.e. one year). The most common management use for these data is to evaluate past or future mortality levels or recovery status. These surveys are typically done in a single season so one or two years of funding is all that is needed to obtain one estimate. However, evaluating population trends with these methods require multiple surveys spaced out by a number of years (see Trend Monitoring section below). Inventories are expensive because they require intensive sampling, usually several hundred thousand dollars. There have been over 30 grizzly bear inventories done in B.C. that have used similar hair sampling methods and DNA-based analysis to identify samples since 1996. Methods have

DRAFT

evolved over time but have become quite standard given the level of repetition. A few earlier estimates of density are also available based on intensive live-trapping and radiotelemetry. Useful ancillary data on population fragmentation and connectivity can also be obtained form these DNA-based surveys, both as a baseline and to assess the efficacy of management programs.

B.C. developed a model to estimate grizzly bear density in areas without field data based on a variety of habitat and human-use features and expert opinion (https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0082757). Hence, extrapolated estimates of density are available for the entire province though these are best considered ballpark estimates. Inventories may be a priority in ecosystems where few if any previous inventories have been done and where local biologists or Indigenous Knowledge keepers have reason to believe the modeled estimates are incorrect. For example, few provincial inventories have been done of bear populations that eat salmon, making model-extrapolated estimates particularly uncertain for these regions. However, recent investments in inventory from central coast First Nations has produced population estimates that could be used to update and refine GBPU estimates. We also do not know how important salmon are to bears living in some transition areas like the Cranberry, and Babine units. Units with higher conservation risk and where bears eat salmon like Bulkley Lakes, François or Nulki could be priorities for inventory. Similarly, units with uncertain status like Blackwater-West Chilcotin, Nukli, or Moberly could be priorities for inventory. Lastly, measuring distribution and abundance in the extirpated zones could be priorities because bears are recolonizing these areas and data is needed to adjust unit boundaries or create new units. Previous to 2018, when grizzly bears were hunted, inventories were a priority because population estimates were needed to calculate sustainable harvests and hence quota and tag numbers. Now that there is no hunt, the need for inventory data has shifted towards other aspects of grizzly bear stewardship, such as recovery, measuring trends over time, and gaining a better understanding of grizzly bear distribution in the province.

More information on wildlife inventory in BC can be found in the "Towards a Big Game Inventory and Monitoring Strategy for BC[8]".

It is recommended that inventory be prioritized based on the following criteria:

- The chance that the current estimate is inaccurate.
- The level of known and unknown human-caused mortality.
- How an improved estimate of abundance will improve grizzly bear conservation (e.g., is a population thought to possibly be 'threatened').
- Current threat level or conservation ranking of the unit, or emerging threats that may impact the conservation ranking (e.g., industrial development or salmon decline).
- Assessing the success of past recovery actions.
- Available funding and resources.

[8] www2.gov.bc.ca/assets/gov/sports-recreation-arts-and-culture/outdoor-recreation/fishing-and-hunting/hunting/towards_a_big_game_inventory_and_monitoring_strategy_for_bc.pdf

DRAFT

Inventory is expensive and though results in interesting data the data may not lead to any concrete conservation actions. The money spent on an inventory may have greater conservation outcomes if spent elsewhere.

9.6 Trend Monitoring

A trend monitoring program is designed to measure population change through time and is most commonly used to detect a decline or recovery. Typically, there is considerable conservation concern for the target population. It takes at least three years of data to estimate trend and typically it will take >5 years to have any accuracy in the estimate. Monitoring trend is a long-term commitment. Previous inventory data in a target population can be used to build a monitoring program. It is usually better to begin a monitoring program with intensive sampling and then reduce the sampling level in future years to make the program more economical. Historic trends in abundance have been measured in one long-term research project in southeast B.C. and using the hunter harvest data. Both studies documented an increase in grizzly bear abundance during the 1980s to about the 2000s, when population growth leveled off and, in some places, declined. Historic changes in abundance on the coast are less certain because too few bears were hunted there to analyze growth, and there have been no long-term research projects on the coast of B.C. Future trends in grizzly bear abundance will need to be measured on the ground because hunter samples may not be available.

Population monitoring is on-going in the South Rockies, Flathead, Yahk, South Purcell, South Selkirk, Stein and South Chilcotin units. On the central coast, monitoring programs have been led by the Gitga'at, Heiltsuk, Kitasoo Xai'xais, Nuxalk and Wuikinuxv Nations. These programs began between 2006-2015 and have recently estimated grizzly bear density and diet via stable isotopes through non-invasive hair sampling. There is no long-term monitoring in the north of the province. Assuming the monitoring that is now going on will continue, the next locations that are good candidates for increased monitoring are places that have high non-hunting mortality (e.g., illegal kills, conflict kills, road or rail kills, etc.). The main two areas are the Bella-Coola to Hagensborg corridor and the Terrace-Kitimat area (see Figure 10 below but note the kill intensity is not adjusted for density, so these maps do not show the kill as a proportion of abundance). The Prince George-Pine Pass area also has high non-hunter kill levels and a low density of bears. Parts of the Rocky unit also have high non-hunter mortality. Possible priorities for increased monitoring are:

- Bella-Coola valley
- Kitimat-Terrace corridor
- Prince George area
- Moberly unit
- Rocky unit
- Nulki unit

Many new inventories are likely to be locally led and will be promoted based on local importance. The methods for monitoring grizzly bear populations have become quite standard and can be implemented

DRAFT

with modest field effort, especially if field staff are going in the field for other reasons as well. The biggest technical challenges are study design considerations that must happen in the planning stage. Local Indigenous communities are often best situated to sample and monitor long term wildlife population trends in their territories. Locally delivered programs may be most efficient when delivered as partnerships with provincial wildlife staff and/or academics who have experience with study design and may be able to provide field equipment, mapping or other support. Co-operative projects may also have a longer funding life because each partner may have access to different funding sources.

Importantly, Local Ecological Knowledge (LEK) from Indigenous and non-indigenous communities is a rich source of information on trends in grizzly bear abundance and distribution. A standardized and transparent approach for meaningfully incorporating LEK into our understanding of grizzly bear populations is exceptionally important and aligns with *UNDRIP* and the *Together for Wildlife Strategy*. This approach should be co-developed with interested First Nations.

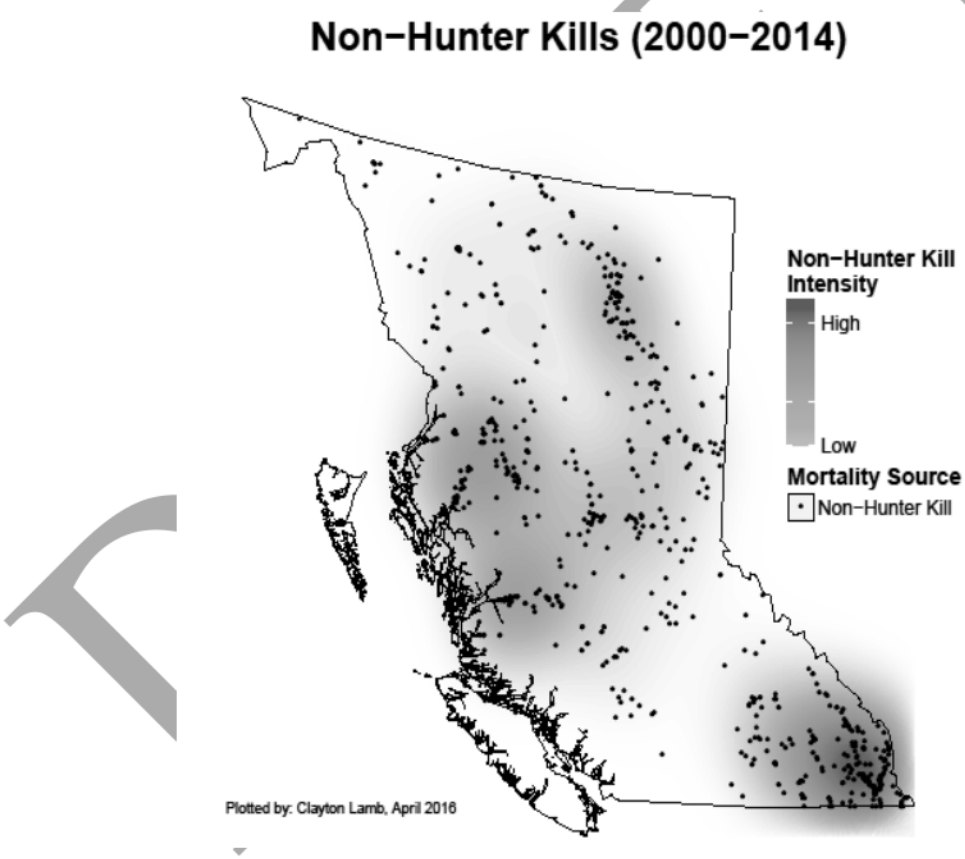

Figure 10. Recorded non-hunting mortailities of grizzly bears in B.C. during 2000-2014. Note that the conservation risk due to non-hunting mortality is related to the proportion of bears killed and the reporting rate which likely varies around the province.

It may be desirable to monitor bear populations in places with low human-caused mortality because there are other human impacts such as bear viewing that may impact population trend or habitat use. For example, the Kitasoo Xai'xais Nation on the central coast began intensively monitoring the potential impact of bear-viewing on the spatial and temporal patterns of grizzly bears in 2020 in response to

dramatic increases in tourism pressure over the previous decade. Irrespective of human-caused mortality or other human impacts, a dramatic change in critical food resources, such as decline in salmon abundance, may also be an important impetus to monitor populations to assess current and projected conservation threat. In addition, it may be useful to monitor bears where there is very little human impact. Such a program would act as a reference area and may help us better understand reasons for broad-scale population change. A planning process with First Nations and stakeholders could help select priorities areas for monitoring grizzly bears in B.C. Partnerships are increasingly important in any monitoring effort.

Monitoring results may be correlated with potential causal factors that were also monitored, but usually, reasons for changes in bear numbers will be unknown without additional research effort. If populations are in decline, and in particular if the population is small, then more intensive research may be needed.

9.7 Habitat Protection and Restoration

There are several hundred Wildlife Habitat Areas (WHAs) designated for grizzly bear under the *Forest and Range Practices Act and the Oil and Gas Activities Act* totaling almost 300,000 ha (To Be Confirmed). The effectiveness of these designations has not been comprehensively assessed. The Great Bear Rainforest Order also designates grizzly bear habitat as either Class 1 (100% habitat protection) or Class 2 (50% habitat protection), primarily to protect spring and summer forage values.

Additional habitat restoration and private land stewardship activities are underway and will further inform the effective conservation of grizzly bear habitat. For example, pilot projects using prescribed and cultural fire to encourage huckleberry regeneration and the targeted land acquisition of conservation lands have the potential to benefit grizzly bears, as well as numerous other wildlife species.

Parks and protected areas can be valuable tools for conservation of grizzly bears and their habitats. The Province has committed to protect *30% protection of B.C.s land base by 2030*. While the process for implementation is still being developed, they do represent potential significant benefits to grizzly bears.

Indigenous protected and conserved areas (IPCAs) are Indigenous-led land conservation initiatives. The concept and subsequent recommendations were introduced in a 2018 report We Rise Together by the Indigenous Circle of Experts (ICE). ICE was comprised of experts representing Indigenous, federal, provincial, and territorial governments who were directed to explore new approaches to protection and conservation of Canada's lands and waters. IPCAs are rooted in the exercise of constitutionally upheld Indigenous rights in accordance with Indigenous laws. In BC there are over 50 known existing or proposed Indigenous-led stewardship areas, varying in type, size, objective, and existing permitted land use activities. BC is committed to working with Indigenous communities to better understand their stewardship objectives and we are committed to working with First Nations on a co-managed approach to land and resource management that reflects their communities' vision. Engaging with Nations to understand and implement key objectives in IPCAs advances reconciliation by recognizing and upholding

Page 828 of 1021 Transition Binder 2024

Indigenous rights (including treaty rights and the right to self-determination) and Indigenous peoples' self-described responsibilities to manage and steward their traditional territories.

9.8 Species and Population Stewardship

Access Management

Roads, and specifically high road densities, can have adverse effects on grizzly bears, and managing road access can be a valuable tool in grizzly bear stewardship. Approaches to manage access are varied, and can be done through Land Use Planning, regional wildlife advisory groups, or other local process.

Tools available to manage access include:

- The Motor Vehicle Prohibition Regulation of the *Wildlife Act*. More information available at https://www2.gov.bc.ca/gov/content/sports-culture/recreation/motor-vehicle-prohibitions.
- Forest and Range Practices Act,
- Road deactivation,
- Road deconstruction, and
- Gates or other physical barriers to road access.

Reduce human caused mortality related to accidents or conflict

Compulsory inspection for all grizzly bear mortalities enables tracking and analysis of mortality locations, mortality causes, sex, and age. Compulsory Inspection of human caused grizzly bear mortalities (i.e., conflict kills and accidents) was not ended when the licensed hunt was stopped.

Rehabilitation and re-wilding of orphaned grizzly bear cubs

British Columbia is the only jurisdiction in North America where orphaned grizzly cubs of the year have the opportunity to be rescued and returned to the wild to increase their chance of survival. Since 2007, the Province has permitted the rescue and rearing of orphaned grizzly bear cubs of the year for release back into the wild as yearlings. Orphaned grizzly cub rewilding provides a nonlethal alternative to lethal removal of cubs and could augment recovery initiatives in specific circumstances.

Collisions with Motor Vehicles and Trains

The quantity of direct mortality of grizzly bears due to collisions with vehicular and train traffic is unknown because many collisions go unreported, although reporting of a collision with wildlife is required under Section 75 of the *Wildlife Act*. Reported collisions/mortality from road and rail are through the provincial compulsory inspection database, linked through the Grizzly Bear Conservation Ranking in B.C. website, however these data are likely only a small portion of the number of bears killed by road or rail. Kill location data can be used to determine where "hot spots" are and may assist in planning for mitigation activities.

There are currently connectivity mitigation and strike reduction projects in Rocky Mountain National Parks, strike reduction efforts with Canadian National Railway along the highway 16 corridor (this project

DRAFT

is focused on moose), and there are Ministry of Transportation and Infrastructure (MOTI) led strike reduction efforts along Hwy 3 in the Rockies specifically designed with grizzly bear mortality in mind. There are other wildlife crossing structures in place designed for other wildlife species that could benefit grizzly bears, and there may be options to modify existing structures (e.g. bridges and large culverts) to accommodate wildlife crossings. Crossing structures have been very effective at reducing highway mortality for wildlife where they have been tested, although research specifically on grizzly bears is rare.

MOTI efforts to reduce traffic collisions with wildlife may reduce ungulate and therefore highway attractants, but were not focused on grizzly bears (https://www2.gov.bc.ca/gov/content/transportation/transportation-infrastructure/engineering-standards-guidelines/environmental-management/wildlife-management/wildlife-accident-reporting-system). Carcasses of ungulates and other wildlife can be an attractant for grizzly bears, bringing them dangerously close to highways and rail lines. Near Elko, in the Kootenay region, a MOTI carcass pit in Elko was fenced to exclude bears and reduce roadkill attractants for bears along the Hwy 3 corridor. This greatly reduced the number of carcasses available to bears in the valley.

Specific conditions can be added to *Environmental Assessment Act* certificates to manage attractants and camps, reduce speeds on roads, and other sources of potential human caused mortality. Some developments even hire specialists to reduce wildlife conflicts in large camps or industrial developments.

Online resources available to inform the public on preventing or reducing road mortality of wildlife can be found at the Wildlife Collision Prevention Program and DriveSmartBC.

Conflict

The province's Bear Smart Community program is a proactive conservation strategy that encourages communities, businesses, and individuals to reduce human-bear conflicts. It is based on a series of 6 criteria that communities must achieve to be designated as "Bear Smart". There are more than 20 communities in BC that are actively pursuing "Bear Smart status" and ten communities (Kamloops, Squamish, Lions Bay, Whistler, Port Alberni, Naramata, Coquitlam, New Denver, Castlegar and Port Hardy) that have successfully attained official "Bear Smart" status. Most of the human-bear conflicts in these communities are with black bears, but similar actions in these other communities where grizzly bear conflicts are more common will reduce conflicts with both species. Conflict-related bear mortalities over the long-term that occur in rural settlements between communities (towns) can effectively fragment, or even isolate a bear population. Therefore, conflict reduction should to be applied in these areas, especially if there are objectives to increase or maintain connectivity.

The BC Conservation Foundation hires, trains, and supervises more than 25 local WildSafeBC community coordinators who work seasonally to lead wildlife conflict reduction education at the community level in over 130 communities. The coordinators collaborate with the COS and work with local governments in adopting Bear Smart Community best practices. WildSafeBC delivers conflict reduction education through many activities such as: school programs, door-to-door outreach, community booths, education stickers on waste carts set out early, wildlife awareness and safety workshops, and more. WildSafeBC uses

DRAFT

positive reinforcement messaging through their Business Pledge and Bare Campsite Program. In select communities, electric fencing education and cost-share support is also available. Provincially they use tools such as social media, and eLearning courses, to reach a broader audience. There is currently a desire to:

- Provide a WildSafeBC program in all communities throughout the province that have requested one, including priority grizzly bear conflict management areas (e.g., Bella Coola, Terrace, Kitimat, Tumbler Ridge, Fernie, Sparwood, Elkford, Mackenzie).
- Increase support for rural communities through funding of a provincial electric fence program that provides technical support, training of local champions, and cost-share support.
- Increase staff retention and retain coordinators that are highly skilled and knowledgeable by offering more certainty in employment and offering more year-round opportunities.
- Increase engagement with First Nations (training, partnerships, funding) and the agricultural community (livestock/crop depredation) to reduce grizzly bear mortalities due to conflict.
- Incorporate, or make available, wildlife and respectful coexistence curriculum for schools throughout BC.
- Work with more Park Operators to support implementation of the Bare Campsite Program.
- Increased partnerships and consistent messaging across multiple agencies (e.g., WildSafeBC, COS, BC Parks, Ministry of Forests, Recreation Sites and Trails etc.)
- Proactively anticipate and prepare for more conflict in years of low or decreasing abundance of natural food availability.
- Evaluate the need for COS training and equipment to effectively conduct non-lethal response to grizzly bear conflict situations where appropriate.
- Support the Natural Resource Sector (i.e., EAO, EP) in their development of processes/standards through review of Industrial Camp Permits in occupied grizzly bear habitat.

Several projects have shown that there may be a need to go beyond education, into programs that provide expertise and other supports (e.g., cost-share electric fencing) to assist those living and working in grizzly bear habitats. Many First Nations, such as the Nuxalk and Kitasoo Xai'xais, have also created their own Wildlife Coexistence plans, trainings, and strategies.

The COS responses to human-bear conflicts are governed by the Prevention and Response to Conflict with Large Carnivores Procedure. This procedure was last updated in 2019. Amendments to the *Wildlife Act* in 2012 gave Conservation Officers the ability to issue tickets or appearance notices for a court appearance to address people who repeatedly and negligently fail to secure attractants for dangerous wildlife. These tools complement existing tools and are implemented by the COS to reduce the number of large predators, such as grizzly bears, that come into conflict with people. There is ongoing annual review and revision of policy, procedure, standards and training regarding responsible conflict reduction efforts and appropriate response from COS and other government agencies and partners.

Recommendations for improvements to these programs include:

- Support and enhance the WildSafeBC program through a multi-year agreement.

DRAFT

- More systematic recording of conflict data including details about: calls to the RAPP line, COS responses to calls, outcomes to responses, outcomes for people and bears, and economic costs for the various parts of the program.
- Increased and secure funding and training for First Nations Guardian/Coexistence programs, especially in remote communities where it is not feasible for the COS to address grizzly bear conflict issues. Changes to provincial policies to allow these programs access to training and subsequent authority and permissions that is granted to COS, so that they can respond to conflict with similar tools to conservation officers (e.g., immobilization and aversive conditioning training)
- Encouragement and guidance for municipalities to adopt bear conflict mitigation programs and practices.
- Improved clarity on how conflicts between grizzly bears and ranchers/farmers will be approached by government, i.e., funding for fences to protect crops from wildlife depredation.
- Increased education for hunters and recreational anglers on how to keep clean hunting and fishing camps including securing harvested game meat so grizzly bears cannot access the meat with a focus on improved hunter safety.
- Educate hunters and recreational anglers in basic bear behaviour and the use of bear spray to reduce the chance of human-bear conflicts.
- Educate other recreational land users such as hikers, campers, or ATV users in basic bear behaviour and best procedures for removing attractants from recreational use areas to reduce the chance of human-bear conflicts.
- Educate industrial land users in basic bear behaviour and best procedures for removing attractants from industrial or development sites to reduce the chance of human-bear conflicts.
- In areas prone to grizzly bears (or black bears) within town limits, replace all city/town landscaping to non-fruit bearing trees.
- Landscape level planning to encourage wildlife to move around towns, and not filter wildlife into towns.

Montana Fish Wildlife & Parks has been applying non-lethal conflict response actions on targeted conflict grizzly bears for over 3 decades. A pilot program imitating these methods with the B.C. COS was initiated with the assistance of an independent biologist in southeastern B.C where bears were radio collared to assess the efficacy of the program. Approximately 50% of candidate bears survived while monitored, breaking the cycle of conflicts at least in a portion of bears.

The International Union for the Conservation of Nature Bear Specialist has resources and information online on human-bear conflict, the Principles of Human-Bear Conflict Reduction, and Approaches to Human-Bear Conflict Management.

Population Recovery

- Recovery plans for Yahk, South Selkirks, Stein-Nahatlach, and North Cascades GBPUs
- have either been completed or are underway. These plans may include initiatives to

DRAFT

- translocate grizzly bears from healthy populations, restore and protect grizzly bear habitat, implement conflict reduction measures, and manage human activities.

Recovery actions are on-going in most threatened population units (see Table 3). Recovery actions should be directed by a local Recovery Plan or in the interim, a set of Recovery Objectives. These documents and processes should be collaboratively developed by First Nations and Regional Wildlife and Habitat program staff, with input from stakeholders (potentially the regional wildlife and habitat advisory structures) and the public as appropriate. Implementation will also likely be collaborative, but government will need to participate when activities require permits or changes under the *Wildlife Act* such as translocation or access closures.

One example of grizzly bear population recovery within B.C. is the South Selkirk GBPU. In 2005 research was done to estimate the population size and evaluate threats to the population. Actions to mitigate threats to the population were applied over a 15-year period, including reducing human-bear conflict in both the front country and back country, increasing habitat connectivity, and access management. These programs and other activities resulted in a reduction in human-caused bear mortality, a substantial increase in population size, and a significant increase in inter-population connectivity. The South Selkirk GBPU is no longer an isolated population and has met recovery targets and is a demonstrated success story in efforts to recover grizzly bear populations.

Table 3. Threatened grizzly bear population units in BC with performance measures and provincial level priorities for action.

GBPU	Threat class	Actions toward recovery	Performance measures	Priority
Garibaldi-Pitt	M1	Baseline research completed but not analyzed	Analyze data collected	very high (3)
Stein-Nahatlach	M1	Habitat largely secured; Recovery working group in place	Initially transplant 2 females into unit: access restrictions in north of unit (Texas Creek)	very high (1)
North Cascades	M1	Recovery working group in place; Recovery plan revision underway. Work with USFWS	Revise recovery plan and consult on recovery	very high (2)
Granby-Kettle	M2	On-going access planning	Write recovery objectives	high (5)
Valhalla	M2	No specific work underway	Write recovery objectives	low
South Selkirks	M2	On-going attractant management and habitat connectivity creation; management plan written but not approved by government	Implement inventory to re-assess population status	moderate
Central Purcells	M2	On-going attractant management and habitat connectivity creation; management plan written but not approved by government	Endorse and implement Recovery plan	low

DRAFT

Yahk	M2	On-going attractant management and habitat connectivity creation; management plan written but not approved by government	Endorse and implement Recovery plan	moderate
South Rockies	M2	On-going monitoring and attractant management	Write recovery objectives	moderate
Moberly	M2	On-going inventory	Write recovery objectives	moderate
Flathead	M2.5	On-going monitoring and research	Write recovery objectives	low
Rocky Park Ranges	M2.5	Half is in National Park	Write recovery objectives	low
Squamish-Lillooet	M2.5	Baseline research completed but not analyzed	Analyze data collected	high (4)
Columbia-Shuswap	M2.5	Radio collar of conflict bears	Write recovery objectives	low
Nulki	M2.5	Research on diet on-going	Write recovery objectives	moderate
Francois	M2.5	On-going inventory	Write recovery objectives	moderate

9.9 Hunting

9.10 Viewing

British Columbia is a highly sought after destination for bear viewing. Consequently, bear viewing has increased in popularity in recent years, and it has proven to be an important tourism activity in BC. Some bear viewing operations have expanded two and threefold over the past several years and many First Nations are now operating successful bear viewing and ecotourism businesses. While benefits are being realized, the potential impacts to bears are increasingly a concern. The scientific literature combined with experience from practitioners describes the potential spatial, temporal, and behavioral impacts of viewers on bears and provides recommendations to help reduce and minimize impacts on bears, though many gaps remain in our knowledge.

The Commercial Bear Viewing Association of BC developed bear viewing best management practices (BMPs), aimed at minimizing impacts of viewers on bears. Most recently updated in 2018, these BMPs were reviewed by the government for alignment with the current state of knowledge around minimizing viewer impacts on bears. These BMPs are actively used by many commercial viewing companies. Some First Nations have also developed management provisions and guidelines for bear viewing activity in their territories.

Government of B.C.'s legislative framework for authorizing commercial bear viewing activities comes primarily from the *Park Act* and *Land Act*. No authorization is currently required for the public to view bears recreationally (i.e., when they are not using services of a commercial operator), apart from abiding by any land use designation that restricts public access such as closures under the *Wildlife Act*.

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Under the *Land Act*, a non-exclusive License of Occupation is required for commercial bear viewing unless the activity is classified as incidental use. Starting in 2006, all *Land Act* tenure holders carrying out wildlife viewing activities were required to abide by the desired behaviors in the provincial "Tourism Wildlife Guidelines for Backcountry Tourism and Recreation"; this included best practices for bear viewing.

Through the *Park Act*, BC Parks authorizes bear viewing activities through Park Use Permits. These permits allow the government to evaluate proposed activities and develop and enforce necessary permit conditions for viewing activities that require these permits. Operators typically submit Management Plans for their bear viewing activity for review with park use permit applications. Permit conditions vary and are aimed at minimizing the impact of viewers on bears, and can include restrictions on areas open for viewing, access considerations, viewer numbers or viewing days, and viewing times. Permit conditions and management approaches are often developed collaboratively by First nations and BC Parks.

Recommendation #5 from the 2017 independent audit of Grizzly Bear Management in B.C. was that "the Ministry of Forests, Lands and Natural resources and the ministry of Environment develop clear policies and procedures for bear viewing". In response to this audit and recognizing the increasing interest in bear viewing opportunities and potential impacts of viewing on bears, an independent British Columbia Commercial Bear Viewing Strategy is being ("has been" when the documents are finalized) developed that proposes a comprehensive path forward for commercial bear viewing in B.C.

In 2019, the B.C. government began collaboratively developing policies and procedures for bear viewing with First Nations, industry, and stakeholders which will inform the Commercial Bear Viewing Strategy. These policies and procedures will minimize impacts to bears and maximize viewer safety while maintaining viable bear viewing operations by considering the spatial, temporal, and behavioral aspects of commercial viewing.

The government of B.C. has also supported research and monitoring efforts to better understand impacts of viewers on bears. See the draft provincial 'Commercial Bear Viewing Strategy' for more detail on this topic.

9.11 Education

For the most part, educating the public on co-existing with, and stewardship of, grizzly bears is focused on reducing conflict. Programs such as Bear Smart and WildSafeBC are good examples of public outreach that can make a positive difference. There are also some educational guides for hunters, anglers, and outdoor recreationalists on how to stay safe in bear country, and specific material directed to hunters on how to distinguish between a black bear and a grizzly bear.

There are few public education programs that speak to other facets of grizzly bear stewardship. Things like population inventory, recovery, habitat monitoring, etc. are generally understood by professionals, but largely unknown by the general public. This is not specific to grizzly bears, they likely apply to all wildlife. Some information on these subjects is available on the B.C. Government Grizzly Bear website.

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B.C. is home to an amazing array of wildlife and biodiversity. The diversity of wildlife in British Columbia is one of our province's greatest treasures and provides significant social, economic, environmental and cultural benefits. For many British Columbians, the simple existence of wildlife is a fundamental value.

Misinformation, misconceptions, and misunderstandings can be combatted by education, transparency, and willingness to accept the perspectives of others. It is hoped that this stewardship framework provides the public with another source of information on which to educate themselves and form their own opinions on grizzly bear stewardship in B.C.

10 MEASURING PROGRESS

Performance indicators provide a way to define and measure progress toward achieving the stewardship goals. The measures below are high level measures that index progress at the provincial scale. Specific measures will also be considered as part of the action planning to implement this framework.

1. Establish government to government relationships with First Nations to collaborate on the stewardship of grizzly bears in B.C. Feedback from local First Nations should be used to evaluate how grizzly bear stewardship goals are being met and achieved.
2. Enhance and fund further connections between grizzly bear stewardship initiatives and First Nations guardian programs.
3. Identify and map areas where grizzly bear recovery is desirable and not desirable, including areas of connectivity between populations..
4. Review cumulative effects and threat rankings and update with Local Ecological Knowledge as required.
5. Recover all grizzly bear populations, where it is socially desirable (i.e. not North Vancouver or downtown Kelowna), such that each population is self-sustaining and meets recovery objectives.
6. Write stewardship objectives, or a more detailed document, for all Grizzly Bear Population Units in B.C. (or other areas, as appropriate), including currently unoccupied areas, and share with the public.
7. Ensure habitat and food security objectives for grizzly bears are considered at all scales of industrial and recreational development. This includes, in collaboration with First Nations the planning for habitat supply and security for bears in timber supply reviews, considering berry abundance post logging, and managing access to back country areas,
8. Consider creating a legal and regulatory framework for commercial bear viewing that promotes the bear viewing industry but also protects bears from human disturbance and maximizes public safety.
9. Track human-grizzly bear conflict annually and make these data publicly available.
10. Secure long-term funding for WildSafeBC and First Nations led wildlife coexistence programs. Create and analyze performance indicators for this program.
11. Establish a long-term program for landowners to manage their attractants and secure their properties and livestock.
12. Analyze the B.C. data on grizzly bear conflict and mitigation to suggest best practices and streamline cost-benefit.

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13. Monitor population trends, and the sustainability of human-caused mortality rates in all high or extreme conservation ranked grizzly bear populations.
14. Assess the level of fragmentation and connectivity for populations suspected to be at risk of fragmentation or isolation.
15. Monitor the annual, trend over time, and spatial abundance of important grizzly bears foods, including salmon, and share this data with the public. Ensure this information is used to inform broader conservation and monitoring programs such as Timber Supply Reviews, Cumulative Effects Analysis and local habitat planning tools such as the Environmental Stewardship Initiatives in northern BC.
16. Utilize the information and knowledge collected through past, current, and future research to improve and evaluate grizzly bear stewardship both inside and outside the borders of B.C.
17. Support research to explore knowledge gaps in grizzly bear conservation and grizzly bear well being.
18. Consider opportunities to promote wildlife conservation, stewardship, and sustainability in the curriculum of schools.
19. Conduct inventory programs to further improve understanding of population size and distribution.

11 CONCLUSION AND NEXT STEPS

This framework points to the need to evaluate and implement grizzly bear conservation and stewardship measures locally or regionally. There are currently no vehicles for doing this, so the first step is to create or identify participating governments and local working groups (for example regional wildlife and habitat advisory structures) to begin the local conservation planning process. Once a group has been established or identified, there are several similar logical tasks that are required for each area:

1. Assess whether the mapping of the distribution of the population of interest is accurate or should the population boundaries be amended?
2. Discuss whether the 2019 Threat analysis is accurate. Examine the accuracy of the data that went into the evaluation of each threat for GBPU's of greatest conservation concern. Were local measures considered appropriately? For example, were access closures considered in the road analysis metrics? Were current on the ground measures such as habitat protection orders, population monitoring, or conflict reduction efforts considered in the review? Finally, revise the threat level based on the local evaluation of threats if needed.
3. Consider whether grizzly bear recovery is acceptable throughout the unit and if it is not how would stewardship actions differ in the areas where recovery is not acceptable?
4. Create a series of stewardship objectives for the population and rank these objectives for action.
5. Consider updates to the *Wildlife Act* that will support grizzly bear stewardship.

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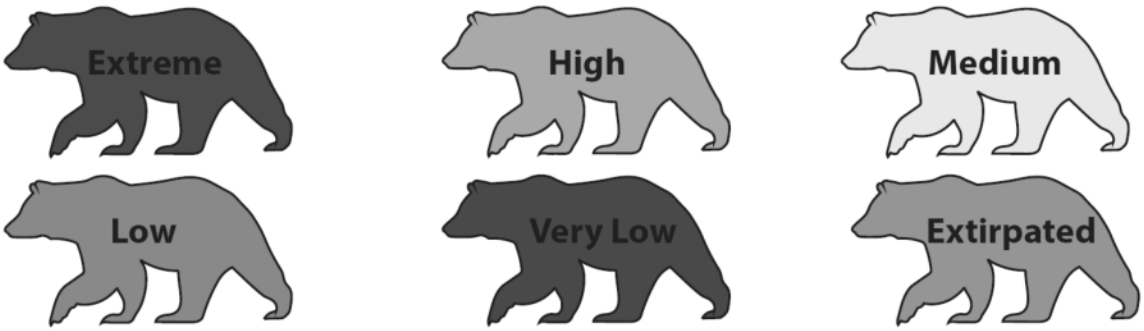
Appendix A: Approaches to meet Grizzly Bear Stewardship Objectives.

Step 1: Gather information on the grizzly bear population in question.

1-1: Refer to the Grizzly Bear Conservation Ranking in B.C. website for ranking, population estimates, threats, and historic mortality: https://www.env.gov.bc.ca/soe/indicators/plants-and-animals/grizzly-bears.html



1-2: Identify the threats facing the population.

Note, threats considered neglible province-wide in the stewardship framework are not included below.

- Residential/ Commercial Development
- Energy Production and Mining
- Major Road and Rail Corridors
- Resource Use Including Forestry
- Agriculture
- Human Intrusion and Disturbance
- Backcountry Roads
- Climate Change/ Extreme Weather

1-3: Identify the effect(s) the threat(s) are having on the population.

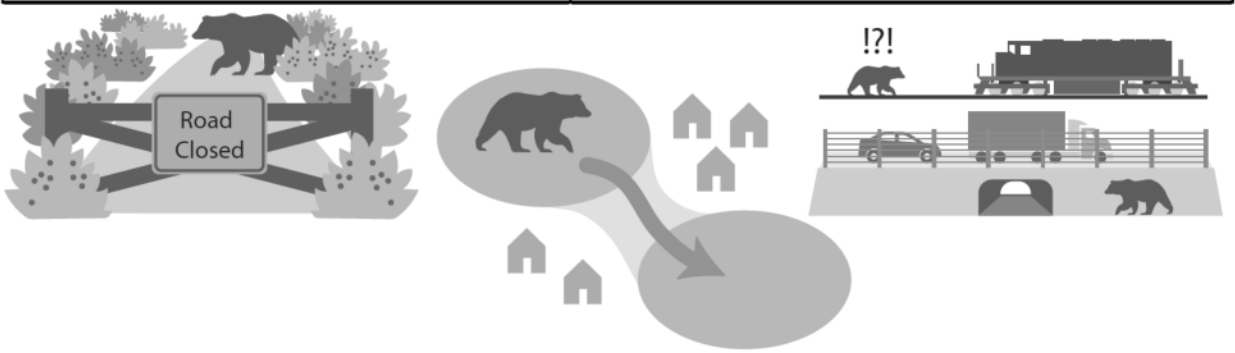
- Population Fragementation or Isolation
- Displacement of bears from preferred habitat
- Reduction in Habitat Quantity/Quality
- Food Limitation
- Reduced Fecundity (reproduction)
- Direct Adult Mortality
- Cub Mortality

Step 2: Identify Stewardship Objectives for the grizzly bear population. Examples of potential objectives are provided below. Actions, resources and tools for each are provided on the following pages

- Improve co-existence, minimize conflict, exclude bears, or reduce human risk
- Increase/Recover Population
- Re-establish Connectivity

Objective: Improve co-existence, minimize conflict, or reduce human risk	
Action	**Resources and tools**
Bear Hazard Assessment	Wildsafe BC Bear Smart website IUCN Bear Specialist Group: Human Bear Conflict, Approaches to Human-Bear Conflict Management, and Principles of Human Bear Conflict Reduction
Attractant Management	Identify attractant sources (e.g., roadkill disposal sites, landfills) Electric Fencing Bear resistant garbage cans Livestock feed containment Livestock protection (e.g., calving pens, livestock dogs) Livestock carcass disposal (e.g., fenced, buried, or composted) Agrizultural crop protection (e.g. orchards, corn fields) Acoustic deterrants
Community Education	Foster public stewarship Workshops and presentations Professional guidance
Conflict Response	BC Conservation Officer Service Responding to conflict with large carnivores procedure Non-lethal management Lethal management
Re-establish connectivity	Refer to Resources and Tools to meet "Re-establish Connectivity" objective

Objective: Re-establish Connectivity	
Action	**Resources and tools**
Improve co-existence, minimize conflict, or reduce human risk	Refer to Resources and Tools to meet "Improve Co-existence, Minimize Conflict, or Reduce Human Risk" objective
Reduce backcountry mortality and habitat displacement	Identify best grizzly bear habitats for access management Seasonal or year-round road closures: *Wildlife Act* *Forest and Range Practices Act* *Park Act* (if within a B.C. Park) Road deactivation Hunter eduction on species identification Attractant management for outdoor recreationalists Public education on non-lethal defence (i.e. bear spray)
Connectivity Management	Identify and protect corridors Critical foods/habitat management and protection Land purchases, easements, and trades Legal road closures Voluntary road closures Land Use Planning Road deactivation Crossing and fencing structures on highways



Objective: Increase or recover populations.	
Action	**Resources and tools**
Develop and implement a Recovery Plan	Consult with professional biologists that specialize in grizzly bear conservation. Recovery plans for some GBPUs are being developed and can be used as examples. When available they will be posted online.
Improve co-existence, minimize conflict, or reduce human risk	Refer to Resources and Tools to meet "Improve Co-existence, Minimize Conflict, or Reduce Human Risk" objective
Translocations and augmentation	Refer to the Translocation Policy and Procedure
Re-establish Connectivity	Refer to Resources and Tools to meet "Re-establish Connectivity" objective

In the early 2000s, the Central Coast and North Coast land use planning processes were the first such processes to be conducted in the context of government to government (G2G) agreements. The *General Protocol on Land Use Planning* between the Coastal First Nations and the BC government provided that the planning tables would be co-managed and in the case of the NCLRMP co-chaired, and that recommendations from the multi-stakeholder planning tables would inform later G2G discussions between the B.C. government and the First Nations.[9]

Following submission of the Central Coast and North Coast Land and Resource Management Plans recommendation reports in 2004, after several months of G2G discussions, agreement on a land use decision for the GBR was reached between First Nations and the B.C. government in early 2006. This agreement was incorporated into Strategic Land Use Planning Agreements (SLUPAs); bilateral agreements between individual First Nations and the B.C. government.[10] Broader agreements were also entered into by the B.C. government and First Nation coalitions including the Coastal First Nations (CFN)[11] and Nanwakolas Council.[12]

The SLUPAs and related collective agreements established a comprehensive G2G commitment for collaborative implementation of GBR land use decisions. Amendments to the *Park Act* and a new Order in Council under the *Environment and Land Use Act* were developed to enable legal designation of more than 100 new protected areas, many of which encompassed critical and important Grizzly bear habitat. A G2G technical team comprised of senior First Nation and B.C. government representatives was established to develop recommendations on a new land use regulation. The first GBR Land Use Order, enacted in 2007, added further protections for Grizzly bears in the form of legal requirement to, on the remaining land base, protect 100% of Class 1 and 50% of Class 2 bear spring and summer forage habitat.

Over the past 15 years the CFN Nations and the BC government have continued to work on a collaborative G2G basis to advance the protection and stewardship of Grizzly bears and their habitats. Critical habitat inventories have been improved. Field research by First Nations revealed that Grizzly bears now occupy outer coast islands and population unit maps and habitat protection measures have been

[9] See https://www.for.gov.bc.ca/tasb/slrp/citbc/finalprotocol.pdf

[10] See for example the Gitga'at SLUPA: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/land-use-plans-and-objectives/westcoast-region/great-bear-rainforest/great-bear-rainforest-first-nations-agreements/gitgaat_fn_signed_slupa.pdf

[11] See https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/land-use-plans-and-objectives/westcoast-region/great-bear-rainforest/great-bear-rainforest-first-nations-agreements/turning_point_protocol_agreement_signed_optimized.pdf

[12] See https://nanwakolas.com/wp-content/uploads/2020/08/AIP-FInal-Signed-Version-compressed.pdf

Page 845 of 1021 Transition Binder 2024

expanded accordingly. Recent amendments to the GBR Land Use Order now provide enhanced protection for Grizzly bear dens and other critical habitat, and for the riparian forests next to fish-bearing streams that bears rely on. A forthcoming amendment to the GBR Land Use Orders proposes to establish a requirement to create landscape level reserve plans that will enhance protection of bear travel corridors and other landscape features.

In 2006 the CFN Nations and BC Parks entered into collaborative management agreements. The Nations have worked closely with BC Parks to develop new approaches for managing bear viewing and other activities that impact Grizzly bears. For example, Kitasoo Xai'xais Nation, with support from BC Parks, began intensively monitoring the potential impact of bear-viewing on Grizzly bears in response to dramatic increases in tourism pressure over the previous decade. Operational bear viewing management plans are being established in many protected areas in the GBR, and in areas where bear viewing has become popular. Some of these plans are also identifying equitable access to viewing opportunities for Nations.

In 2009 the Coastal First Nations and the BC government entered into a Reconciliation Protocol. The protocol created a new framework for shared land and resource decision making, including decisions that may impact Grizzly bears. Implementation of this framework has led to creation of new collaborative approaches for granting and managing tenures for commercial bear viewing under the Park Act and the Land Act. And protocols between First Nations and commercial operators are creating working relationships and a more stable and effective arrangement for shared management of Grizzly bear and other wildlife viewing operations. Many CFN Nations, such as the Nuxalk and Kitasoo Xai’xais, have also created their own wildlife coexistence plans for their communities, with associated training and management strategies.

DRAFT

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Spotted Owl

KEY POINTS:

- The Northern Spotted Owl (SPOW) is listed as endangered under the federal *Species at Risk Act* (SARA). In British Columbia (BC), it is listed as "at-risk" under the *Forest and Range Practices Act* and *Energy Resources Activities Act.*
- The Ministry of Water, Land and Resource Stewardship (WLRS) leads the management and recovery of the SPOW in Canada (only occurs in BC). BC has protected more than 285,000 hectares of SPOW habitat to support a future population objective of 125 breeding pairs.
- On non-federal lands, if the Minister of the Environment and Climate Change Canada (ECCC) deems there are imminent threats to a species survival or recovery, the responsible Minister must make a recommendation for an emergency protection order (EPO) to protect the species and its critical habitat. If endorsed by the federal Cabinet, an EPO provides immediate protection (i.e., halt all destruction of identified critical habitat).
- In 2023, the federal Cabinet rejected a recommendation for an EPO for SPOW in favour of continued collaboration with BC and First Nations.
- On July 11, 2024, ECCC released an updated draft recovery strategy which identifies additional critical habitat above and beyond the habitat protected in BC. It is expected that the updated recovery strategy, if approved, will place additional pressure on BC to protect more habitat despite breeding and reintroduction being the most significant barrier to recovery.
- Unfortunately, efforts to reintroduce SPOW into the wild have not yet succeeded.

BACKGROUND:

- SPOW evolved in the old-growth forests of the Pacific Northwest. These forests are now heavily altered by industrial forest activities and settlement. SPOW populations are also threatened by the expansion of Barred Owls (BAOW), which are more aggressive and adapted to the current altered forest habitats.
- There were an estimated 500 pairs of SPOW in BC historically. The population was estimated as 100 breeding pairs in 1991. Most of the remaining wild owls were captured in 2007 and 2010 to start a conservation breeding program. As of 2023, the BC SPOW population estimate was 35:34 owls in the breeding facility and one wild-born (last confirmed detection in 2022).
- All captive-born SPOW released in 2022, 2023 and 2024 have died.
- A BAOW Control Program is underway to relocate or kill owls in SPOW release areas.

DISCUSSION:

- On June 6, 2023, Ecojustice, on behalf of the Wilderness Committee, filed application with the court to compel the federal Minister of ECCC to complete an imminent threat assessment and recommend an EPO for SPOW. The Minister formed the opinion of an imminent threat to recovery (not survival) and advanced a recommendation to the federal Cabinet for an EPO.
- The federal Cabinet determined against an EPO, in favour of continued collaborative efforts with the Province and First Nations and a report back in the fall of 2024.
- The court determined that the federal Minister delayed unreasonably in making the recommendation to Cabinet, after formulating the opinion of imminent threat to recovery.

- BC continues to assert that the current habitat protection is sufficient to support 125 breeding pairs and ultimate recovery will depend on the conservation breeding program.
- The success of the conservation breeding program is highly uncertain and faces significant challenges, including setbacks related to the construction of the Trans Mountain Expansion Project (TMEP) [see attachment 1].
- To reassess the recovery actions being implemented for spotted owl recovery and feasibility (habitat protection, restoration, conservation breeding, BAOW control, costs assessment, Indigenous and western knowledge gathering, adaptive management, etc.) and to support the report back to the federal Cabinet, BC is updating a SPOW Recovery Implementation Plan.
- The Implementation Plan will be consistent with the scope and mandate provided by the provincial Cabinet in 2006, detail specific measures to achieve spotted owl population and distribution objectives, be inclusive of priorities identified through engagement with First Nations, including partnership, and set out an adaptive recovery approach. BC is prepared to use its flexible regulatory tool kit to increase habitat protections were supported by the adaptive management framework and agreed upon with First Nations.

INDIGENOUS PEOPLES:

- Spuzzum First Nation Chief James Hobart has directly engaged and participated in the release of conservation-bred owls back into the wild. Members from Spuzzum First Nation have participated in the construction of aviaries used in the release program and the monitoring of owls after they were released.
- BC has reached out to all First Nations (more than 40 First Nations) with territory overlapping with spotted owl habitat for opportunities to engage and provide comment through consultation as required. Uptake has been significant; the Province is working to identify opportunities to partner with interested First Nations in planning and field-based activities.

FINANCIAL IMPLICATIONS:

- Advice/Recommendations; Cabinet Confidences; Government Financial Information

-

SUMMARY:

- BC has protected 285,000 ha of spotted owl habitat. Enough habitat to support 125 breeding pairs. We continue to work with First Nations partners and the federal government on spotted owl recovery in British Columbia.

Attachement: Attachment 1 – Spotted Owl Recovery and the Trans Mountain Expansion Project

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	Initials	Date
DM	LH	Oct 16, 2024
CFO/EFO (if required)		
ADM	JP	Sept 30, 2024
ED	ML	Sept 23, 2024

Attachment 1: Spotted Owl Recovery and the Trans Mountain Expansion Project

The Province continually raised concerns with the federal government and the Canada Energy Regulator about sufficiency of mitigations and noise disturbance associated with the Trans Mountain Expansion Project.

Despite some modifications to the environmental mitigation plan, construction took place directly adjacent (<40 meters) to the breeding enclosures during the breeding season, despite professional advise.

Breeding outcomes for that season were substantially reduced across all tracked metrics, including average egg fertility, average egg productivity and breeder health.

Although impossible to prove causation, one female Spotted Owl died due to an infection.

As part of a 2017 negotiated agreement between the Government of British Columbia and Trans Mountain Corporation (TMC), the Province will receive up to Government Financial Information Government now that the twinning project is complete.

The “Condition 5” Agreement is intended to ensure that British Columbia receives a fair share of the fiscal and economic benefits of the heavy oil project that reflects the level, degree and nature of the risk borne by the Province, the environment, and taxpayers.

The “Condition 5” Agreement was based on the former government’s conditions for supporting the construction and operation of heavy-oil pipelines in BC and - as a result - includes an explicit requirement that all funding provided to BC from TMC be used for initiatives that protect the local environment and benefit communities, broadly defined, and for the Province to report publicly on how the funding it receives is being spent.

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: *Wildlife Act* Review (Includes Fees, Fines and Dedicated Funding)

KEY POINTS:

- The *Wildlife Act* Review supports reconciliation and 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 in consultation and cooperation Indigenous peoples.
- In addition to reconciliation, policy themes of the review include setting objectives for wildlife and habitat, improved wildlife stewardship, effective and accessible service delivery, and dedicated funding.
- Stakeholders and the public will have significant opportunity to provide feedback and input as the work progresses.

BACKGROUND:

- Action 12 of the Together for Wildlife Strategy commits to a review of the *Wildlife Act*.
- The *Wildlife Act* Review expands upon the reconciliation-focused amendments made in Bill 14 in spring 2022, which support the incorporation of Indigenous Knowledge into decision-making and recognize traditional hunting protocols between First Nations.
- Cabinet Confidences

- Targeted engagement with title and rights holders, advisory bodies (Minister's Wildlife Advisory Council, Provincial Hunting and Trapping Advisory Team, First Nations-B.C. Wildlife and Habitat Conservation Forum, Provincial Angling Advisory Team), Canadian Wildlife Directors Committee, other provincial governments, First Nations Leadership Council and other key stakeholder groups, began in fall 2023 and concluded in summer 2024.
- Advice/Recommendations

DISCUSSION:

- The *Wildlife Act* has not been significantly updated since 1981 and remains largely focused on consumptive activities (e.g., hunting, trapping).
- The *Wildlife Act* Review focuses on advancing reconcilitation, setting objectives for wildlife and habitat, improving wildlife stewardship, effective and accessible service delivery, and dedicating funding.
- We have heard from both First Nations and stakeholders that dedicated funding for wildlife stewardship is an important part of the review. We are exploring this option as part of the review, but no direction on policy intentions decision has been made.
- Angling licensing fees were raised in 2023 and 2024. Wildlife licensing fees haven't changed in many years and are being considered under the *Wildlife Act* Review as an interim measure.

INDIGENOUS PEOPLES:

- The *Wildlife Act* Review supports reconciliation and 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 in consultation and cooperation with Indigenous peoples.

FINANCIAL IMPLICATIONS:

- There is no immediate financial impact.
- Advice/Recommendations

NEXT STEPS:

- Advice/Recommendations

Attachment(s):

Advice/Recommendations; Cabinet Confidences
Advice/Recommendations

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DM	LH	Oct 15, 2024
CFO/EFO (if required)		
ADM	JP	Sept 18, 2024
Program Dir/Mgr.	LW	Sept. 9, 2024

Page 0852 of 1021

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Advice/Recommendations ; Cabinet Confidences

Page 0853 of 1021

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Page 0854 of 1021

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Page 0889 of 1021

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOIC:	Wildlife Regulations Proposals for 2024/2025

KEY POINTS:

- The Wildlife Branch is considering four *Wildlife Act* regulation changes in 2025. There is potential for additional regulation changes to be proposed in 2025 to address emergent conservation or safety concerns.

BACKGROUND:

- Most *Wildlife Act* regulation changes related to hunting and trapping are on a two-year cycle. The next biennial regulation cycle will involve regulation change process in winter/spring 2026 and lead to the publication of the 2026-2028 Hunting and Trapping Regulations Synopsis.
- The authority to amend regulations within the scope of the biennial cycle are delegated to the Minister responsible for the *Wildlife Act*.
- There are other regulations in the *Wildlife Act* which require an Order in Council (OIC) to amend and are decided by the Lieutenant Governor in Council. Generally, OICs are not contemplated through the biennial cycle.
- In-season regulation changes (i.e. changes made outside of the biennial cycle) are considered to respond to conservation concerns, safety concerns, correcting errors, OICs, or for regulatory topics that fall outside the scope of hunting, trapping, and related activities.

DISCUSSION:

- Advice/Recommendations

-

INDIGENOUS PEOPLES:

- Wildlife is a significant part of the cultures and lifestyles of many Indigenous people.
- The Wildlife Branch engages with the appropriate First Nations on all proposed wildlife related regulation changes and formally consults on all changes that may affect Indigenous rights to hunt, trap, or fish.

FINANCIAL IMPLICATIONS:

- N/A.

CONCLUSION:

- Wildlife staff will prepare the proposed regulation changes.
- Wildlife staff will continue to monitor wildlife populations, harvest sustainability, and safety concerns and, if necessary, recommend in-season regulatory amendments to address issues.

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DM	LH	Oct 15, 2024
CFO/EFO (if required)		
ADM	JP	Sept 18, 2024
Program Dir/Mgr.	LW	Sept 12, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Wildfire and Wildlife Interaction

KEY POINTS:

- The public and First Nations often express concerns about the welfare of wildlife populations and state of habitat following a wildfire event.
- Wildlife and ecosystems have evolved with and are adapted to wildfires. Literature suggests that wildlife populations are generally not negatively impacted by wildfires, and any negative impacts to wildlife are outweighed by the long-term benefits to habitat.
- While each event is unique, adjusting *Wildlife Act* regulations (i.e. hunting, motor vehicle prohibitions) after wildfires is generally not supported as a tool to address impacts to wildlife due to both biological (unsustainable concentration of harvest pressure) and social (backlash to change due to lack of evidence of need, or inconsistent application to different user groups) reasons.
- A coordinated provincial approach is necessary to better inform and address response to concerns around impacts of wildfire on wildlife populations.

BACKGROUND:

- Wildfire can have devastating impacts when it interfaces with communities. Given these impacts, and the strong visuals associated with interface fires, wildfires elicit strong emotions, with people expressing concern for the welfare of wild animals.
- During and following fires, the ministry often receives requests from the public and First Nations to do something to 'protect' wildlife from wildfires. Many requests relate to hunting.
- Since 2017, British Columbia (BC) has occasionally relied on Motor Vehicle Prohibitions (MVPs) to mitigate wildfire/wildlife concerns. In 2024, many of these prohibitions were reviewed and removed after determining that wildlife populations were not unduly impacted by wildfire, and hunting pressure was not the driving factor in post-wildfire recovery. In some regions, wildfire-based MVPs had negative impacts, concentrating hunters in other areas, and complicating enforcement work by the Conservation Officer Service.
- A research study undertaken during the 2021 Sparks Lake fire demonstrated with collar data that moose were able to largely continue moving around their home ranges even within active fire perimeters, and no mortality of collared animals occurred.
    - Following the devastating 2024 wildfire in Jasper National Park, several independent wildlife biologists confirmed this generally accepted principle, citing multiple studies.[1]
- Following a wildfire regrowth regenerates, although this process can be delayed following more severe burns. Typically, fire damage is patchwork, with varying degrees of impact.

DISCUSSION:

- Severe wildfires can alter soil and result in slower regeneration, and soil exposed after a wildfire has a higher potential to erode, become compacted, or host invasive plant species.
- The greatest post wildfire impacts on wildlife is forestry (salvage, road construction, silviculture practices), especially in ungulate winter range or important habitats, but measures to address these issues relate to habitat, not hunting pressure.

[1] https://www.kelownadailycourier.ca/news/national_news/article_6633d32e-1f97-5ea5-9400-36d676138b25.html

- Analysis of data from hunter and Limited Entry Hunting (LEH) surveys does not suggest that most motor vehicle prohibitions after fires have had measurable impact on wildlife conservation or sustainability.
- There are some concerns that arise in the presence of large-scale wildfires and wildfire suppression. Two situations can increase the vulnerability of hunted big game:
  - Fire guards built to contain fires, coupled with existing guards from previous fires, and road construction for forestry or other resource extraction provides greater hunter access into previously remote areas.
  - Areas of high fire severity can result in vegetation throughout these areas having burnt and lines of sight for hunters can increase.
- Ministry staff assess habitat conditions in wildfire-affected areas to ascertain the extent of habitat loss and support possible management actions where required.
- Where increased access is a concern, adjustment of LEH authorizations in subsequent years is the most direct approach to manage hunters. Monitoring hunter harvest and success rates immediately following a wildfire can inform hunting opportunity decisions in future years.

INDIGENOUS PEOPLES:

- First Nations throughout the Province have requested hunting closures, restrictions or reduced licensed hunting opportunities during or following wildfire events. These include the Chilcotin Plateau (2018), multiple locations in the Thompson-Okanagan (2021) and more recently Crater Lake Fire (2023), and Bush Creek Fire (2023) in the Thompson-Okanagan, and multiple fires in the Peace region (2023/24).

FINANCIAL IMPLICATIONS:

- N/A.

NEXT STEPS:

- Improve public messaging and education on the interactions between wildlife, wildfire, and hunting regulations through consistent messaging across regions.
- Advice/Recommendations

- Collaboration with other ministries, stakeholders, industry, First Nations and stakeholders to inform a broader Wildfire Land Based Recovery Strategy for more comprehensive ecosystem assessment and (where necessary) recovery.

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DM	LH	Oct 15, 2024
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ADM	JP	Sept 18, 2024
Program Dir/Mgr.	LW	Sept 13, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Fish and Wildlife Compensation Program

KEY POINTS:

- BC Hydro has water licence obligations to address the impacts of dams on fish and wildlife populations in the Columbia and Peace regions and has made voluntary commitments in Coastal region.
- BC Hydro fulfills the applicable obligations through the work of the Fish and Wildlife Compensation Program (FWCP), overseen by three regional boards. Each regional board has representation from the Province of British Columbia, BC Hydro, Fisheries and Oceans Canada, First Nations and the Public.
- In 2024-2025, the boards approved $8.7M for 81 projects to multiple proponents: 27 projects in Coastal Region, 30 in Columbia Region and 24 in the Peace Region.
- In the Columbia Region, there is a letter of agreement with FWCP and the Province to provide funding for 11 fish and wildlife projects led and delivered by Resource Management Branch, Kootenay Region.

BACKGROUND:

- Hydroelectric impoundments impact fish and wildlife populations. The FWCP was established to mitigate these impacts through dedicated funding that directs work towards a vision of “thriving fish and wildlife populations in watersheds that are functioning and sustainable”.
- The Resource Management Branch, Fish and Wildlife Compensation Program – Kootenay Section is unique and reflects the high number of dams throughout the watershed and water licence obligations in the Columbia Region.
- Funding received from the FWCP, to the FWCP – Kootenay Section, provides up to $3M for fish and wildlife projects.
- A FWCP Columbia Region board was established to support governance of these funds. The Director of Resource Management, Kootenay Region co-chairs the FWCP Board with a BC Hydro colleague. The Director of Conservation Science with Aquatics Ecosystem Branch is the second provincial representative on the FWCP Board.
- The Columbia Board is a partnership among BC Hydro (two seats), the Province of British Columbia (two seats) Fisheries and Oceans Canada (one seat), First Nations (nine seats) and public stakeholders (three seats).
- The work is supported by a First Nations Working Group and fish and wildlife technical committees.

DISCUSSION:

- Project funding received from FWCP aligns with Provincial and Resource Management priorities for conservation, reconciliation, and community participation. Benefits of investments extend to decisions for fish and wildlife allocations and other regulatory program areas, in recognition that many species hold high social and cultural value.
- The Columbia Region is unique in its level of funding and partnership with the Province. The other boards operate on an annual proposal-driven basis, and the level of funding received by provincial teams is on a project-by-project basis.

INDIGENOUS PEOPLES:

- The FWCP has a strategic objective to strengthen and foster relationships with Indigenous Peoples and communities through Indigenous engagement in decision-making, project planning, and delivery that supports the FWCP's conservation objectives.
- There is a First Nations Working Group who works closely with the FWCP Board and WLRS employees within the Resource Management FWCP – Section for annual work planning and participation in delivering projects.
- There are up to nine seats available on the FWCP Columbia Region Board (three for each First Nation); Ktunaxa Nation Council (KNC), Okanagan Nation Alliance (ONA) and Sepwepemc. Currently, there are two representatives for each nation.
- Intergovernmental Communications

FINANCIAL IMPLICATIONS:

- Columbia (Kootenay region) letter of agreement (LOA) is signed annually after review from fish and wildlife technical committees, First Nations Working Group and Fish and Wildlife Compensation Program Board.
- Resource Management Branch is in it's twelfth year of an annual LOA to deliver fish and wildlife projects with FWCP funding.
- Government Financial Information

SUMMARY:

- Provincial fish and wildlife program teams continue to work in partnership with FWCP to deliver a series of fish and wildlife projects.
- The FWCP funding received aligns with Resource Management priorities and the information collected from projects benefits fish and wildlife management decisions.

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DM	LH	Oct 7, 2024
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ADM	JP	Oct 3, 2024
Program Dir/Mgr.	RE	Oct 2, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Deer Management

KEY POINTS:

- Overall deer in BC are healthy and plentiful across their range, increasing or decreasing largely in response to environmental factors such as severe winters and predation.
- The Province will continue to respond to the emerging threat of Chronic Wasting Disease (CWD), through monitoring and control measures to reduce the spread to other parts of the province.
- The Province supports Parks Canada efforts to eradicate fallow deer, an invasive species, on Sidney Island.
- The Province continues to work with local governments to jointly develop approaches to reduce urban deer conflicts (both white-tailed deer and mule deer).
- The 16th Biennial Western Association of Fish and Wildlife Agencies Deer and Elk Workshop is scheduled in Nanaimo on June 16-19, 2025. The workshop provides a forum where leading deer and elk managers and researchers share research results, management strategies, and emerging issues in the realms of deer and elk management throughout North America.

BACKGROUND:

- There are two species of native deer in BC, white-tailed deer and mule deer.
- White-tailed deer are found in the interior and north of the province and have been gradually increasing their range and distribution over the past decades. Provincial population estimate for white-tailed deer is 74-135k.
    - Generally hunting seasons for white-tailed deer are managed through general open seasons and provincial bag limits on both antlered and antlerless.
    - White-tailed deer are known to hybridize with mule deer and outcompete and mule deer for habitat; therefore, the management objective for white-tailed deer in areas of overlap or range expansion is often to reduce population or limit growth through providing liberal hunting opportunities.
- Mule deer are found throughout most of the province through two subspecies, black tailed deer are found on the coast (est. 98-155k), and mule deer in the interior (est. 95-160k).
    - Hunting seasons for mule deer are more restrictive than for white-tailed deer, with general open seasons on bucks limited through antler restrictions (i.e. 4 point or more) and antlerless hunting opportunities restricted through limited entry hunting lotteries.
    - Mule deer hunting regulations are guided by the big game harvest management procedure and southern interior mule deer harvest management procedure. The management objective for mule deer is to ensure healthy populations and ensure that harvest is sustainable.
- There is no Provincial Stewardship Framework for deer species in BC. Development of a Provincial Framework is not currently scheduled, as species requiring more immediate attention have taken precedence.

Fallow Deer
Mayne Island has liberalized hunting seasons to support deer removal (no closed season, no bag limit). Although hunting alone is insufficient to eliminate fallow deer populations.

DISCUSSION:
There are a variety of specific management issues that can generate interest in deer, including:

Health:
- Chronic Wasting Disease: Deer populations throughout North America are threatened by CWD. The first case of CWD was found in the Kootenay Region of BC in 2024. There is a separate Transition Note specific to CWD actions.
- Hemorrhagic disease (AHD) is usually fatal viral disease of deer species. Since September 2020, coastal black tailed deer on several Gulf Islands and southern Vancouver Island have died from this disease. AHD can lead to localized and short-term deer population reductions where it occurs; however, this disease is still poorly understood and further research is needed. There is no evidence that AHD can be transmitted to humans, livestock or pets.

Urban Deer:
- Urban deer issues have been increasing in BC and the province works with local governments to better understand the specific circumstances and jointly develop approaches to reduce conflicts and mitigate their impacts.
- The Province periodically partners with local government to reduce urban deer conflict, sometimes through direct removal. The Provincial Urban Deer Advisory Committee (PUDAC) composed of WLRS staff, local governments, the Union of B.C. Municipalities, and the Society for the Prevention of Cruelty to Animals. PUDAC reviews applications for funding and makes recommendations to provincial decision makers. The fund has historically provided up to $100,000/year to support locally led urban deer management projects.
- In response to CWD detection in the southeast part of the province, Cranbrook and the province are partnered to conduct population reductions in winter 2024/25.

Fallow Deer:
- Fallow deer are an invasive species brought to B.C. many years ago for farms, that subsequently escaped. They can cause negative impacts to native ecosystems, wildlife, and habitats. Fallow deer escaped from historic farms can be found mainly in the Gulf Islands, including Sidney Island and Mayne Island.
- Parks Canada is leading ecological restoration efforts on Sidney Island, with the support of local First Nations, the Province of British Columbia, the Islands Trust Conservancy, and Sidney Island residents. The project aims to eradicate fallow deer from Sidney Island and has obtained Wildlife Act permits from B.C. to enable this work, which is anticipated to run from Fall 2024 through to April 2025. Careful consideration was given prior to approval, including the humaneness of the process, expected effectiveness, and anticipated benefits to sensitive ecosystems on Sidney Island

INDIGENOUS PEOPLES:
- Deer are an important source of sustenance to the First Nations peoples of B.C. and are important to First Nations cultures and ways of life.

FINANCIAL IMPLICATIONS: N/A

CONCLUSION:
- Native deer populations are generally healthy and plentiful, and hunting is sustainably managed through regulation.

- Where disease threatens wild populations, or invasive non-native species create ecological concern, additional actions are undertaken.

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	Initials	Date
DM	LH	Oct 17, 2024
CFO/EFO (if required)		
ADM	JP	Oct 17, 2024
Program Dir/Mgr.	LW	Oct. 17, 2024

Page 0899 of 1021

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Advice/Recommendations ; Interests of an Indigenous People ; Intergovernmental Communications

Page 0900 of 1021

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Advice/Recommendations ; Interests of an Indigenous People ; Intergovernmental Communications

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Tahltan Accord and Intergovernmental Communications Comprehensive Reconciliation Agreement Implementation

KEY POINTS:

- The Tahltan – BC Wildlife Accord Agreement represents a significant commitment to work collaboratively with Tahltan to design the core elements of a collaborative world class wildlife stewardship regime (WSR).
- The Province and Tahltan First Nation are also working together on areas of wildlife management, collaborative stewardship through the 3Nations-BC Collaborative stewardship forum and land use planning.
- The Accord is an evergreen agreement signed in fall 2022 with funding commitments for the first five years of implementation.

BACKGROUND:

- Tahltan and BC signed the Wildlife Accord in September 2022. This agreement builds on years of efforts to collaboratively advance enhanced wildlife stewardship, including incorporation of regional approaches achieved through the 3Nations-BC Collaborative Stewardship Forum.
- There is commitment in the agreement to jointly establish a WSR that is an integral part of our reconciliation pathway and parallels efforts to foster a world class mining jurisdiction.

DISCUSSION:

- The Accord, and Cabinet endorsed workplan, informs how the Province and Tahltan will advance the co-design of a WSR inclusive of Tahltan rights, laws and knowledge and includes three core elements:
    - **Joint Governance** designing and implementing a joint wildlife governance structure and processes in Tahltan Territory that confirms a clear relationship between Provincial and Tahltan laws, and authorities regarding wildlife resources and management in Tahltan territory.
    - **Co-management** that will improve wildlife management to enhance protection, stewardship and sustainability of vital ungulate populations.
    - **Joint information and data collection** that supports sound, defensible decisions, and outcomes based on Tahltan Knowledge, local knowledge and science.
- Key achievements and activities under the Accord include:
    - Accord Implementation Management Team (AIMTeam) and Senior Oversight Committee Charter (2023)
    - Tahltan-BC Information Governance Agreement, signed 2024
    - Communications Plan, endorsed 2024
    - Collaborative Regulatory proposals for moose and for caribou (2023-24)
    - Endorsed Terms of Reference (TOR) and Workplan for the Joint Tahltan – BC Governance & Co-Management working group (GWG), BC Joint Governance interest paper (internal), Draft shared WSR vision statement
    - Endorsed Peacemaking/dispute resolution processes
    - Draft TOR and workplan for pilot shared decision-making processes
    - Draft Collaborative Wildlife Monitoring Plan templates (for moose, caribou, predators)
    - Support of re-initiation of the Northern Wildlife Roundtable (NWR)
    - Information collection and guardian patrols

- A consolidated accord workplan with broad milestones and target timelines was developed. Activities, sequencing, timing, and dependencies are considered and updated in this living workplan and annual workplans are collaboratively determined to achieve the milestones and goals of the accord.
    - Limited BC capacity, in both the Resource Stewardship and Land Use Planning and Cumulative Effects (LUPCE) Divisions is a challenge, especially considering this is an ambitious agreement with a tight timeline and significant inter-dependencies outside of the team's control.
- Significant communication is needed with resident hunters, communities and guide-outfitters to improve dialogue around wildlife management and interests and the connection to a WSR. The NWR provides an opportunity for productive conversations; however, there is a need for targeted communication for the broader public.
- The BC – Tahltan Accord teams met in Dease Lake in July, including participation of LUPCE ADM David Muter and Tahltan Central Government (TCG) President Beverly Slater. During this time, connections were made on the land, a workplan for advancing joint governance was affirmed, connections to planning and stewardship processes were made, and connection with knowledge holders and elders was initiated. Tahltan recognized that to weave knowledge and laws in a WSR, Tahltan need to do a lot of work to prepare themselves and their communities.
- Implementation of the core elements under the Accord are connected to all aspects of management for wildlife and wildlife stewardship, including land use planning and objective setting and collaborative stewardship. Addressing gaps and barriers in existing policy and enabling legislation, such as through the *Wildlife Act,* would benefit from having close alignment with the team leading implementation of the Accord.

INDIGENOUS PEOPLES:

- The Accord represents an agreement with Tahltan First Nation to co-design a WSR in Tahltan territory that recognizes and respects Tahltan Aboriginal title and rights, Tahltan and local knowledge and values, and the United Nation Declaration on the Rights of Indigenous Peoples.

FINANCIAL IMPLICATIONS:

- Government Financial Information

- Links to the 3Nations-BC Collaborative Stewardship Forum, land use planning, and Together for Wildlife to support priority work.

SUMMARY:

- The Accord reinforces a collaborative relationship between the Province and Tahtlan in the work of wildlife management, stewardship, and the meaninigful exercise of rights. Given its links to world class mining in Tahltan Territory, connection of the Accord to Tahltan – BC land use planning and to governance interests of natural resources will be critical to ensure these initiatives are proceeding informed and aligned.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Use and Objectives for Artificial Intelligence (AI) in the Natural Resource Sector (NRS)

KEY POINTS:

- While most recently being characterized as a new development, AI has been around in some form since the 1950s and has been steadily evolving. Increased awareness developed in popular culture beginning in 2023 due to the launch of ChatGPT (Generative AI) and the proliferation of AI-enabled solutions due to technology advances.
- AI includes a range of capabilities from data analysis, pattern recognition and predictions to generating new models and content such as documents, pictures and video.
- The NRS recognizes the potential of AI to create efficiencies and support staff in providing improved service delivery to British Columbians.
- The NRS is taking a measured approach to piloting AI in areas to ensure that aspirations are grounded in fundamentals to start but also to take measures to mitigate both the ethical and technical issues around AI, particularly those around ensuring confidential or personal government data is being treated properly.

BACKGROUND:

- The demand and potential for AI-enabled solutions is increasing for the public service as a whole and that is no different within the NRS. Currently, there are no corporate AI tools or governance to support ministry experimentation and implementation with each ministry being asked to explore and use the tools responsibly.
- The Office of the Chief Information Officer (OCIO) is currently developing a policy framework for the trustworthy and responsible use of AI. This framework will provide best practice guidance on developing and using AI systems responsibly and transparently.
- In the interim, guidelines specific to AI in the NRS have been published to ensure that AI tools are used appropriately, with a focus on accuracy, security and privacy in accordance with the *Freedom of Information and Protection of Privacy Act* and other legislative requirements.
- The NRS is currently undertaking several pilots to understand and realize the benefits of AI, focused on areas that can be done solely using publicly available data.

DISCUSSION:

- Government collects, manages, and provides data which supports decision-making and policy development within the province. It is our responsibility to ensure that this data is used appropriately, ethically, and legally, directly and indirectly, by available AI models and tools. Through appropriate AI oversight and iterative trials, concerns can be mitigated through thoughtful planning and learned experience.

- There are many opportunities to use AI to improve the NRS' services including:
  - Recognition – to detect or recognize an activity or impact on the land, be it by a person, animal or natural event
  - Process Automation –automate repetitive or mundane tasks
  - Customer Service Assistance – chat or voice bots used to respond to client enquiries, reduce support volume and costs, and triage requests
  - Content Creation – briefing notes, documentation, support notes, images, audio & video created
  - Intelligent Document Processing - automating the process of manual data entry from paper-based documents or document images, current or historical
  - Decision Support – a machine learning model trained using large, highly curated datasets to identify patterns and likely outcomes
- AI has the potential to transform the way that we work and provide services to our partners and the public. This will require a fundamental shift in the types of skills we will need to plan, oversee, implement and support these tools and new ways of doing business. Natural Resources Information and Digital Services Division is working with all of the NRS ministries to identify clear use cases to trial discrete use cases that can provide immediate benefit, increase our understanding of implementing AI, and grow this new service in an iterative way.

INDIGENOUS PEOPLES:

- As AI solutions are being developed, where indigenous data is a factor in the initiative, Indigenous communities would need to be engaged and consulted.

FINANCIAL IMPLICATIONS:

- Financial benefits of any current AI initiative have yet to realized. We can anticipate to minor costs to licence tools and skill development with more AI pilots

SUMMARY:

- AI has the potential to realize significant benefits in improving NRS service delivery. The most effective AI tools available are generally developed and managed by private companies, requiring attention to the privacy, security, and appropriate use of the government data required to enable it. The NRS is working collaboratively with the OCIO to ensure we develop the appropriate oversight and learn through pilots to realize postive outcomes while mitigating risks.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Expanding Natural Resource Sector Ministries' use of Software As A Service (SAAS) Platforms

KEY POINTS:

- Low Code Application Platforms (LCAP) provide a viable alternative to custom IT development using prebuilt, low cost, quick to deploy digital services.
- New services, partnerships and flexible governance models for LCAP allow program areas to move quickly and achieve results cost-effectively while balancing the need for proper risk management practices.
- Multiple successful implementations of LCAP have been tested in the Natural Resource Ministries for applications like workflow automation, performance tracking, case management, asset & inventory management, and AI-powered data extraction – these demonstrate the platform's effectiveness in delivering high-value solutions.

BACKGROUND:

- Natural Resource Information & Digital Services (NRIDS) identified a lack of lower-cost and rapid application development options within government that supported the need for digital transformation and increased demand for modernization of systems and services.
- A Platform Services office in NRIDS was established to ensure the smooth operation and adoption of LCAP across business areas.
- LCAP services were enabled to facilitate quick, low-cost, high-value implementation of cloud-based application frameworks, reducing reliance on custom development.
- Flexible governance models and client-led application development options allow business areas to manage their own LCAP projects, in partnership with NRIDS, promoting autonomy, good value, and quicker time-to-market.
- A foundational focus on governance, privacy, security and technical support ensures a balanced approach in helping program areas manage risk during all phases of their business application's lifecycle.
- Multiple projects have been successfully implemented during the pilot phase, demonstrating value in both NRIDS service delivery responsiveness and LCAP's effectiveness.

DISCUSSION:

- LCAP and NRIDS platform service delivery create more options for a better digital experience for clients and programs across Natural Resource Ministries.
- Using prebuilt, configurable cloud-based tools can reduce the reliance on more expensive, capital funded custom technology builds.
- LCAP is well-suited for automating many standard government processes but may not be the preferred solution to address the unique requirements of some highly specialized public sector functions.
- Configurable, pre-built capabilities can enable high value outcomes quickly at a lower cost compared to the traditional custom development approach.
    - Workflow Automation – Automating repetitive tasks allow staff to focus on higher value services to clients.

- Reporting – enhanced, real-time insights into strategic progress enables quicker and more informed decision making
- Performance tracking – streamlining business process with modern tools reduces costs through improved accuracy and efficiency.
- Case Management – Simplifying and automating case management provides better oversight and enhanced client interactions.
- Asset and Inventory management – improving accuracy and operational efficiency using out of the box modern tools.
- Client Relationship Management – enhancing customer management capabilities while reduce costs and complexity.
- Data extraction – Using Artificial intelligence, automating the extraction of historical data from PDFs significantly reduces the manual data entry time and effort.

INDIGENOUS PEOPLES:

- N/A.

FINANCIAL IMPLICATIONS:

- LCAP is based on a user-pay model under a contract held by the Office of the Chief Information Officer. Program areas that wish to use the service will pay a per-user license annually and initial one-time costs for the setup and configuration of their application.

SUMMARY:

- LCAP is a new service offering that helps Ministry program areas to quickly fill gaps in their digital service delivery or support new ministry priorities.
- For services that align with the pre-built capabilities of LCAP, it can be a much cheaper and quicker option to get up and running than custom application development.
- NRIDS has successfully piloted many LCAP initiatives across the Natural Resource Sector ministries and is now operationalizing this as a formal service offering.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Provincial Lidar Project

KEY POINTS:

- In Spring 2023, Government launched a six-year initiative to obtain high resolution lidar data for British Columbia, create specialized products to accurately present the shape and detail of BC's terrain, and make that information available to everyone freely.
- Province-wide acquisition of lidar is expected to be completed in just four years and value-add products fully complete in the two years following.
- The province views lidar information as a crucial investment that will advance evidence-based decision-making by providing enhanced data and information about the province's land base.

BACKGROUND:

- Lidar is a remote sensing technology that uses laser pulses to collect large amounts of highly detailed spatial data. The data is used to create three-dimensional (3D) models and high-precision maps that provide great value for many sectors and groups including Government, First Nations, communities, and industry.
- The Province is in the second year of a six-year, $38.5M initiative to collect and process high-quality and accurate lidar elevation data for all B.C. Most products derived from lidar are available for public use at no cost through GeoBC's Open Lidar Data Portal.
- To date lidar has been acquired for over 219,000 km^2 of B.C. comprising areas prioritized through collaboration across the Natural Resource Ministries. This amounts to 23% of the province collected in just one year compared to only 11% being collected in the six years prior to 2023.

DISCUSSION:

- Given BC's vast terrain and seasonal variability, capturing data to a consistent standard of quality throughout the province is especially challenging.
- Through a new centralized acquisition and distribution model, which replaces a previously ad hoc approach, the Program has significantly lowered costs for acquiring lidar resulting in a higher return-on-investment for the Province. These savings are realized by individual business areas that no longer need to budget for expensive project-by-project lidar acquisition but can redirect spending to other operational priorities and benefit from a "collect once, share many times" approach.
- The Program team is developing new, innovative methodologies using Artificial Intelligence and Machine Learning to capture processing efficiencies and to create more opportunities for multiple initiatives to realize value from this high-quality data. Standard lidar products will include Digital Elevation Models (DEMs), Digital Surface Models (DSMs) and Tree Canopy Height Models.
- The Provincial Lidar Program is aligned with Government's commitment towards Open Government and making data and information more accessible. Government's decision to make lidar products freely available under Open Government License ensures that the scientific community, First Nations, local government and all business areas, regardless of size, all have access to high-quality geospatial data which otherwise would be cost-prohibitive.

- Lidar data provides high quality, accurate mapping and modeling that is critical for land use planning, cumulative effects management, resource stewardship, and improved preparation for and resilience to natural disasters. Lidar data supports decision-making to effectively care for BC's ecosystems and infrastructure and prepare for landscape-altering events that increase demand on resources, present risks to life and assets and have substantial socio-economic and environmental implications.

INDIGENOUS PEOPLES:

- With its investment in the Program, Government is providing equitable access to high quality geospatial products that are relied upon for sustainable resource management in partnership with Indigenous peoples.
- The Program is instrumental for delivering Government's commitment to implement the *Declaration on the Rights of Indigenous Peoples Act* (DRIPA) and secure agreements that support Indigenous reconciliation through a shared decision-making model with First Nations.

FINANCIAL IMPLICATIONS:

- The Program will attain full provincial Lidar coverage for under $40M instead of an estimated $175M to $200M using the previous project-by-project procurement approach.

CONCLUSION:

- The Program demonstrates Government's commitment to invest in high quality geospatial data that is freely available, which will contribute to an equitable, inclusive and resilient economy with far-reaching benefits available to all British Columbians.

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Natural Resource Sector Radio Repeater Network – Condition and Mitigations

BACKGROUND:

- The Natural Resource (NR) Sector's Radio Repeater Network (the Radio Network) is the primary communications system for the BC Wildfire Service (BCWS), and for meeting WorkSafeBC requirements to ensure safety of lone NR government workers in the field.
- The Radio Network covers 80 percent of BC through 331 mountain-top repeaters and over 8,000 radios and supports approximately 6,000 Natural Resource Sector (NRS) staff.
- Advice/Recommendations

- The current Radio Network is analogue and cannot connect with modern digital radio services of other emergency response agencies or provide requested digital services.

DISCUSSION:

- The Radio Network is crucial for the BCWS to coordinate field resources, ensure safety, manage flights, and connect with emergency management partners. It also supports incident command, fire weather station communication, and remote community messaging. The Radio Network was first established in the 1950s and is substantially unchanged from the mid-1960s. A team of 20 Natural Resource Information and Digital Services (NRIDS) radio technologists manages the Radio Network from 9 regional offices and Victoria.
- Agencies within the NRS have stated that the Radio Network's communication capabilities are essential to their ability to operate safely in the back country and to meet WorkSafeBC standards. Continued operations of the radio communications infrastructure during emergencies like wildfires, is a critical element to assure worker safety and to maintain essential communications between field personnel and regional command centers.
- Each radio repeater site is built to endure harsh conditions such as heat, cold, ice, rain, and lightning, but they require ongoing preventative maintenance and repairs. Access to these sites is seasonal and logistically challenging, necessitating careful planning and special safety measures. The workload has increased due to aging systems and evolving client needs, while costs for parts and transportation (ground and air) have risen. Despite this, funding and staffing have remained static, making it difficult for the radio team to meet maintenance targets, leading to reduced reliability and a growing deferred maintenance backlog of the Radio Network.
- While the Radio Network has consistently demonstrated its reliability as a voice communication technology, field requirements, particularly for emergency response, have evolved requiring interoperability with other provincial emergency systems. In British Columbia, other entities such as the RCMP and municipal police and fire fighters, have already transitioned to digital networks. Modern digital radio systems have addressed the service gaps experienced today in the NRS, such as increasing network congestion, lack of secure communications, GPS functionality, and the ability to interconnect with partner agencies and Indigenous communities. A modernized radio network would benefit all users and address existing concerns, but achieving this would require significant financial and resource commitments.

INDIGENOUS PEOPLES:

- On November 17, 2021, in response to the November 2021 floods, Grand Chief Philip Stewart (reflecting recommendation #32 in the Abbott-Chapman report[1]) reiterated the call for coordinated radio communications and equipment between the province and First Nations emergency response organizations.

FINANCIAL IMPLICATIONS:

- Given the critical nature of the Radio Network, advancing age, level of depreciation and digital deficiencies, the need for major investment to either modernize the system or address deferred maintenance has been identified. Advice/Recommendations; Government Financial Information

Advice/Recommendations; Government Financial Information

SUMMARY:

- The NRS radio repeater networks play a crucial role in providing reliable radio communication during provincial emergencies and for ongoing safety check-ins of field workers and officers. The dedicated efforts of the NRIDS radio technology team ensure these systems remain operational. Ensuring the future reliability of this network requires attention and investment as an integral part of our province's emergency management systems.

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[1] Addressing the New Normal: 21st Century Disaster Management in British Columbia Report and findings of the BC Flood and Wildfire Review: an independent review examining the 2017 flood and wildfire seasons

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Overview of the *Declaration on the Rights of Indigenous Peoples Act*.

BACKGROUND:

- In 2019, the Provincial government passed the *Declaration Act* to bring the United Nations Declaration on the Rights of Indigenous Peoples ("UN Declaration") into provincial law.
- This legislation serves as the framework for reconciliation, recognizing the constitutional and human rights of Indigenous peoples.
- The *Declaration Act* requires government, in consultation and cooperation with Indigenous peoples, to:
    - Ensure new and existing laws are consistent with the UN Declaration,
    - Develop and implement an Action Plan to achieve the objectives of the Declaration,
    - Monitor progress through public annual reporting, and
    - Enables the government to enter into agreements with Indigenous governing bodies, including joint or consent-based decision-making agreements.
- There are three main functions of the Act, as set out in the table below:
  Sections 1 through 5 relate to how the Act is to be interpreted and then also includes provisions relating to the implementation of the Act.
    - S. 3 – Legislative Alignment. The process to achieve legislative alignment pursuant to s.3 will be done with Indigenous peoples. In general, as laws are modified or built, they will be aligned with the UN Declaration. For existing laws, which B.C. laws to change first will be determined in partnership with Indigenous peoples. When the Declaration Act was implemented, it was acknowledged that changes will take time.
    - For the Ministry of Water, Land and Resource Stewardship (WLRS) statutes, First Nations, individually and through leadership organizations such as the First Nation Leadership Council (FNLC), have expressed that the Wildlife Act and the Land Act are priority areas for them.
    - S. 4, 5 – Action Plan and Reporting. The Declaration Act Action Plan was released on March 30, 2022. It outlines key goals and outcomes and 89 priority actions to be initiated and/or completed over a 5-year period. The Action Plan identified five actions for WLRS under the theme of "Title and Rights of Indigenous Peoples".
    - As per s.5 of the *Declaration Act,* the Province publicly releases an annual report by June 30.

  Sections 6 and 7 create space for the Provincial government to enter into agreements with Indigenous Governing Bodies, including agreements that share jurisdictional authorities.
    - The definition of "Indigenous governing body" in the Declaration Act is a broad one that may include many forms of governing structures.
    - Under the Act, the term "Indigenous governing body" means an entity that is authorized to act on behalf of Indigenous peoples that hold rights recognized and affirmed by section 35 of the Constitution Act, 1982.
    - What constitutes an "entity authorized to act on behalf of Indigenous peoples" is a matter of Indigenous self-determination, as articulated in the UN Declaration.

Interpretation and implementing the UN Declaration	• Section 1 includes key interpretative provisions and terms for the Act. Section 2 establishes the three purposes of the Act • Sections 3, 4 and 5 set out requirements for government regarding the implementation of the UN Declaration in British Columbia
Entering into agreements with Indigenous governing bodies	• Sections 6 and 7 create space to enter into agreements with a broader range of Indigenous governments • Special provisions to allow for joint or consent-based decision-making agreements
Offence Act and regulation making power	• Section 8 ensures *Offence Act* sanctions do not apply to the Declaration Act. Instead, *Judicial Review Procedure Act* can be used to oversee requirements. • Section 9 contains a modest regulation making power (e.g. dealing with administrative and procedural matters)

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Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Interim Approach to Implementing the Requirements of Section 3 of the *Declaration on the Rights of Indigenous Peoples Act*

KEY POINTS:

- Section 3 of the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) requires that the Province work in consultation and cooperation with Indigenous peoples to ensure new and existing laws of British Columbia (BC) are consistent with the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration).
- The Interim Approach to Implementing the Requirements of Section 3 of the *Declaration on the Rights of Indigenous Peoples Act* (Interim Approach) (Attachment 1), developed by the *Declaration Act* Secretariat (DAS) in consultation and cooperation with Indigenous leadership, assists government in achieving alignment of laws obligations and guides approaches for involving Indigenous peoples in policy and legislative development.
- The Reconciliation, Lands and Natural Resource Policy Division of the Ministry of Water, Land and Resource Stewardship (WLRS) provides leadership across the natural resource sector (NRS) to support the effective operationalization and implementation of the *Declaration Act,* including working with the DAS on section 3, developing guidance, policies and tools to advance reconciliation more effectively.

BACKGROUND:

- Section 3 of the *Declaration Act* requires government, in consultation and cooperation with Indigenous peoples to, "take all measures necessary to ensure existing legislation and new legislation are consistent with the UN Declaration."
- The term Indigenous peoples in the *Declaration Act* is consistent with section 35 of the *Constitution Act, 1982* – First Nations, Métis, and Inuit Peoples. As such, processes of consultation and cooperation needs to be broad and inclusive.
- In 2021, the Declaration Act Secretariat (DAS) was established to assist and guide ministries on meeting their consultation and cooperation obligations in the development of legislation, and in ensuring consistency with the UN Declaration.
- Each Minister is responsible for ensuring their ministry's legislation is consistent with the UN Declaration and for undertaking appropriate consultation and cooperation with Indigenous peoples.
- The phrase "consultation and cooperation" appears in the UN Declaration and carries the expectation of early engagement with Indigenous peoples on decision-making processes affecting them.
    - It further stipulates that Indigenous peoples should have the opportunity to influence the outcome of, or propose an alternative approach to, the government proposal. It also suggests the possibility for Indigenous peoples to make a different proposal or suggest a different model, as an alternative to the one proposed by the Government or other actor.

DISCUSSION:

- Implementing section 3 means that the Province must work to ensure better consistency and clarity of process for involving Indigenous peoples in policy and legislative development.

- The Province is also committed to a distinctions-based approach. This approach acknowledges the specific rights, interests, and priorities of First Nations, Métis, and Inuit Peoples in BC, and respects their unique cultures, histories, rights, laws and governments. For example, there may be legislation relating to water, land or resource matters, where only First Nations will be directly involved in policy or legislative development.
- The WLRS Strategic Partnerships, Policy and Legislation (SPPL) Team supports natural resource ministries with policy through legislative or regulatory development and holds relationships with the DAS, First Nations Leadership Council (FNLC), and the Alliance of BC Modern Treaty Nations among others.
- The SPPL Team provides support to ministry staff and NRS to understand the requirements for the alignment of laws as well as guidance for the legislative process, ensuring work is done in accordance with the Interim Approach.

INDIGENOUS PEOPLES:

- The Interim Approach is a commitment to working with Indigenous peoples, through meaningful processes of consultation and cooperation, to ensure the standards of the UN Declaration are upheld in provincial legislation. This has resulted in a significant shift in how ministries engage with Indigenous peoples on policy and legislation, resulting in earlier engagements with a broader number of Indigenous peoples and partners.

SUMMARY:

- The *Declaration Act* affirms the UN Declaration as the Province's framework for reconciliation and the Interim Approach guides and assists government in achieving alignment of laws obligations.
- The work to align provincial legislation with the UN Declaration is a shared responsibility across ministries and must be undertaken in consultation and cooperation with Indigenous Peoples.
- Maintaining partnerships with DAS, FNLC and Modern Treaty Nations are integral to how the NRS and Indigenous peoples and partners achieve the goals of legislative alignment.

Attachment: Attachment 1 – Interim Approach to Implementing the Requirements of Section 3 of the *Declaration on the Rights of Indigenous Peoples Act*

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INTERIM APPROACH TO IMPLEMENTING
THE REQUIREMENTS OF SECTION 3 OF THE

Declaration on the Rights of Indigenous Peoples Act

Prepared by the Declaration Act Secretariat

BRITISH COLUMBIA

Contents

Purpose **3**

Context **4**

Interim Approach for Implementing Section 3 ..... **6**

1: Initiate Policy Exploration and Establish Consultation and Cooperation Plan **7**

2: Development of Request for Decision **10**

3: Development of Request for Legislation **11**

4: Legislative Drafting **12**

5: Introduction of Bill – Parliamentary process **12**

Appendix 1 – Interim Legislative Process **13**

Appendix 2 – External guidance documents **14**

Appendix 3 – Internal guidance documents **15**

Purpose

Section 3 of the *Declaration on the Rights of Indigenous Peoples Act* requires that Province "in consultation and cooperation with Indigenous Peoples" take "all measures necessary" to ensure consistency between the laws of British Columbia and the *United Nations Declaration on the Rights of Indigenous Peoples.*

Implementing section 3 means that the Province must work to ensure better consistency and clarity of process for involving Indigenous Peoples[1] in policy and legislative development. The Province is developing measures to achieve this through multiple venues, including working directly with First Nations on a government-to-government basis, implementing treaties, agreements, and other constructive arrangements, as well as through on-going work with the Alliance of BC Modern Treaty Nations[2] (ABCMTN), First Nations Leadership Council[3] (FNLC), and Métis Nation BC[4] (MNBC).

This includes measures that were evolving through current ministry-specific policy and legislative development processes. All of this work must be distinctions-based, including as stated in the Draft 10 Principles, the Declaration Act, and the Declaration Act Action Plan.

The Declaration Act Secretariat[5] supports routine cross-government measures, that will ultimately constitute a reformed process, for including Indigenous Peoples in policy and legislative development. It is also recognized that while those measures are being fully developed, interim guidance for public servants is needed as the obligations in section 3 of the Declaration Act are in force.

This document provides **interim guidance** for implementing section 3 of the Declaration Act and, in particular, regarding approaches for involving Indigenous Peoples in policy and legislative development. This is an interim document; it may be updated periodically to incorporate additional information and guidance from the Declaration Act Secretariat. All ministries needing guidance and advice regarding the understanding and implementation of the policy contained in this document should contact the *Declaration Act Secretariat*.

1 Consistent with Section 35(1) of the Constitution Act, 1982 and section 1 of the Declaration Act, the term "Indigenous Peoples" includes First Nations, Métis and Inuit Peoples in Canada.

2 The Shared Priorities Framework, signed in March 2022 between British Columbia and the members of the Alliance of BC Modern Treaty Nations, renews a commitment to timely, effective and appropriately resourced implementation of modern treaties with broad outcomes that included meaningful involvement of modern treaty nations in legislative and policy initiatives.

3 The First Nations Leadership Council acts pursuant to mandates provided by Title and Rights Holders, including through resolutions passed through the member organizations of the FNLC.

4 The October 27, 2021, Letter of Intent between Métis Nation British Columbia (MNBC) and the Province proposes a new whole-of-government approach to Métis relations as a partnership between MNBC and British Columbia that respects Métis self-determination.

5 The development of the Secretariat is directed in the mandate letter (2020) of the Minister of Indigenous Relations and Reconciliation.

Context

The UN Declaration is the most comprehensive international human rights instrument to explicitly address the human rights of Indigenous Peoples.

The UN Declaration:

> "...emphasizes the rights of Indigenous Peoples to maintain and strengthen their own institutions, cultures and traditions and to pursue their development in keeping with their own needs and aspirations. It establishes an important standard for eliminating human rights violations against Indigenous Peoples worldwide and for combating discrimination and marginalization."[6]

The UN Declaration has 46 articles that constitute the "minimum standards for the survival, dignity and well-being of the Indigenous Peoples of the world" and "elaborates on existing human rights standards and fundamental freedoms as they apply to the specific situation of Indigenous Peoples". The UN Declaration is to be read as a whole; the rights and standards within it are interconnected. They cannot be isolated from one another or chosen between.

The UN Declaration also contains direction to States (e.g. Crown governments), on how to develop policy and legislation.

> Article 19:
>
> States shall consult and cooperate in good faith with the Indigenous Peoples concerned through their own representative institutions **in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures** that may affect them.
>
> Article 38:
>
> States in consultation and cooperation with Indigenous Peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

The importance of the UN Declaration was reinforced in 2015 in the Truth and Reconciliation Commission of Canada's Call to Action 43:

> 43. We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.

6 *https://www.un.org/esa/socdev/unpfii/documents/Declaration_ip_pressrelease.pdf*

Page 918 of 1021 Transition Binder 2024

The Declaration Act reflects the role of the UN Declaration as the framework for reconciliation.[7]

The purposes of the Declaration Act are to:

- Affirm the application of the UN Declaration to the laws of B.C.;
- Contribute to the implementation of the UN Declaration in B.C.; and
- Support the affirmation of, and develop relationships with, Indigenous governing bodies.

The Declaration Act requires the Province, in consultation and cooperation with Indigenous Peoples, to:

- Ensure provincial laws are consistent with the UN Declaration (section 3);
- Develop and implement an action plan to achieve the objectives of the UN Declaration (section 4); and
- Monitor progress through public annual reporting (section 5).

Key terms in the Declaration Act include:

> **"Indigenous Peoples"** has the same meaning as Aboriginal Peoples in section 35 of the *Constitution Act, 1982* (note that this term includes First Nations, Inuit and Métis peoples);
>
> **"Indigenous governing body"** means an entity that is authorized to act on behalf of Indigenous Peoples that hold rights recognized and affirmed by section 35 of the *Constitution Act, 1982*.

The Declaration Act sets out a process for the Province to enter into agreements with Indigenous governing bodies, including joint or consent-based decision-making agreements (sections 6 and 7). The following link provides guidance on *Indigenous governing bodies*.

The phrase "consultation and cooperation" in the Declaration Act is taken from the UN Declaration and its meaning has been the subject of advice from the United Nations Expert Mechanism on the Rights of Indigenous Peoples:

> "Use in the [UN] Declaration of the combined terms 'consult and cooperate' denotes a right of Indigenous Peoples to influence the outcome of decision-making processes affecting them, not a mere right to be involved in such processes or merely to have their views heard. It also suggests the possibility for Indigenous Peoples to make a different proposal or suggest a different model, as an alternative to the one proposed by the Government or other actor."[8]

As such, the Province must approach policy and legislation development that may affect Indigenous Peoples in a manner that ensures Indigenous Peoples are fully involved partners in the process and have opportunities to influence the outcome of matters that may affect them.

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7 The federal United Nations Declaration on the Rights of Indigenous Peoples Act also reflects the role of the UN Declaration as the framework for reconciliation, as called for by the Truth and Reconciliation Commission Call to Action 43.

8 United Nations, General Assembly, Human Rights Council, *Study of the Expert Mechanism on the Rights of Indigenous Peoples: Free, prior and informed consent: a human rights-based approach, A/HRC/39/62* (10 August 2018) at para. 15.

Interim Approach for Implementing Section 3

The guidance in this section focuses on the process for developing policy and legislation to ensure the requirements in section 3 of the Declaration Act are met. As the Province is continuing to develop measures to implement section 3, the guidance in this section should be considered interim. It will be updated and supplemented as the work of implementing the Declaration Act in consultation and cooperation with Indigenous Peoples continues. The Declaration Act Secretariat supports ministries in implementing this guidance, as well as the development of additional measures for implementing section 3. Additionally, ministries should seek guidance from the Indigenous Legal Relations Solicitors Unit (NATRIL) within the Legal Services Branch (MAG), as well as ministry-specific legal counsel, throughout the application of this interim process.

The interim process has been developed through on-going efforts to effect consultation and cooperation with Indigenous Peoples during the development of policy and legislation. The experiences of ministries in working with Indigenous Peoples on policy and legislative change since the passage of the Declaration Act have informed the development of this guidance.[9]

The following diagram (Appendix 1) illustrates the interim process for working with Indigenous Peoples in the development of policy and legislation. This interim process is intended to support new approaches to collaboration, information sharing and drafting that bring in the Indigenous perspectives to build a shared understanding of the effect of the policy and legislation on Indigenous people's rights or interests and ensure that policies and laws are developed or amended to be consistent with the UN Declaration.

See *Appendix 1*

The diagram identifies five points in time where involvement of Indigenous Peoples takes place in the development of policy and legislation.

9 Some examples of recent processes that have illustrated certain current effective practices include: MCFD's "Letter of Commitment" of how they will work with the FNLC; the process for the development of the Anti-Racism legislation; and the process used to the develop the Declaration Act itself.

1: Initiate Policy Exploration and Establish Consultation and Cooperation Plan

At the earliest stage of policy development for potential legislation – when the Province is identifying the problem statement (what is the issue or problem we are trying to address or solve through potential policy and legislation?) – dialogue with Indigenous Peoples is required. Dialogue at this stage is to identify priorities, begin to consider how the policy and potential legislation may affect Indigenous Peoples, and begin to identify how it may be consistent with the UN Declaration.

There is no single, prescriptive approach to how this vitally important early engagement may take place. What is required will vary, depending on how the policy being developed and how potential legislation may affect Indigenous Peoples. It may be that early engagement will include a range of measures (e.g., meetings, workshops, correspondence) to share information and dialogue with First Nations, other Indigenous Peoples, and Indigenous organizations, taking the required distinctions-based approach.[10] For example, it may often be appropriate to also work not only with Indigenous Peoples, but also in collaboration with political and advocacy organizations established by Indigenous Peoples, and sectoral organizations, with whom the Province has established relationships and processes that continue to evolve.[11]

It is important to understand that legislation or policy of "general application" may affect Indigenous Peoples, as indicated by the United Nations:

> ***It would be unrealistic to say that the duty of States to consult directly with Indigenous Peoples through special, differentiated procedures applies literally, in the broadest sense, whenever a State decision may affect them, since almost all legislative and administrative decisions that a State adopts may affect the Indigenous Peoples of the State along with the rest of the population in one way or another. Rather, …it applies whenever a State decision may affect Indigenous Peoples in ways not felt by others in society. Such a differentiated effect occurs when the interests or conditions of Indigenous Peoples that are particular to them are implicated in the decision, even when the decision may have a broader impact, as in the case of certain legislation.***[12]

10 The distinctions-based approach requires that the Province's dealings with First Nations, Métis and Inuit Peoples be conducted in a manner that acknowledges the specific rights, interests, priorities and concerns of each, while respecting and acknowledging these distinct Peoples with unique cultures, histories, rights, laws, and governments. Section 35 of the Constitution Act, 1982, recognizes and affirms the rights of Aboriginal Peoples of Canada, while all Indigenous Peoples have human rights that are expressed in the UN Declaration. However, not all rights are uniform or the same among or between all Indigenous Peoples. In many cases, a distinctions-based approach will require that the Province's relationship and engagement with First Nations, Métis and Inuit Peoples include different approaches or actions and result in different outcomes.

11 Ministries should seek guidance from MAG and MIRR at this stage on any MOU's or established protocols or processes that may be engaged by the evolving policy proposal, including those with First Nations, FNLC, First Nations Organizations, ABMTN, MNBC, and urban Indigenous organizations.

12 United Nations, General Assembly, Human Rights Council, Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, James Anaya: Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development, *A/HRC/12/34* (15 July 2009) (*Report of the Special Rapporteur 2009)* at para. 43.

Page 921 of 1021 Transition Binder 2024

For example, land and resource policy and legislation may affect First Nations in particular ways due to their rights and interests relating to land in their traditional territories (see Articles 26 and 29 of the UN Declaration) and identifying and addressing these impacts will require a distinctions-based approach. As well, legislation dealing with children in care affects Indigenous Peoples in particular ways, given the ongoing impact of colonialism on Indigenous societies and relevant UN Declaration standards relating to children (see, for example, UN Declaration Article 7.2 and TRC Calls to Action 1 to 5).

The potential to affect Indigenous Peoples gives rise to the need to engage in dialogue with Indigenous Peoples to determine whether and how they wish to be involved in developing policy or laws, to ensure consistency with their human rights set out in the UN Declaration, which may include co-development of proposed policy and legislation, through actions in the other points in time in the interim legislative process.

Once it is determined that the proposed policy or legislation may affect Indigenous Peoples, effective processes for Indigenous Peoples to participate in developing policy and legislation must be implemented. There is no single model for this consultation and cooperation. How processes may look will vary depending on the nature, scope, and potential effects of the proposed policy or legislation and what Indigenous Peoples have indicated are substantive or process priorities through early engagement. As well, a distinctions-based approach must always be followed.

Approaches to consultation and cooperation are informed by, but not limited to, the following:

- The subject-matter of the policy or legislation being developed and how it relates to Indigenous Peoples or their rights (e.g. engagement relating to land and resources is often more specific to First Nations, while engagement on social sector initiatives will include not only First Nations, but potentially First Nation organizations, Inuit or Métis Peoples);
- The level of interest in the proposed policy and legislation indicated by Indigenous Peoples;
- The desired degree and form of engagement as indicated by Indigenous Peoples and partners;
- Existing commitments, treaties, agreements or other constructive arrangements with Indigenous Peoples and Indigenous governing bodies, which include obligations and must be considered when relevant to the policy issue or situation;[13] and
- Crown obligations under section 35(1) of the Constitution Act, 1982 (e.g. upholding the honour of the Crown).

In situations where mechanisms and processes for engagement are not in place, they should be jointly determined with Indigenous partners. It is important to establish clear expectations around matters such as process, mandates, development of documents, tracking of outcomes, and funding. Ensure there is adequate time for consultation and cooperation.

13 The Government of B.C.'s website provides a list of *modern treaties*, historic treaties and *reconciliation and other agreements*. In addition, historic treaties (the "Douglas" or "pre-confederation" treaties on Vancouver Island and Treaty 8 in the northeast) and modern treaties contain treaty rights that are protected under section 35 (1) of the Constitution.

Determining who should be involved in consultation and cooperation is also vitally important. Indigenous Peoples, as rights holders, must be the focus of consultation and cooperation. However, not all Indigenous Peoples will choose to be involved in the same way. Issues that are priorities for some, and priorities for the Province, may be determined by some Indigenous Peoples to not be a priority for them. As well, a distinctions-based approach must be applied. For example, there will be circumstances and contexts, such as with respect to land and resource matters, where only First Nations will be part of the process of development of the policy and legislation.

As a general practice as well, any process of consultation and cooperation should accommodate multiple ways for Indigenous Peoples to be involved. It should never be presumed (or imposed) that Indigenous Peoples will all choose to be involved in the same way, and it is not for the Province to impose modes of involvement.

To establish who should be involved in the consultation and cooperation, consider the following:

- Determine how both Indigenous Peoples and their organizations should be involved. For instance, in some cases First Nations' political leadership collaborate with First Nation organizations for technical and subject matter expertise. Be sure to understand how Indigenous organizations relate to leadership and the peoples they represent.
- Seek internal advice from those who understand the complexities and dynamics of collaborating with Indigenous Peoples on policy and legislation – this includes the Declaration Act Secretariat, regional staff that work closely with Indigenous partners or Indigenous Relations and Affairs units across ministries.
- Seek internal advice on required protocols and practices in place through treaties, agreements, and other constructive arrangements.
- Seek guidance from Indigenous partners on how to respect any Indigenous protocols, traditions, governance processes, laws and jurisdiction.
- Seek internal advice on any legal matters that may have to be addressed through working with the Indigenous Legal Relations Solicitors Unit (NATRIL) within the Legal Services Branch (MAG), as well as ministry-specific legal counsel.
- While some ministries will have existing relationships with Indigenous partners, others may not. Seek cross-ministry dialogue across relevant sectors to learn more about established relationships where they exist, and to support this collaborative work in an effective and efficient way.
- Seek clarity and understanding of how to appropriately engage the diversity of voices among engaged Indigenous partners. This includes opportunities beyond governance structures (e.g. hereditary and elected leaders) to an intersectional approach that could engage Indigenous women, Elders and youth, persons with disabilities and 2SLQBTQQIA+ organizations that serve urban Indigenous populations and other subject matter experts and impacted peoples within an Indigenous community. This helps ensure that all relevant Indigenous Peoples have participated.
- Seek guidance from other subject matter experts (e.g. youth) of the Indigenous Peoples you have determined should be involved in your process.
- Always apply a distinctions-based process.

Page 923 of 1021 Transition Binder 2024

Finally, it is critically important to remember that any consultation and cooperation plan ministries develop must contemplate what might be done throughout the entire development of policy and legislation – through all of the points in time outlined in the interim approach for implementing section 3 (*see Appendix 1 – Interim Legislative Process*). As such, all the points in time must be considered in developing the consultation and cooperation plan.

2: Development of Request for Decision

Based on the early development of policy and the on-going implementation of the consultation and cooperation process a "Request for Decision" (RFD) will be developed. A request for decision must be informed by the early exploration of policy ideas with Indigenous Peoples, provide clarity on the particular policy areas engaged by the proposed policy or legislation, examine how the proposed policy may affect Indigenous Peoples and is consistent with the UN Declaration, and provide clarity on the expected legislative timeline.

Requests for Decision can be jointly prepared with Indigenous Peoples (also known as co-development), and the work done at points 1 and 2 will determine when it is necessary and appropriate to undertake this joint development. In some instances, such as where document for Cabinet are being developed and shared, confidentiality protocols will be necessary.[14]

It may also be the case that First Nations organizations may play a direct role in supporting how consultation and cooperation takes place in the development of the Request for Decision, based on their mandates from First Nations. For example, often this may include the legal and policy teams of the First Nations Leadership Council (FNLC) being actively engaged in the joint development of the Request for Decision to Cabinet. You may also work collectively with the Alliance of BC Modern Treaty Nations respecting individual modern treaties, and the Shared Priorities Framework with Alliance of BC Modern Treaty Nations (ABCMTN), and Treaty Nations as required by treaties, agreements and other constructive arrangements, and with Métis Nation BC (MNBC) as appropriate. A distinction-based approach must always be applied.

Based on your consultation and cooperation process, there may also be on-going dialogue, engagement, and work with Indigenous Peoples throughout the development and consideration of a Request for Decision.

14 If your efforts involve the sharing of legislation or confidential documents associated with legislation, a new confidentiality agreement has been developed that can be used across all provincial ministries. These agreements are valid for a calendar year and should be used in situations where the individual you're consulting with is someone you plan on interacting with more than once in a calendar year. Once an agreement has been signed by an individual, any ministry official is able to share legislation or associated documents with them, being mindful that the specific documents you intend on sharing should be confirmed by your solicitor.

3: Development of Request for Legislation

Subsequent to the approval of a Request for Decision, the development of a "Request for Legislation" (RFL) will take place. A central aspect of this will be the development of a "three-column document" that identifies the proposed contents of the legislation and their policy rationale. The three-column document must reflect the outcome of the Request for Decision, must be informed by the on-going exploration of policy ideas with Indigenous Peoples, and reflect how the proposed policy may affect Indigenous Peoples and is consistent with the UN Declaration.

Requests for Legislation can be jointly prepared with Indigenous Peoples (also known as co-development), and the work done at points 1 and 2 will determine when it is necessary and appropriate to undertake this joint development. In some instances, such as where documents for Cabinet are being developed and shared, confidentiality protocols will be necessary.

As with the RFD, it may also be the case that First Nations organizations, and in particular the FNLC and the ABCMTN, may play a direct role in supporting how consultation and cooperation takes place in the development of the Request for Legislation, based on their mandates from First Nations. This may include the legal and policy teams of the FNLC being actively engaged in the joint development of the Request for Legislation. You may also work collectively with the Alliance of BC Modern Treaty Nations respecting individual modern treaties, and the Shared Priorities Framework with ABCMTN, and Treaty Nations as required by treaties, agreements and other constructive arrangements, and with MNBC as appropriate. A distinctions-based approach must always be applied.

Based on your consultation and cooperation process, there may also be on-going dialogue, engagement, and work with Indigenous Peoples throughout the development and consideration of a Request for Legislation to Cabinet.

4: Legislative Drafting

Legislative drafting takes place by legislative counsel working under the direction of a directing official. The three-column document developed under 3 above guides the legislative drafting.

The current policy and practice of British Columbia is that co-development does not include Indigenous Peoples drafting together with legislative counsel or the sharing of legal advice relating to the policy or legislation.[15] However, it can include, with confidentiality protocols in place, the sharing of consultation drafts of legislation with Indigenous Peoples, the joint review of those drafts, and the directing official taking proposals for change to the legislative council based on that consultation and cooperation. In some instances, this process of reviewing and proposing change(s), may take place multiple times.[16]

As well, additional guidance and measures regarding legislative drafting are being discussed with the Declaration Act Secretariat, through processes in place with the ABCMTN, the FNLC based on their mandates from First Nations, and with MNBC as appropriate.

5: Introduction of Bill – Parliamentary process

Once the Bill (legislation) has been tabled for debate in the legislature, there may sometimes be additional opportunities for reviewing, and potentially amending, the proposed legislation in collaboration. However, currently this is subject to the Parliamentary process and decisions made by provincial elected officials during the Parliamentary process. Some of the many opportunities that may exist, as determined by the Parliamentary process and political decision-making, include: meetings and briefings for Indigenous representatives with Ministers and the public service; public forums about the legislation; and legislative committee hearings and processes. As well, during the Parliamentary process statements and documents may be made public about how the legislation was developed, the consultation and cooperation that took place, and how the legislation is consistent with the UN Declaration.

It is important to continue to engage with Indigenous Peoples and partners as the Bill proceeds through the legislative process and to advise them of any issues that may arise during the debate or committee process, and especially if any amendments to the Bill arise.

For further information:

Please contact the Declaration Act Secretariat at *DeclarationActSecretariat@gov.bc.ca*

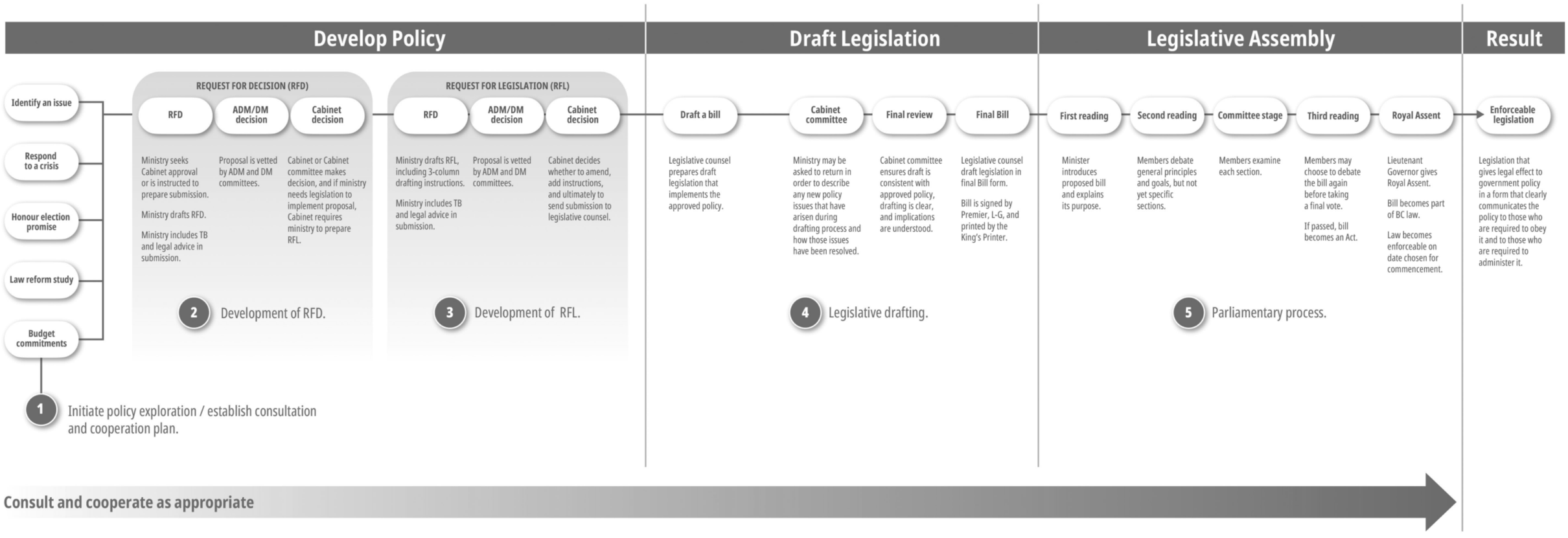
15 If you are unsure about what can be shared, seek advice from your advising solicitor in the Indigenous Legal Relations Solicitors Unit (NATRIL) within the Legal Services Branch (MAG).

16 In some instances, such as was the case in the development of the Declaration Act, this may take the form of "joint instructions" for drafting.

Page 926 of 1021 Transition Binder 2024

Appendix 1 – Interim Legislative Process

Approach to Implementing Section 3 of the Declaration on the Rights of Indigenous Peoples Act



Appendix 2 – External guidance documents

United Nations Guidance

- Duty of States to consult with Indigenous Peoples on decisions affecting them
  - *https://undocs.org/A/HRC/12/34* (starting on page 12)
- The requirement that consultations be in good faith, with the objective of achieving agreement or consent (FPIC)
  - *https://undocs.org/A/HRC/12/34* (starting on page 16)
- Free, prior and informed consent: a human rights-based approach
  - *https://undocs.org/A/HRC/39/62*

Indian Residential School History and Dialogue Centre

- Implementing *UNDRIP in BC: A Discussion Paper Series*
  - *A Commentary on the Federal Government's Legislation to Implement the United Nations Declaration on the Rights of Indigenous Peoples*
  - *Emergencies, Indigenous Governance and Jurisdiction*
  - *Indigenous Rights in Times of Emergency*
  - *Operationalizing Free, Prior, and Informed Consent*
  - *Co-operatively Resolving Conflicts Through the Application of UNDRIP*
  - *"Indigenous Governing Bodies" and advancing the work of Re-Building Indigenous Nations and Governments*
  - *Achieving Consistency between the United Nations Declaration on the Rights of Indigenous Peoples to the Laws of British Columbia*
  - *Taking "All Measures Necessary" to Ensure Laws are Consistent with the United Nations Declaration on the Rights of Indigenous Peoples*

Appendix 3 – Internal guidance documents

- *Alliance of BC Modern Treaty Nations Shared Priorities Framework agreement*
- *BC Declaration Act*
  - *General Website: Home 2022 | A New Path Forward*
  - *Declaration on the Rights of Indigenous Peoples Act*
- *BC Declaration Act Action Plan*
- Commitment Document: *Concrete Actions: Transforming Laws, Policies, Processes and Structures*
- Commitment Document: *Shared Vision and Guiding Principles*
- *Draft 10 Principles*
- *MNBC and BC Letter of Intent*

Declaration Act Action Plan Actions and Reporting

BC is taking a phased approach to Action implementation, as not all actions can or should be implemented at the same time. Each action has a designated year for when it will begin reporting, as summarized in the Action Reporting Years Chart (see Attachment). Once ministries start reporting out on an action, the ministry will continue to report on the action until the end of the Action Plan period (2027).

While the current actions outlined in the Action Plan are of great priority, they do not encompass the full range of the Ministries' obligations and commitments to advance reconciliation with Indigenous Peoples, nor do they replace, limit, change or stop existing initiatives or related commitments.

To support First Nations' participation in the alignment of laws and work outlined in the Action Plan, in April 2023, BC launched the Declaration Act Engagement Fund. The one-time $200M fund is being administered by the Indigenous-led New Relationship Trust and is available over four years to support staffing, training, community-level meetings and other resources required to enhance government-to-government work.

WLRS is lead for Actions 2.06 through 2.09 and supports Ministry of Indigenous Relations and Reconciliation (MIRR) with implementation of Action 2.04. A description of the Actions and Updates is set out in the table below. The Attachment also includes those Actions for which other Ministries are accountable.

Ministry of Water, Land and Resources Stewardship Actions

Section	Action	Updates
THEME 2. Title and Rights of Indigenous Peoples	**2.04**. 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. (Ministry of Indigenous Relations and Reconciliation, Ministry of Water, Land and Resource Stewardship)	Action 2.4 was first publicly reported in the 2022-2023 Declaration Act Annual Report. Subsequent reports can be found here. In April 2024, 'Namgis First Nation and the Province initiated formal engagement and negotiations on a joint decision-making agreement to support forest stewardship and sustainable forestry operations. In August 2024, Coastal First Nations and the Province renewed their commitment to work together through a reconciliation agreement that includes the intention to seek a mandate for the negotiation and development of one or more consent-based or joint decision-making agreements.
THEME 2. Title and Rights of Indigenous Peoples	**2.06.** Co-develop strategic-level policies, programs and initiatives to advance collaborative stewardship of the environment, land and resources,	Action 2.6 was first publicly reported in the 2022-2023 Declaration Act Annual Report. Subsequent reports can be found here.

	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. (Ministry of Water, Land and Resource Stewardship, Ministry of Indigenous Relations and Reconciliation, Ministry of Environment and Climate Change Strategy, Ministry of Forests, Ministry of Energy, Mines and Low Carbon Innovation, BC Oil and Gas Commission)	There are a wide variety of innovative and meaningful partnerships, programs and initiatives underway that contribute to the advancement of this action. Some highlights in 2024 include: • Guardians and Stewardship Working Group: This group, made up of representatives of 82 First Nations with expertise and experience in managing Guardians programs and activities, is co-developing projects with WLRS to support First Nations' self-determination and stewardship in their territories, as Guardians play a crucial role in helping First Nation decision-makers build relationships and advance co-management and operationalize reconciliation with B.C. These projects include the establishment of a Community of Practice for all BC Guardians or those working in Guardian-like programs and a field booklet to directly provide support mechanisms for First Nations Guardians with resources and information to support interactions with provincial agencies and agency partners. The New Relationship Trust is administering $3M in funding for the training initiative in 2024/25. • Collaborative Marine Planning (i.e., Marine Protected Areas Network and Marine Plan Partnership for the Great Bear Sea): On June 2024, the Government of Canada, the Government of British Columbia, and 17 First Nations jointly launched the Great Bear Sea Project Finance for Permanence (PFP) initiative. Building on many years of collaborative planning efforts, the Great Bear Sea PFP initiative creates a co-governance structure that aims to protect and conserve marine wildlife and habitats, advance ongoing Marine Protected Area (MPA) management and stewardship over the long-term. The Great Bear Sea PFP initiative will support First Nations' capacity

		through the next stages of planning and implementation of the MPA Network, as well as ongoing research, monitoring, and collaborative management with the Government of Canada and the Government of British Columbia. The MPA Network is expected to add an estimated 14,000 square kilometres of new marine protected areas to the 16,000 square kilometres of existing protected areas in the Great Bear Sea. Together, existing and new protected areas will encompass approximately 30 per cent of the Great Bear Sea. Specific designations and management plans for each MPA will be developed in consultation with First Nations, industry stakeholders, and the public. • Collaborative Indigenous Stewardship Framework: CISF partners have developed a draft 5-year Strategic Framework, based on the past decade of partnership to advance co-management at the regional level, including operational, technical, governance and financial oversight. Intergovernmental Intergovernmental Communications In addition to the highlighted initiatives above, the Province and First Nation partners are also making progress on land use planning, such as the recent completion of the Gwa'ni Land Use Plan with 'Namgis First Nation, forest landscape planning, implementation of the Great Bear Rainforest Agreement and ongoing implementation of the Cumulative Effects Framework. Overall, 128 First Nations are participating in 42 collaborative stewardship tables, programs and initiatives that are making notable progress and contribute to advancing this action.

THEME 2. Title and Rights of Indigenous Peoples	**2.07.** 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. (Ministry of Water, Land and Resource Stewardship)	Action 2.7 was first publicly reported in the 2023-2024 Declaration Act Annual Report and can be found here. Some watershed scale projects are in the early days of initiation. For example, working with Tseil-Waututh Nation to develop a plan to implement the Burrard Inlet Water Quality Objectives. Some watershed scale projects are in planning. For example, the Nicola Watershed Governance Partnership is working towards designating the watershed for development of a water sustainability plan which would be co-developed with 5 First Nations. Some projects are moving to an implementation phase. Development of the Watershed Security Strategy is largely complete with the focus now shifting to implementation planning. Koksilah Water Sustainability Plan is under active co-development with Cowichan Tribes.
THEME 2. Title and Rights of Indigenous Peoples	**2.08.** Collaborate with Indigenous partners on issues related to conservation and biodiversity in B.C., including the protection of species at risk. (Ministry of Water, Land and Resource Stewardship)	Action 2.8 will begin publicly reporting in the 2024-2025 Declaration Act Annual Report, to be released June 30, 2025. Collaboratively developed a draft Biodiversity and Ecosystem Health Framework with First Nations (October 2023). Conducted consultation and engagement on draft Framework January 2024. Wildlife Act Bill 14 amendments completed and received Royal Assent (Indigenous knowledge and Sheltering/Protocol Hunting). Developed and distributed a Discussion Paper for comprehensive review of the Wildlife Act in the fall of 2023. The Tripartite Framework Agreement on Nature Conservation is in place with the support of $1B in matched provincial and federal funding. Planning for the finalizing of the Biodiversity and Ecosystem Health Framework and potential co-development of legislation (i.e., co-development of consultation and

		cooperation plan) in 2025, following the confirmation of the new government's mandate. The Tripartite Framework Agreement on Nature Committee is actively seeking alignment between First Nation, Provincial and Federal initiatives through work planning. Tripartite Implementation Committee is co-creating a communication plan to report on implementation. Performance report in development for Together for Wildlife reporting on 5 goals and 24 actions. Tripartite Framework Agreement on Nature Conservation include reporting on accomplishments and enabling the negotiating of new agreements with First Nations Title and Rights holders. Performance indicators will be developed. Measures will be coordinated and combined where it makes sense Advice/Recommendations Advice/Recommendations
THEME 2. Title and Rights of Indigenous Peoples	**2.09.** 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. (Ministry of Water, Land and Resource Stewardship)	Action 2.9 was first publicly reported in the 2023-2024 Declaration Act Annual Report and can be found here. One of the main focus areas of this work has been the development of the Trilateral Collaboration on Salmon with the FNFC and DFO. Part of this dialogue has involved hosting sessions on the trilateral accord at the 2024 Annual Spring Assembly involving provincial and federal representatives in discussions with Nations and First Nation organizations. On June 21st, 2024, The Government of Canada, the Province of British Columbia and the First Nations Fisheries Council of B.C. signed the Trilateral Accord. BCSRIF has been a successful joint initiative with the Federal government to deliver funding to projects that support salmon research and protection. BCSRIF is the main avenue for the Ministry of Water, Land and Resource Stewardship to fund salmon habitat restoration work. Currently, 97 projects are coming to an end in March

		2024, which will finalize the BCSRIF investment of $142.85M in Phase 1 of BCSRIF. In 2022 a Phase 2 of BCSRIF was announced with 58 new projects announced in December 2023, these projects received $86M in funding. There are currently no plans for additional intakes for BCSRIF Phase 2 as all funds are allocated to projects already underway or undergoing negotiations. Throughout both phases of BCSRIF, there has been significant involvement of First Nations within projects, with about 40% of projects led by Indigenous groups.

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 for all actions. The first year of Annual Reporting on progress on the Action Plan pursuant to the Declaration Act was 2022/23.

SPECTRUM OF SHARED DECISION MAKING WITH FIRST NATIONS

Consultation	Structured Consultation	Shared Processes	Delegated Authority	Consent-Based Decision-Making	Joint Decision-Making	Indigenous Jurisdiction
BC provides information to Nations for evaluation and considers feedback from Nations when making decisions, including nature of impact and appropriate accommodations	Includes agreed upon engagement processes and timelines. Typically includes process for issue/dispute resolution. Typically includes funding to support Indigenous participation in the process.	Incorporates Indigenous perspectives into the resource management process. Includes joint approaches to information gathering and analysis and non-statutory decisions. May include joint recommend-dations to decision makers	Decision-making authority is transferred to an Indigenous Nation to make statutory decisions within the legislative context.	The statutory authority to make a decision is modified to provide for the prior consent of an Indigenous partner.	A joint entity authorized by the Province and an Indigenous partner has authority to make a statutory decision.	Indigenous government exercises self-government jurisdiction.
S.35 consultation on natural resource sector applications ("Haida process," pre-Yahey decision)	Strategic Engagement Agreements	Collaborative Indigenous Stewardship Framework (CISF)	Kitasoo Xai'xais and Nuxalk Park Ranger pilot B.C.-Musqueam MOU to transfer Natural Resource Officer authority	Environmental Assessment Act S.29(3) Section 7 Agreements e.g., Tahltan Central Government - Red Chris mine project	Haida Gwaii Management Council; Haida Gwaii Marine Plan Section 7 Agreements, e.g., Tahltan Central Government – Eskay Creek Mine Revitalization project	Modern Treaties: e.g. Nisga'a, Tsawwassen, Maa-nulth, Tla'amin Treaty 8 Haida Title Lands Agreement Tsilhqot'in

Summary of Agencies, Boards, Commissions

Ministry of Water, Land and Resource Stewardship

Name
Association of BC Land Surveyors Formed through *Land Surveyors Act*, s. 6(9) the mandate is to protect the public interest and the integrity of the survey systems in BC by regulating and governing the practice of land surveying in the province. The Board is accountable to the public through the Minister of Water, Land and Resource Stewardship for the governance and management of the organization.
Creston Valley Wildlife Management Authority Created through legislation (*Creston Valley Wildlife Act*) which delegates a management authority to manage the Creston Valley Wildlife Management Area. The area is a 7,000-hectare area of Crown land. The Authority's mission is to manage the area for conservation and natural species diversity through active habitat and wildlife management, research and education.
Freshwater Fisheries Society of BC It is registered under the BC Societies Act in 2003, transforming British Columbia's provincial hatchery program into a non-profit organization. Under a 30-year contract, the provincial government retained management authority of B.C.'s freshwater fisheries, but fish culture, fish health, and other biological and technical services were transferred to the Society. The Society receives 100% of the revenue generated from fishing licences, helping to fund research, conservation and education programs, improving angler access, and the provincial stocking program. The Habitat Conservation Trust Foundation receives the surcharge revenue collected from angling licence sales to provide grants for fish conservation projects.
Habitat Conservation Trust Foundation Its purpose is to act as trustee of the Habitat Conservation Trust (HCT), an entity established under amendments to the *Wildlife Act* in 2007. It is registered as a not-for-profit organization. Consistent with the trust purposes set out in the *Wildlife Act*, it implements a wide range of projects to benefit fish and wildlife populations and their habitats.
Integrated Cadastral Information Society Registered under the BC Societies Act, incorporated in 2001, to facilitate and streamline cadastral geospatial information sharing between members. Membership includes local governments, First Nations, provincial government, utilities, and the private sector. All shared data is contributed by Society members and efforts to expand the available datasets are informed by member priorities. Additional work of the Society is to facilitate collaboration, events and provide education and training on key data services.
Minister's Wildlife Advisory Council Formed in 2020, the mandate is to work together to support the implementation of the Together for Wildlife Strategy, as well as advising Ministers on province-wide wildlife and habitat issues on an ongoing basis.
Muskwa-Kechika Advisory Board Created through legislation (*Muskwa-Kechika Management Act* and regulation), the M-KAB provides advice and feedback on emerging Government policies that may impact the M-KMA and on potential management activities in the area. The M-KAB reports out to the Premier and the public annually as well as monitoring activities, including resource development activities.
Skagit Environmental Endowment Commission Created through legislation (*Skagit Environmental Enhancement Act*) the Commission administers the Skagit Environmental Endowment Fund. The Commission reviews, selects and funds projects which provide or maintain environmental values and recreational facilities in the Skagit watershed south of Hope, BC.

Summary of Agencies, Boards, Commissions

Other NRS Ministries:

Ministry of Forests

Name
Coastal Logging Equipment Support Trust
Forest Enhancement of BC
Forest Practices Board
Private Managed Forest Land Council
Timber Export Advisory Committee

Environment and Climate Change Strategy

Name
Climate Solutions and Clean Growth Advisory Council
Environmental Assessment Office
TransLink

Ministry of Finance

Name
BC Land Title and Survey Authority (from FOR Oct. 2023)

Agriculture and Food

Name
Agricultural Land Commission
BC Farm Industry Review Board
BC Society for the Prevention of Cruelty to Animals
College of Veterinarians of BC
Various marketing boards and commissions

Indigenous Relations and Reconciliation

Name
BC Treaty Commission
First Peoples' Heritage, Language and Culture Council
Haida Gwaii Management Council
Minister Advisory Council on Indigenous Women
New Relationship Trust

Energy, Mines and Low Carbon Innovation

Name
BC Oil and Gas Commission
BC Hydro and Power Authority, including Powerex and Powertech Labs subsidiaries, and the Site C Project
Assayer Certification Board of Examiners

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

ISSUE: Association of BC Land Surveyors

KEY POINTS:

- Association of British Columbia Land Surveyors (ABCLS) formed in 1905 and gains its legislative authority through the *Land Surveyors Act,* s. 6 (9). Its mandate is to protect the public interest and the integrity of the survey systems in BC by regulating and governing the practice of land surveying in the province.
- Current Appointees: President Aaron Shufletoski, Vice President Brent Taylor, Past President, Mike Thomson, Surveyor General Cristin Schlossberger and Secretary Lesley Sick.
- Government Appointees**:** Kyong-ae Kim, Abigail Fulton and Members at Large Brock Pendergraft, Johnathan Lunn, John Haggerty, Alexander Dzielski.

BACKGROUND:

- The ABCLS is governed by a board of elected practicing land surveyors, government appointees, the Surveyor General of British Columbia, and a practicing land surveyor appointed to serve as Secretary. The Board is accountable to the public through the Ministry of Water, Land and Resource Stewardship (WLRS) for the governance and management of the organization.
- The Board is responsible for setting policy and direction for the organization under the authority of the *Land Surveyors Act.* The ABCLS Strategic Plan provides the mission, vision, values, and goals that help guide the Board's efforts. The *Land Surveyors Act,* the Bylaws, and various Board Policies set out the role of the Board as the governing authority for the organization.

DISCUSSION:

- Intergovernmental Communications
-
-
-

INDIGENOUS PEOPLES:

- Land surveyors work on the traditional territories of many diverse Indigenous Peoples across British Columbia. ABCLS has acknowledged that land surveyors have contributed to the colonization of British Columbia and Canada and sincerely apologize to all First Nations, Métis, and Inuit Peoples.

- The Association of BC Land Surveyors engaged a consultant team in 2022, which included Indigenous Peoples, to guide them to preparing a Reconciliation Strategy published published at the website for the Association of British Columbia Land Surveyors (abcls.ca).

FINANCIAL IMPLICATIONS:

- Not applicable.

NEXT STEPS:

- No appointments are required in the next 30-60-90-days as the terms of government's appointees expire beyond that period: the term of France (Abigail) Fulton expires on July 8, 2025, and the term of Kyong-Kae Kim expires on March 13, 2025.
- Minister to receive, without the requirement to approve, amendments to the association's bylaws adopted at the ABCLS Annual General Meeting November 15, 2024.

PREPARED BY:

Reconciliation, Lands and Natural Resource Policy, WLRS

REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Creston Valley Wildlife Management Authority

KEY POINTS:

- The *Creston Valley Wildlife Act* (Act) and delegates a Management Authority to manage the Creston Valley Wildlife Management Area.
- The Creston Valley Wildlife Management Area, a 7,000-hectare (17,000-acre) area of provincial Crown land, or an area that averages 20 km (12.4 miles) long by 3.4 km (2.1 miles) wide. It contains one lake (1,500 ha or 3,700 acres) and 17 marshes plus a major river and adjoining mountain slopes.
- The mission is to manage the Creston Valley Wildlife Management Area for conservation and natural species diversity through active habitat and wildlife management, research and education.

BACKGROUND:

- The Management Authority consists of a BC public servant appointed by the Minister responsible for the Act, the Director of the Canadian Wildlife Service (federal member), and a lay member appointed at the discretion of the Minister responsible for the Act.
- There is currently no lay member appointed and no appointments needed until June 2026.
- Current Appointees:
  - Richard Elliott (Chair) – BC Provincial Government Member
  - Ken Brock – Federal Government Member
- The Creston Valley Management Staff (non-government) assist with the operations of the Authority.
  - Marc-André Beaucher, Head of Conversation Programs
  - Alyson Brda, Office Administrator
  - Julia Shewan, Conservation Programs Assistant (maternity leave)
  - Jacob Ewashen, Wildlife Habitat & Operations Technician
  - Julia Kaczkowski, Conservation Program Assistant

DISCUSSION:

- No key operational and/or strategic issues anticipated in the next 90 days.

FINANCIAL IMPLICATIONS:

- Not applicable.

NEXT STEPS:

- There are no pending appointments or actions to take.

PREPARED BY:

Resource Stewardship Division

REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Freshwater Fisheries Society of BC

KEY POINTS:

- BC's freshwater sport fishery is a fully renewable sector that generates $11-12 million in revenue from licence sales to the Provine and approximately $500M to the economy annually.
- The freshwater fishery is supported through hatchery operations that stock waterbodies.
- Fish hatchery programs were transitioned out of ministry operations and into the Freshwater Fisheries Society of BC (FFSBC).
- FFSBC operates under a 30-year contract to the province, under the Ministry of Water, Land and Resource Stewardship (WLRS).
- FFSBC also provides critical provincial fish health lab and other technical services.
- Advice/Recommendations

- The provincial government retains management authority of B.C.'s freshwater fish and fisheries through the *Wildlife Act*.

BACKGROUND:

- FFSBC is also a key partner to BC's Tourism sector, partnering with Destination BC in national and international marketing.
- The FFSBC Board is comprised of up to six independent members, two members appointed by the Province, and the Society's president. The Board sets policy, provides strategic direction, and monitors the financial and operational health of the organization. The president is a non-voting director responsible for the ongoing operations and management of the organization. New independent members are selected by the Board of Directors.
    - George Iwama (Vancouver), Chair
    - Kathy Ruddick (Kamloops), Vice Chair
    - Murray Jacobs (Victoria), Secretary Treasurer
    - Steve Matthews (Summerland), Director
    - Mike Ramsay (Williams Lake), Director (Provincial member WLRS)
    - Jamie Ross (Victoria), Director
    - Hillary Ward (Penticton), Director (Provincial member WLRS)
    - Andrew Wilson (Victoria), President
- While FFSBC receives 100% of the revenue generated from fishing licences for their operations, the Habitat Conservation Trust Foundation receives the surcharge revenue collected from angling licence sales to use for grants on fish conservation projects.
- FFSBC owns and operate six major fish hatcheries, located in Duncan, Abbotsford, Summerland, Clearwater, Fort Steele, and Vanderhoof. The hatcheries raise and release trout, char, and kokanee into 800 lakes around the province for the recreational stocking program. The Freshwater Fisheries Society also provides recovery and conservation programs for endangered species, such as white sturgeon.
- The Science and Recreational Fishing Development division provides professional support and leadership for program evaluation, applied research, planning, along with projects to improve access to fisheries and the delivery of the Learn to Fish program.

DISCUSSION:

- Freshwater sport fishing may not be an employer like forestry or mining; however, it provides critical jobs and revenue to communities facing declines in their historic resource-extraction industries. It is often one of the key sectors that 'get communities through' as non-local anglers pay a premium for the BC experience which supports the hospitality, accommodation, and transportation sectors. It is easy to lose sight of the economic role freshwater fishing, and FFSBC, plays when discussions center on resource extraction.
- The annual costs to cover basic infrastructure maintenance costs on aging buildings is increasing yearly, with 2024 projected to cost close to Govern and reaching over Govern within a few years. Consideration of replacing and consolidating these buildings with more efficient structures in order to offset these annual costs is underway but would require a Treasury Board invitation.

INDIGENOUS PEOPLES:

- Fish are tied to First Nations' rights, and allocation follows the hierarchy of conservation, First Nations rights, and subsequently recreational/commercial fishing. Many First Nations have expressed objections to recreational/commercial fishing when they are facing fishing restrictions. Intergovernmental Communications Intergovernmental Communications . Many First Nation individuals are also part of the recreational fishing sector (e.g. fishing guides).

FINANCIAL IMPLICATIONS:

- FFSBC operational costs have, and continue to, increase based on inflation and aging infrastructure, while their operating budget has remained static outside of one increase in fishing licence fees since 2003. Additional resourcing or an infrastructure replacement strategy may offset operational program reductions that will commence in 2025-2026.

NEXT STEPS:

- There are no pending appointments or actions to take.

PREPARED BY:

Water, Fisheries and Coast Division

REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Habitat Conservation Trust Foundation

KEY POINTS:

- The *Wildlife Act* (Act) – The Act defines the Habitat Conservation Trust Foundation (HCTF) as the trustee of trust property, and describes what trust property consists of, how trust property can be used, and reporting requirements for both the HCTF and the provincial government.
- Trust property includes surcharges applied to licenses (e.g., hunting, angling, trapping, guiding) administered under the Act and any revenue derived from lands administered by the minister for the benefit of fish or wildlife.
- The HCTF is a non-profit charitable foundation, registered under the BC Societies Act, acting as trustee of the Habitat Conservation Trust. Their vision is "A future where freshwater fish, wildlife and their habitats are healthy and valued by all British Columbians."
- It is the mission of HCTF to improve the conservation outcomes of BC's fish and wildlife, and their habitats, by funding conservation projects and by educating and engaging the public about BC's natural assets.
- The HCTF is a proposal-driven organization with an established grant application and review process to ensure funded projects provide high conservation benefits and are aligned with the organization's Strategic Plan. Grant applications are reviewed by a technical review committee that can include subject matter experts from the BC provincial government.

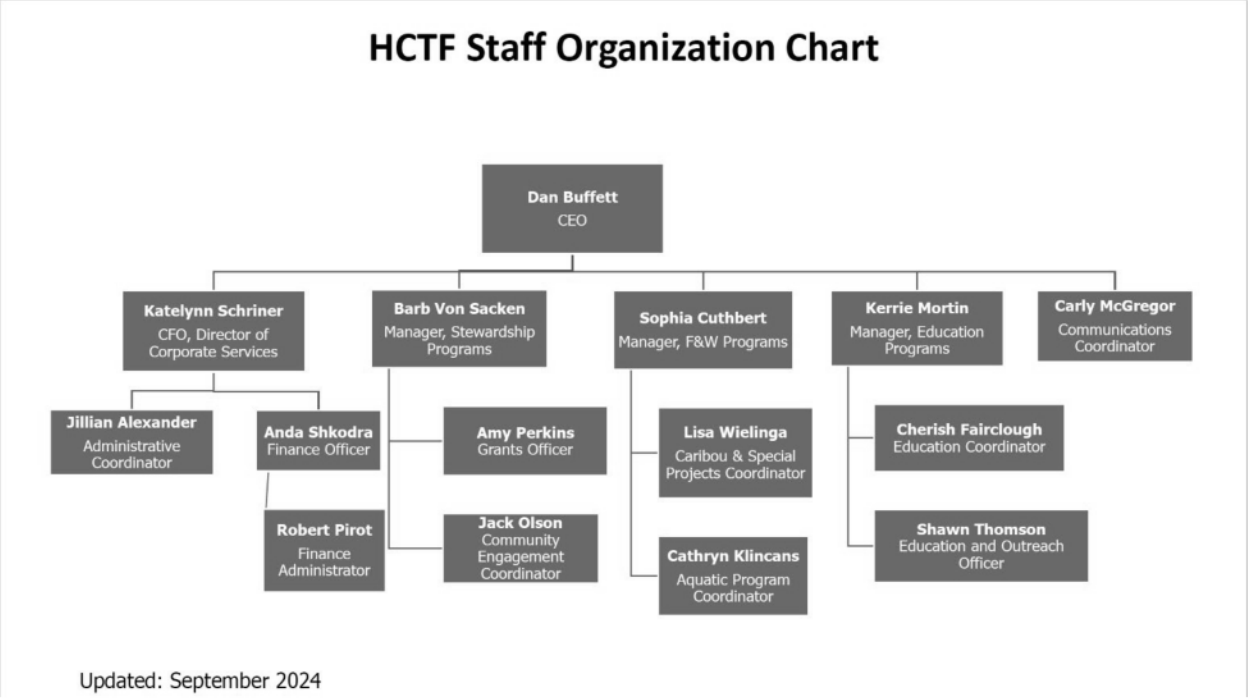
BACKGROUND:

- Current Appointees (Board of Directors):

Greg Anderson (Chair) (retired Executive Director Forest Enhancement Society & lengthy career in BC public service)	Kate Hewitt (Environmental Project Manager with Centre for Indigenous Environmental Resources)
Ken Ashley (Vice Chair) (Director of the Rivers Institute at BCIT, instructor in BCIT's Ecological Restoration Program and is an Adjunct Professor in Civil Engineering at UBC)	Les Husband (retired manager BC Wildfire Service and past president BC Wildlife Federation)
Dan Buffett (Chief Executive Officer) (Ducks Unlimited Canada)	David Lewis (VP BC Wildlife Federation)
Richard Elliott – Senior Executive Director, Resource Management, WLRS	Kathy Parker (Fellow of The Wildlife Society and Professor Emerita at UNBC)
Manjit Kerr-Upal – Director, Conservation Science, Water, Fisheries and Coast Division, WLRS	Eric Taylor (full professor of Zoology and Director of the Fish Collection at the Beaty Biodiversity Museum)
Karen Dunstan (Nlaka'pamux, a member of the Lytton First Nation and Skagit Environmental Endowment Commission, Alternate Commissioner)	Don Wilkins (past President BC Trappers Association)
Scott Ellis (CEO, Guide Outfitters Association of British Columbia)	

- One BC provincial government member appointment will conclude January 2025.
- Appointments for the HCTF Board of Directors are made by the following:
    - One director is appointed by each of the Guide Outfitters Association of British Columbia and the British Columbia Trappers Association.

  - Two directors are appointed by each of the British Columbia Wildlife Federation and the Minister (Province of BC). One of the directors appointed by the British Columbia Wildlife Federation must have demonstrated experience and skills in fisheries management, and one must have demonstrated experience and skills in wildlife management.
  - Not fewer than four and not more than seven additional directors are appointed by the directors noted above. Each of those directors must have skills, experience, and education that are relevant and of value to the Habitat Conservation Trust Foundation.
- The operations of the HCTF are supported by non-government staff in the following organizational chart:



DISCUSSION:

- No key operational and/or strategic issues anticipated in the next 90 days.

FINANCIAL IMPLICATIONS:

- Not applicable.

NEXT STEPS:

- There are no pending appointments or actions to take.

PREPARED BY:

Resource Stewardship Division

REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Integrated Cadastral Information Society

KEY POINTS:

- Registered under the BC Societies Act, the Integrated Cadastral Information Society (ICI) was incorporated in May 2001 to facilitate and streamline cadastral geospatial information sharing.
- The ICI is driven by its membership (approximately 300 members), which includes Local Governments, First Nations, provincial government ministries and organizations, utilities in British Columbia, and the private sector.

BACKGROUND:

- The Minister responsible for the *Land Act* is responsible for recommending three of the five Provincial Government representatives for appointment to the Board. The remaining two provincial members are appointed by the Land Title and Survey Authority and the British Columbia Assessment Authority.
- ICI is headed by a Board of Directors that is currently chaired by a Provincial Government Representative. Operations is headed by Steve Mark, Director of Operations and there are 7 other staff members reflecting various administrative and technical GIS and Data Functions.
- The current Board is comprised of 15 Directors, with 5 representatives from each of the Local Government, Provincial Government, and Utilities Membership classes.
- **Local Government Representatives:**
  - Vice President: Aden Fulford, Peace River Regional District
  - Herman Louie, City of Burnaby
  - David Major, Columbia Shuswap Regional District
  - Naomi Pears, City of Kelowna
  - Matthew Phillips, City of Vancouver
- **Provincial Government:**
  - President: Natasha Chen, BC Assessment Authority
- **Utilities:**
  - Jacob Parakadan, Enbridge (Treasurer)
  - Carlos Carretti, Shaw Cable
  - Nelson Gillette, TELUS
  - Evan Schwab, BC Hydro
  - Matthew Wood, FortisBC

DISCUSSION:

- All shared data is contributed by Society members to be made available to Society members and efforts to expand the available datasets are informed by member priorities. ICI also works to facilitate collaboration between members, host events, and provide education and training on key data and services. The products and projects are summarized below.
- **DATA SHAREHOUSE:** The Data ShareHouse contains all shared datasets contributed by Society members. The Society has developed its own automated, scheduled data sharing process - called GeoShare - that is customizable to each member's unique business and technical requirements.

- **ADDRESSBC:** AddressBC is a member-driven initiative to build an authoritative, accurate, and accessible point-based civic address registry for British Columbia. Address data is contributed directly from Society members via GeoShare, the Society's automated data delivery system. The disparate address datasets are then combined into a single point-based data set.
- **ADDRESSBC FIRST NATIONS GRANT PROGRAM:** Made possible with funding from the Province, the AddressBC Grant Program is specifically intended to support First Nations for projects related to managing address data in a geospatial format.
- **COMPLETE COMMUNITIES INITIATIVE:** The BC Ministry of Housing established the Complete Communities, a $10M funding program administered by the Union of British Columbia Municipalities, to support local governments in meeting the third commitment of the BC Climate Action Charter – creating complete, compact communities. The ICI supports collaboration, a Complete Communities Guide, and data to support geospatial assessments.
- **NEXT GENERATION 9-1-1:** Next Generation 9-1-1 (NG9-1-1) is a new nation-wide emergency communications system that will replace analogue 9-1-1 systems with IP-based technology. GIS data (roads, address and boundary) will take a central role in the new system, and local government authorities (LGAs) will be responsible for providing accurate and up-to-date Public Safety Grade GIS data to TELUS.
- The Province, E-Comm 9-1-1 and ICI Society are working together to support LGAs across BC in meeting the NG9-1-1 GIS data requirements.Specifically, ICI has been actively supporting education related to the rollout of NG9-1-1 in British Columbia and supporting LGAs understanding of the geospatial addressing requirements for NG91-1.
- **PARCELMAP BC**: ParcelMap BC has been developed by the Land Title and Survey Authority of BC (LTSA) as the authoritative, single-source cadastre for the province. In conjunction with the LTSA, ICI Society actively promotes the widespread adoption of ParcelMap BC through a variety of resources.
- **PLATFORM FOR ORTHO-IMAGERY COST-SHARING:** The Society hosts a Web Map for members to share their plans for ortho-imagery acquisition. With this project, ICI aim to encourage collaboration among members and facilitate cost-sharing in the acquisition of ortho-imagery products.

INDIGENOUS PEOPLES:

- First Nations from across the province see value in the ICI and approximately 82 First Nation are members of ICI.

FINANCIAL IMPLICATIONS:

- Not applicable.

NEXT STEPS:

- There are no pending appointments or actions to take.

PREPARED BY:

Natural Resource Information and
Digital Services Division, WLRS

REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Minister's Wildlife Advisory Council

KEY POINTS:

- Formed in 2020, the mandate is to work together to support the implementation of the Together for Wildlife Strategy, as well as advising Ministers on province-wide wildlife and habitat issues on an ongoing basis.
- Members are non-representative and are expected to provide expertise, through their diverse perspectives, to build consensus recommendations related to wildlife and habitat stewardship.
- Advice/Recommendations

BACKGROUND:

- The original goal for membership, from the perspective of the Council, was 18; however, the group has been functioning effectively with 16 members. Four members have recently completed their term, with two more departing April 1, 2025.
- Current Appointees:
    - Simoogit Hleek (Chief Harry F. Nyce Sr.) – Co-chair (First Nations – BC Wildlife and Habitat Conservation Forum and currently the Director of Fisheries and Wildlife, Nisga'a Lisims Government)
    - Nancy Wilkin – Co-chair (Director, Ducks Unlimited Board for Canada, Director, Elder's Council for Parks in BC)
    - Andrea Barnett (Target One Funders Collaborative, and Ducks Unlimited)
    - John Bergenske (Conservation Director, Wildsight)
    - Adam Ford (Assistant Professor and the Canadian Research Chair in Wildlife Restoration Ecology at UBC-Okanagan)
    - Cailyn Glasser (Natural Resources Operations Biologist, Okanagan Nation Alliance)
    - Megan Hanacek (CEO, Private Forest Landowners Association and provincial appointee North Island-Coast Development Initiative Trust and an elected member on the College of Applied Biology Council)
    - Shaun Hollingsworth (president of Steel Ram Consulting, with long history of volunteering with organizations)
    - Alyssa Lepka (First Nation member to Nak'azdli Whut'en, holds an elected council position involved in Wildlife, Forestry, Mining, Major Projects and Stewardship tables. First Nations Health Authority as the Primary Care Coordinator for the Northern Region and owns and operates two businesses (Yus Cho "Big Wolf" Enterprises & Yus Cho Environmental).
    - Jason Northcott (Director for the Gitxsan Laxyip Management Office, Hazelton, BC)
    - Naomi Owen-Beeks (proud Cree, Dunne-Za, Treaty 8 and Canadian woman from the Saulteau First Nations (SFN) and is the honored mother of Spencer Ron Beek and belongs to the Napoleon Family of SFN)
    - Kari Stuart-Smith (professional wildlife biologist, Canfor)
- The Council Secretariat includes ministry staff from the Resource Stewardship Division:
    - Acting Assistant Deputy Minister
    - Executive Director Wildlife
    - Associate Director Wildlife
    - Director Strategies and Partnerships

- Manager Together for Wildlife

DISCUSSION:

- Advice/Recommendations; Intergovernmental Communications
-

- Council funding priorities for 2024/25 include: securing key parcels of private lands with notable wildlife habitat and biodiversity values; rehabilitating roads and lands subject to severe wildfire, in order to recover and protect productive wildlife habitat and address road and rail impacts on wildlife and passenger safety.
- Strategic and annual priorities are addressed through work planning and alignment of objectives with resources, including funding from various partners (e.g., cross ministry, First Nations, Canada, non-government organizations, etc.).

FINANCIAL IMPLICATIONS:

- Not applicable.

CONCLUSION or **SUMMARY** or **NEXT STEPS or MINISTRY RESPONSE:**

- Within 30 days (as of Nov 1st) appointments will be required for at minimum six members to start immediately for a two-year term, Personal Information
  Personal Information

PREPARED BY:

Resource Stewardship Division

REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024

BRIEFING NOTE FOR INFORMATION

DATE: October 17, 2024

PREPARED FOR: Minister of Water, Land and Resource Stewardship

TOPIC: Muskwa-Kechika Advisory Board

KEY POINTS:

- Appointed by the Premier of British Columbia, the Muskwa-Kechika Advisory Board (M-KAB) is mandated with advising government on natural resource management in the Muskwa-Kechika Management Area (M-KMA) to ensure that activities within the area are consistent with the objectives of the Muskwa-Kechika Management Plan. Advisory Board members provide their services voluntarily and without remuneration except for travel expenses while undertaking Advisory Board business and attending Advisory Board meetings.
- The members of the Advisory Board represent both the interests of the M-KMA as well as the perspectives of their respective constituencies. As per the 1997 Letter of Understanding between the Province and Kaska Nation, Kaska can recommend appointing a minimum of four representatives to the Advisory Board.
- The Advisory Board must prepare an annual report to the Premier and the Public outlining its funding expenditures, submitting its advice to government, and reporting on Board and Committee work.
- M-KAB is responsible for conducting reviews of activities and for reviewing strategic plans to ensure that the intent of the M-KMA is upheld. They engage stakeholders and have presentations on issues and concerns affecting the M-KMA. The M-KAB has 7 active working groups for the members to participate in and cover a wide range of business areas and involvement such as Parks and Protected Areas, Wildlife and Indigenous Relations.

BACKGROUND:

- Appointments are made by the Premier of B.C., following the recommendation from the Minister of Water, Land and Resource Stewardship and from Kaska Nation. As of September 11, 2024, there are 13 appointed members of the Advisory Board. These appointments are staggered varying between one year, two year and three-year terms for a total term of nine years. As per the current policy of the Advisory Board, after completing a nine year-term, members must wait one year before seeking a new appointment.
- Chair – Stephanie Killam (former Mayor of Mackenzie, Chair of the Geoscience BC Board, Director and Chair of 3P Committee (Northern Health Board), Director and Chair of Governance Committee (Fraser Basin Council), Chair of the Autumn Lodge Society (seniors), Secretary (Minerals North Society, Vice President (Mackenzie Nature Society) and Director (Fish and Wildlife Compensation Board))
- Vice-Chair – David Luff (accomplished community and stakeholder consultation/engagement specialist, project manager, facilitator with 40 years of experience in public and private sector)
- Directors - Barry Holland (represented the BC Wildlife Federation at the Fort St John Land and Resource Management Planning Table, Oil and Gas pre-tenure planning for the Besa-Prophet Oil and Gas Pre-Tenure plan), Wayne Sawchuk (co-tourism guide, conservationist and writer, previous logger, hunting guide, and sawmill worker), Sonja Leverkus (prescribed fire specialist and ecosystem scientist, founder of Shifting Mosaics Corporation), Darin Hancock (Director, Natural Resource Stewardship, Provincial Representative, WLRS), Vanessa Law (Kaska Dena citizen, land management position in Lower Post), Johnny Mikes (operate and guide wilderness river, hiking and natural history trips), Ryan Dickie (Indigenous filmmaker, photographer, cultural mentor and entrepreneur and a Fort Nelson First Nation band member),

Jeff Richert (experience in the forest sector, environmental consulting, guiding, working in government and working with Treaty 8 First Nations), Jessica Wiens (Kaska), Peter Baird (Registered Professional Forester in BC since 1994), and Ruby Johnny (Kaska Dena and member of the Dease River First Nation within the Kaska Traditional territory).

- There are currently 10 appointments that will expire on March 31, 2025 – including the appointments of the Chair and Vice Chair of the Advisory Board. Some of the Board members will have reached the end of their nine-year term and new candidates will need to be recruited, while other members will be eligible for re-appointment.

DISCUSSION:

- Historically, it can be challenging to recruit new appointees to the Advisory Board due to the unique and remote nature of the M-KMA. The Legislation Branch of the Ministry maintains close ties with both the Crown Agencies and Board Resourcing Office (CABRO) as well as the Chair and Vice-Chair of the Advisory Board to support the recruitment and appointment processes.
- Advice/Recommendations

INDIGENOUS PEOPLES:

- The M-KMA lies in the traditional territories of the Kaska Dena, Treaty 8 and Carrier-Sekani. The following are First Nations Communities found within or adjacent to the M-KMA:
  - Treaty 8 First Nations: Blueberry First Nation, Fort Nelson First Nation, Halfway River First Nation, Prophet River First Nation
  - Kaska Dena First Nations: Daylu Dena Council, Dease River First Nation, Kwadacha First Nation, Liard River First Nation
  - Carrier-Sekani: Tsay Keh (say-kay) Dene

FINANCIAL IMPLICATIONS:

- Not applicable.

NEXT STEPS:

- Work on process to fill 10 appointments that will expire on March 31, 2025 including the appointments of the Chair and Vice Chair of the Advisory Board.
- Recruit new candidates as many members have reached the end of the nine-year term.

PREPARED BY:

Land Use Planning and Cumulative Effects Division

REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024

Ministry of
Water, Land and
Resource Stewardship

BRIEFING NOTE FOR INFORMATION

DATE:	October 17, 2024
PREPARED FOR:	Minister of Water, Land and Resource Stewardship
TOPIC:	Skagit Environmental Endowment Commission

KEY POINTS:

- As part of the Canada-US Ross Lake Treaty (1984-2065), the British Columbia-Seattle Agreement established this transboundary non-governmental organization and fund. The associated provincial legislation is the *Skagit Environmental Enhancement Act*.
- The Commission mandate is to support projects to protect, conserve and enhance wilderness and wildlife habitat and recreational opportunities in the Upper Skagit watershed above the Ross Dam. It does not represent BC government.

BACKGROUND:

- Current Canadian Appointees (Appointed by Premier of BC):
  - Shannon Bentley, Canadian Co-Chair and Commissioner
  - Sue Hamell, Canadian Commissioner
  - Peter Chapman, Canadian Commissioner
  - Stephen Hui, Canadian Commissioner
  - Robert Chamberlin, Canadian Alternate Commissioner
  - Broderick Guy, Canadian Alternate Commissioner
  - Karen Dunstan, Canadian Alternate Commissioner
  - Anna Warwick Sears, Canadian Alternate Commissioner (currently on leave)
- Current US Appointees:
  - Rob Smith, US Co-Chair and Commissioner
  - Lynn Best, US Commissioner
  - Matt Love, US Commissioner
  - Tim Reynon, US Commissioner
  - Jon Riedel, US Alternate Commissioner
  - Diana Bob, US Alternate Commissioner
  - Will Stelle, US Alternate Commissioner

DISCUSSION:

- In addition to its core mandate, the Commissioners' interests continue to be:
  - Site reclamation efforts in the Silverdaisy watershed (the Donut hole) after the Imperial Metals and BC government 2022 agreement to surrender mineral claims in the area.
  - Process for the 30 to 50-year relicensing of the Skagit Hydroelectric Project by Seattle City Light and specifically, recognition of BC, Canada and First Nations' jurisdictions and interests, and impacts of the proposed fish passage and operational changes.

INDIGENOUS PEOPLES:

- Indigenous Peoples (Stó:lō, Syilx and Nlaka'pamux First Nations, Swinomish Indian Tribal Community, Upper Skagit and Sauk Suiattle Tribes) have interests in the Upper Skagit.
- The Commission funds cultural survey projects with the Stó:lō Nation and the Nlaka'pamux Nation Tribal Council.

FINANCIAL IMPLICATIONS:

- WLRS provides part of one staff member's time to serve as the Canadian Secretary.

NEXT STEPS:

- There are no appointments needed in the next six months.

PREPARED BY:

Ann Eastman
Manager, Intergovernmental Relations
Deputy Minister's Office
(778) 974-5793

REVIEWED BY:

	Initials	Date
DM	LH	Oct 15, 2024
ED	AN	Oct 2, 2024

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Adventure Tourism Coalition (ATC)	Advocates for sustainable growth and development of adventure tourism in BC, representing 18 adventure tourism stakeholders and sectors. (ATC Membership List)	• Access to and use of public land • Decision-making timelines, impacts to wildlife and habitat, coordinated management of land uses, including conflicting land uses, and reconciliation interests from First Nations • Members hold significant number of tenures under the *Land Act*, pursuant to the Adventure Tourism policy	Kathy MacRae, Executive Director, Commercial Bear Viewing Association Note: also Board President, Wilderness Tourism Association of British Columbia (WTA) Scott Ellis, CEO, Guide Outfitters Association of British Columbia (GOABC)	604-762-7751	kathy@bearviewing.ca ellis@goabc.org
Ancient Forest Alliance	Works to protect BC's endangered old-growth forests and to ensure a sustainable, value-added, second-growth forest industry.	• 30x30 conservation targets • Land use planning • Old growth and biodiversity	TJ Watt, Campaigner	Not available	tj@ancientforestalliance.org
Association for Mineral Exploration British Columbia (AMEBC)	The lead association for the mineral exploration and development industry based in British Columbia. It represents, advocates for and promotes the interests of almost 5,000 members who are engaged in mineral exploration and development in BC and globally.	• Access to opportunities for mineral exploration • Reduction in costs (incl. costs of regulatory stewardship requirements) • Increase in incentives to encourage exploration • Water, watershed security	Keerit Jutla, President & CEO	778-772-4410	kjutla@amebc.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Back Country Power Sports Coalition (BCPSC)	Advocate for preservation and growth opportunities for back-country power sports recreation and BC's trail community Coalition originally formed by Quad Riders Association of BC (ATVBC), BC Off-Road Motorcycle Association (BCORMA) and BC Snowmobile Federation (BCSF)	• Access to and use of public land • Decision-making timelines, impacts to wildlife and habitat, coordinated management of land uses, including conflicting land uses, and reconciliation interests from First Nations • *Land Act* policy related to power sports recreation	Kristin Parsons-Brouwer, Executive Director	604-832-6361	executivedirector@atvbc.ca
BC Agriculture Council	Advocate for the interests of BC farm and ranch families to ensure the sustainable growth and competitiveness of BC agriculture.	• Water, watershed security • Flood, drought and climate change • Permitting, land use and access to Crown land	Danielle Synotte, Executive Director	604-854-4454	dsynotte@bcac.ca
BC Cattlemen's Association	The official voice of cattle ranchers throughout the province. They promote, support and protect a healthy cattle industry that provides quality beef products and is guided by strong membership, environmental stewardship, respect for stakeholders and excellent business practices.	• Water, watershed security • Use of and access to crown lands for grazing/ranching • Predator reduction, species at risk and disease • Riparian areas and stewardship • Flood, drought and climate change	Kevin Boon, General Manager	250-320-3611 General Line: 250-573-3611	kevin@cattlemen.bc.ca bccattle@cattlemen.bc.ca
BC Commercial Fishing Caucus/Canadian Independent Fish Harvesters	Represents interests of BC's small-scale fisheries, typically independently owned and operated vessels under 20m, into marine planning processes along our coast.	• Coastal marine planning and policy • Fisheries policy and provincial relationship to DFO	Jim McIsaac, Executive Director	250-818-1114	jamcisaac@shaw.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
BC Community Forests Association	Non-profit with a mandate to serve as the voice and advocate for community forestry in BC. They provide input on forest policy (community forest initiatives). Community Forest Agreement (CFA) is an area-based licence operating on Crown land, that provides the exclusive right to harvest timber within the CFA area, plus the right to manage botanical forest products.	• Land use planning • Water, watershed security • Resource stewardship • Access to Crown Land	Jennifer Gunter, Executive Director	250-353-1184	info@bccfa.ca
BC Council of Forest Industries (COFI)	Represents the majority of lumber, pulp and paper, and manufactured wood producers across the province and advocates for the interests of its members to promote a healthy, diversified and sustainable forest industry that benefits people and families across BC. (COFI Membership List)	• Stewardship/Species at risk planning and impact on timber supply • Old growth, biodiversity and ecosystem health and resiliency • Water, watershed security • Forest Landscape Planning and Land Use Planning	Linda Coady, President and CEO	Personal Information 604-684-0211	coady@cofi.org info@cofi.org
BC Dairy Association	A not-for-profit association that represents BC's dairy farmers.	• Water, watershed security • Flood, drought and climate change • Permitting	Jeremy Dunn General Manager	604-294-3775	contactus@bcdairy

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
BC Fishing Resorts and Outfitters Association (BCFROA)	Represents the Fresh Water Tourist Fishing Industry. (Resorts and Guides). They work with others in the public and private sector to protect those areas currently in use and to preserve the wilderness experience in British Columbia for the enjoyment of future generations.	• Fishing regulations and rules • Land use planning • Water, watershed security • Resource stewardship • Access to Crown Land	Matt Jennings, Executive Director	866-374-6836 250-374-6836	bcfroa@bcfroa.ca
BC Freshwater Legacy Initiative	BC Water Legacy is a strategic project of the BC Water Funders Collaborative, a group of funding organizations working together to help advance water protection in BC. Real Estate Foundation of British Columbia, Gordon and Betty Moore Foundation, and the Sitka Foundation, working in partnership with MakeWay combined their resources to create BC Water Legacy.	• Watershed planning and governance	Tim Morris, Project Director	Not available	info@bcwaterlegacy.ca
BC Nature (Federation of British Columbia Naturalists)	A federation of natural history clubs and organizations with more than 6,000 members. The network of naturalists share research and knowledge of BC's wild spaces and species.	• Biodiversity and ecosystem health • 30x30 conservation targets • Tripartite Framework Agreement on Nature Conservation • Species at risk	Stewart Guy, Executive Director	604-985-3057	edirector@bcnature.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
BC Parks Foundation	An independent foundation focused on enhancing and expanding parks and Indigenous protected areas above and beyond what government can do, and the official charitable partner to BC's system of parks and protected areas. The foundation helps to produce or raise funding for projects that align with their strategic priorities.	• 30x30 conservation targets • Tripartite Framework Agreement on Nature Conservation • BC Parks Foundation and BC jointly announced commitment of $300M funding to improve biodiversity and climate security in BC in collaboration with First Nations through the establishment of the BC Conservation Fund • $200M funding dedicated to 3Nations in Northwest for conservation	Andy Day, CEO	604-343-3975	andrew.day@bcparksfoundation.ca
BC Salmon Farmers Association (BCSFA)	Represents over 60 businesses and organizations throughout the value chain of finfish aquaculture in BC. The association is a forum for communication and cooperation within the salmon farming sector, and a liaison between industry and government. Its members include both farmed salmon producers, and many of the companies who provide services and supplies to them. (BCSFA Membership List)	• Potential impacts to industry and BC coastal communities of Canada's proposed salmon aquaculture transition plan and imminent licensing decisions on farms in the Discovery Islands • Major stakeholder for *Land Act* Aquaculture Policy	Brian Kingzett, Executive Director Jennifer Woodland, Chair (Grieg Seafoods)	604-850-7043 Personal Information	brian@bcsalmonfarmers.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
BC Seafood Alliance	Represents BC's seafood industry including: fishing associations and processors, members account for approximately 95% of the value of wild seafood. They provide effective leadership, advocacy, and communication in pursuit of a profitable and sustainable seafood industry.	• Coastal marine planning and policy • Fisheries policy and provincial relationship to DFO • Land Act policy related to uses of foreshore and crown land for processing	Christina Burridge, Executive Director	604-377-9213	cburridge@telus.net executivedirector@bcseafoodalliance.com
BC Shellfish Growers Association (BCSGA)	Represents approx. 70% of shellfish farmers in BC as well as processors, industry suppliers and service providers related to the industry	• *Land Act* Aquaculture Policy	Nico Prins, Executive Director Steve Pocock, President (Owner of Sawmill Bay Shellfish on Read Island)	 250-285-2724	nico@bcsga.ca slpocock@telus.net
BC Water & Waste Association	Not-for-profit organization that represents around 4,000 water professionals. Mission is to connect and empower the BC and Yukon water sector to advocate for and safeguard public health and the environment.	• Source-to-tap drinking water work • Water, watershed security	Lee Coonfer, Chief Executive Officer	604-630-0011	lcoonfer@bcwwa.org
BC Wildlife Federation (BCWF)	A conservation and advocacy organization with a focus on long-term management of BC's fish, wildlife, and outdoor recreational resources in the best interests of all British Columbians.	• Water, watershed security • Increased and dedicated funding for fish and wildlife management • Access and opportunity for hunting and angling • Stewardship and conservation • Enhanced operations response to Chronic Wasting Disease	Jesse Zeman, Executive Director Steve Hamilton, Conservation, Hunting, Angling and Firearms Policy & Engagement Coordinator	604-882-9988 ext. 205 Steve cell: Personal Information	jessezeman@gmail.com steve.hamilton@bcwf.bc.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Boating BC Association	Advocate for boating industry Regulatory issues impacting boating in BC Three industry sector groups: BC Yacht Brokers Association, BC Marina Sector Group, Association of Barefoot Charters & Sailing Schools	• Land Act stakeholder for Marina Policy • Use of foreshore policy and dock management	Brendan Keys, President (General Manager, GA Checkpoint Yamaha & Marine)	Personal Information	brendan@gacheckpoint.com
British Columbia Chamber of Commerce	Largest business association in BC, representing 100 chambers of commerce and boards of trade, and 36,000 businesses of every size, and from every sector and region of the province. Advocate for a business environment that is inclusive, innovative and competitive.	• Permitting • Water, watershed security • Cumulative effects management in urban areas • Land use planning • Crown land access	Fiona Famulak, President and CEO	Personal Information	ffamulak@bcchamber.org
British Columbia Conservation Foundation	Partner in delivering resource management and stewardship for the province of British Columbia.	• Land use planning • 30x30 conservation targets • Delivers BC WildSafe (human wildlife conflict)	Kerry Baird – Regional Project Coordinator David Hendrickson – Executive Director	604-576-1432 ext. 311 604-576-1432 ext. 315	kbaird@bccf.com dhendrickson@bccf.com

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
British Columbia Off-Road Motorcycle Association (BCORMA)	Represents riders, motorcycle clubs and trail stewards BCORMA's member clubs maintain over 6000km of singletrack multi-use trails and steward popular off-road riding areas in BC	• Access to and use of public land • Decision-making timelines, impacts to wildlife and habitat, coordinated management of land uses, including conflicting land uses, and reconciliation interests from First Nations • *Land Act* policy related to power sports recreation	Ken McClelland, President	Not available	
British Columbia Snowmobile Federation (BCSF)	Represents 60+ clubs across BC. Provides input on province wide initiatives that promote safety, stewardship, land use planning, tourism, and the preservation of snowmobiling opportunities for future generations.	• Access to and use of public land • Decision-making timelines, impacts to wildlife and habitat, coordinated management of land uses, including conflicting land uses, and reconciliation interests from First Nations • *Land Act* policy related to power sports recreation	Donegal Wilson, Executive Director	Not available	dwilson@bcsf.ca
British Columbia Stone, Sand and Gravel Association (BCSSGA)	Represents BC's aggregate industry and BCSSGA members Provides information to the public and to the province	• Permitting • Water, watershed security • Cumulative effects management • Land use planning • Crown land access	Paul Allard, Executive Director	778-571-2670	Personal Information
British Columbia Trappers Association	Oldest trapper's association in Canada. Works to keep its members informed on topics such as: approved humane traps and trap sets, different species and the best way to maintain a healthy breeding population.	• Access to Crown land for trapping • Biodiversity and ecosystem health • Species at risk • Wildlife Act review	Glen Cartwright, President Alana Leclerc, Administrator	250-962-5452 250-962-5452	info@bctrappers.ca info@bctrappers.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Business Council of British Columbia	Focuses on several policy areas of importance to its membership and to the creation of an environment which supports economic growth and investment (i.e. economy, access to natural resources, environmental regulation)	• Permitting • Water, watershed security • Cumulative effects management • Land use planning • 30x30 conservation targets impacts on businesses • Crown land access	Laura Jones, President and CEO Denise Mullen, Director, Environment, Sustainability & Indigenous Relations	604-696-6586	laura.jones@bcbc.com Note: Nikki Roussanidis is the admin for the President's schedule nikki.roussanidis@bcbc.com denise.mullen@bcbc.com
Canada West Ski Areas Association	Non-profit trade organization representing 267 members including 120 ski areas and 147 suppliers to the ski industry	• Land Act stakeholder for the Resorts Policy held by Ministry of Tourism	Christopher Nicolson, President & CEO	Cell: 778-257-4155 Office: 778-484-5535	ceo@cwsaa.org
Canadian Association of Petroleum Producers (CAPP)	A non-partisan, research-based industry association that advocates on behalf of member companies – large and small – that explore for, develop, and produce oil and natural gas throughout BC and Canada. (CAPP Membership List)	• Access to opportunities for resource development expansion • Increase incentives to encourage resource development • Water, watershed security • Major stakeholder for Land Act Oil and Gas Policy tenures as issued by the BC Energy Regulator • Permitting delays in NE BC, overlapping interests, and the 'pancaking' of initiatives that inhibit development	Lisa Baiton, President and CEO Geoff Morrison, BC Manager Krista Phillips, Manager, Land and Biodiversity	778-410-5040 403-267-1135	geoff.morrison@capp.ca krista.phillips@capp.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Canadian Homebuilders Association	Voice of Canada's residential construction industry that represents one of the largest industry sectors in Canada. Membership is made up of 8,500 companies, including home builders, renovators, land developers, trade contractors, product and material manufacturers, building product suppliers, lending institutions, insurance providers, and service professionals.	• Permitting • Water, watershed security • Cumulative effects management in urban areas • Land use planning • Crown land access	Neil Moody, CEO	604-432-7112	neilmoody@chbabc.org
Canadian Parks and Wilderness Society	Advocates for the effective, long-term protection of ecologically and culturally significant land, freshwater and ocean areas in Canada. A member of Organizing for Change.	• Land use planning • 30x30 conservation targets • Old growth and biodiversity	Alicia Elgert, Ocean Campaign Manager Tori Ball, Terrestrial Conservation Manager	778-886-0870	alicia@cpawsbc.org tori@cpawsbc.org
Canadian Wildlife Federation	Mission is to conserve wildlife and habitats for the use and enjoyment of all. Challenge government and industry to improve legislation and practices that negatively impact wildlife and habitat. Conduct and sponsor scientific research.	• Species at risk recovery • Ocean health • Protection of land, oceans and freshwater • 30x30 conservation targets • Old growth and biodiversity	Rick Bates, Executive Vice President and CEO	Not available	info@cwf-fcf.org

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Clean Energy BC	Industry association that promotes the growth of BC's clean energy industry by advocating for environmentally responsible and viable power generation, transmission, and management resources that serve the public by providing cost effective electricity	• Simplification of process Reduction of costs • Acceleration of permitting • Water, watershed security • Major stakeholder for Land Act Waterpower and Wind Power tenures	Cole Sayers, Executive Director Yuho Okada, Chair (Barkley Project Group)	Office: Personal Information Cell: 778-835-1019	kwatuuma@cleanenergybc.org
Coastal Restoration Society	Leader in industrial-scale restoration and stewardship projects in coastal communities and inland waterways. Invasive species eradication, derelict vessel removal, marine debris cleanup, removal of abandoned aquaculture sites. Recipient of Clean Coast Clean Waters funding	• Coastal marine policy and planning • Use of foreshore policy, dock management • Permitting • Aquatic invasive species • Habitat restoration	Captain Josh Temple, Executive Director	Not available	info@coastrestore.com
Commercial Bear Viewing Association	Formed to promote sustainable bear viewing in British Columbia and aid in the protection of wild bears and their ecosystems.	• Conservation and stewardship of bear habitat • Biodiversity and ecosystem health • Limiting industrial activities in habitats • Land Act stakeholder	Kathy MacRae, Executive Director	604-762-7751	kathy@bearviewing.ca
Council of BC Yacht Clubs	Advocate for recreational boating in BC, representing 45 clubs and 15,000 members in four regions: North Shore/Sunshine Coast, Lower Mainland, Vancouver Island and Interior	• Land Act stakeholder for Marina Policy • Use of foreshore policy and dock management	Roger Hind, President Jenifer Reynolds, First Vice President	Personal Information	Personal Information Personal

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
David Suzuki Foundation	Through evidence-based research, education and policy analysis, they work to conserve and protect the natural environment and help create a sustainable Canada. Collaborate with non-profit and community organizations, all levels of government, businesses and individuals.	• Climate solutions, habitat protection and restoration, sustainable communities • Coastal marine policy and planning • Species at risk, Biodiversity, ecosystem health	Severn Cullis-Suzuki, Executive Director Jay Ritchlin, Director General – BC and Western Region	604-732-4228	contact@davidsuzuki.org jritchlin@davidsuzuki.org
Ducks Unlimited	Working to conserve and restore wildlife habitats in estuaries including the Fraser River. Support Indigenous-led conservation planning to help protect biodiversity and sustainable development. Restore wetlands for species at risk in regions.	• Water, watershed security • Aquatic ecosystems, habitat restoration and species at risk • Cross ministry Permitting solutions on older infrastructure • Partnership with Conservation Lands Program	Sarah Nathan, British Columbia Manager of Provincial Operations	778-888-1706	s_nathan@ducks.ca
Ecojustice	Canada's largest environmental law charity. Their mission is using the law to defend nature. Currently with BC they have 6 active files (court to campaigns) biodiversity, spotted owl, orcas, and wild salmon. A member of Organizing for Change	• 30x30 conservation targets • Species at risk • Old growth and biodiversity	Sarah Korpan, Legislative Affairs Specialist	604-685-5618 ext. 268	skorpan@ecojustice.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Ecotrust Canada	Place-based economies — economies that intentionally connect people to the places they call home — can thrive. In doing so, these economies will provide for a healthy and resilient natural environment; sustainable and abundant energy, food, and housing; prosperous and meaningful livelihoods; vibrant cultures; and inclusive societies.	• Climate change • Indigenous housing • Fisheries, • Energy • Food systems	Chuck Rumsey	Not available	chuck@ecotrust.ca
Explorers and Producers Association of Canada (EPAC)	Advocates on behalf of Canada's conventional energy producers, representing over 139-member oil and gas companies ranging from start-ups to junior and large producers. (EPAC Membership List)	• 30x30 conservation targets • Land use planning	Tristan Goodman, President and CEO	403-312-2900	tristan.goodman@explorersandproducers.ca
Fraser Basin Council	Provincial floodplain mapping, flood risk reduction planning and project coordination	• Provincial floodplain mapping, flood risk reduction planning and project coordination	David Marshall, Chief Executive Officer	604-488-5351	dmarshall@fraserbasin.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Freshwater Aquaculture Association of BC	Created in 2003, to transform BC's provincial hatchery program into a non-profit organization. Under a 30-year contract, the provincial government retained management authority of BC's freshwater fisheries. Fish culture, fish health, and other biological and technical services were transferred to the Society.	• Water, watershed security • Recreational stocking program policy and resourcing • Recovery and conservation for endangered species, such as white sturgeon	Andrew Wilson (Victoria), President	888-601-4200	not available
Freshwater Fisheries Society of BC (FFSBC)	A non-profit society that delivers stocking requests and conservation services for the province. Responsible for stocking small lakes across the province under the direction of WLRS.	• Recreational angling program partner and conservation • Water, watershed security • Wildlife Act review (fishing regulations)	Not available	250-414-4200	Not available
Glencore Teck Metals Ltd. Elk Valley Resources (EVR)	Recently acquired Teck Coal and the four active metallurgical coal mines operating in Southeast BC. Multiple licences with coordinated agreements with Teck Metals and Waneta Expansion Power Corporation in place to support hydropower production.	• Water quality • Land use planning, forest landscape planning • Cumulative effects management and wildlife habitat • Transboundary initiatives and jobs and timing of authorizations	Not available	236-484-2200	info@evr.com
Grassland Conservation Council (GCC)	GCC and its partners gather and share information about grasslands and what they need to thrive.	• Concerns about housing impacting grasslands	Not available	Not available	info@bcgrasslands.org

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Greater Vancouver Board of Trade	Western Canada's leading business association, engaging our members to inform public policy at all levels of government Membership represents one-third of BC's workforce.	• Development of industrial sector and lands, in particular, across the lower mainland	Melody Secord, Executive Coordinator	604-681-2111	ceo@boardoftrade.com
Guide Outfitters of BC	Established in 1966 to represent the guide outfitting industry to government and advocate for science-based wildlife management. Represents 60-70% of the guide outfitters in BC, YK and the NWT. Legislation provides guide outfitters with exclusive rights to guide non-resident big game hunters in a specific area.	• Access and use of public lands • Wildlife management, environmental stewardship • Permitting and decision-making processes	Scott Ellis, CEO, Guide Outfitters Association of British Columbia (GOABC)	Not available	ellis@goabc.org
Habitat Conservation Trust Foundation (HCTF)	A non-profit charitable foundation acting as Trustee of the Habitat Conservation Trust. HCTF came into existence because its major contributors (hunters, anglers, trappers, and guide-outfitters) were willing to pay for conservation work above and beyond that expected for basic management of wildlife and fish resources.	• Funds fish and wildlife conservation projects across the province • Significant source of their funding comes from freshwater fishing, hunting, trapping and guide outfitting licenses enabled by the *Wildlife Act*	Dan Buffett	Not available	Dan.Buffett@hctf.ca
Helicat Canada	Advocate group for Heliski and Cat ski industry	• Land Act stakeholder for the Adventure Tourism Policy	Ross Cloutier, Executive Director	778-220-7311	ed@helicat.org

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Howe Sound Biosphere Organization	Part of the World Network of Biosphere Reserves. In Canada, it became its 19th UNESCO Biosphere Region, and are members of the Canadian Biosphere Reserve Association.	• Marine planning, marine ecosystem health • Habitat and species research and monitoring	Ruth Simons, Executive Director	604-921-6564 C: 778-834-4292	howesoundbri@gmail.com
Invasive Species Council of BC	Non-profit charitable society that promotes collaboration and delivers initiatives/programs to reduce the threat of invasive species in BC.	• Invasive species • Habitat restoration, conservation and protected areas • Biodiversity and ecosystem health	Gail Wallin, Executive Director	250-305-1003 ext. 103	gwallin@bcinvasives.ca
Living Lakes Canada	Charitable water stewardship NGO to protect freshwater. Science-based programs aligned with Provincial and Federal monitoring protocols and range from: groundwater, lake, stream and wetland monitoring, to foreshore health assessments, biomonitoring for aquatic assessment and restoration, and water database development and management. Deliver water monitoring training courses to support community-based stewardship efforts across the Columbia Basin, BC. BC has provided funding in recent past, including $1.3M in FY21 (out of a total of $27M) and $4M in FY22 (out of a total of $30M) as part of Healthy Watersheds Initiative.	• Water, watershed security • Aquatic habitat restoration, disease and invasive species • Water quality in Elk Valley and Area Based Management Plan	Kat Hartwig, Executive Director	T: 2Pers Personal C: 250 342 5445	kat@livinglakescanada.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Mining Association of British Columbia	Advocates for steelmaking coal, metal and mineral producers, smelters and advanced development companies in BC and currently includes 33 members. (MABC Membership List)	• Development of Critical Mineral opportunities • Reduction in red tape • Land use planning • Transboundary Indigenous consultation	Michael Goehring, President and CEO Tim McEwan, Senior Vice President, Corporate Affairs	604-374-3271 604-681-4321 ext. 120	mgoehring@mining.bc.ca tmcewan@mining.bc.ca
Minister's Wildlife Advisory Council	Advise on funding priorities for wildlife and habitat stewardship initiatives across BC	• Biodiversity and ecosystem health • Road impact to habitat • Wildlife stewardship and policy • Wildlife Act review	Chief Harry F. Nyce (SIM'OOGIT SAGAW'EEN), Co-chair Nancy L. Wilkin, Co-chair	250-633-3040 250-598-0025	eagle1@nisgaa.net nancylwilkin@gmail.com
Nature Conservancy Canada	Partner to protect natural areas that sustain plants and wildlife. Secure properties (through donation, purchase, conservation agreement and relinquishment of other legal interests in land) and manage for the long term.	• 30% conservation targets • Tripartite Framework Agreement on Nature Conservation • Land use planning in SEBC – Dominion Coal Blocks	Nancy Newhouse, Regional Vice-President, British Columbia Region	Personal Information	nancy.newhouse@natureconservancy.ca
Nature Trust of British Columbia	Dedicated to conserving BC's biodiversity through securement, restoration and management of ecologically significant lands. Since 1971 acquired more than 500 conservation areas in BC.	• 30% conservation targets • Tripartite Framework Agreement on Nature Conservation • Land use planning	Jasper Lament, Chief Executive Officer	604-924-9771	info@naturetrust.bc.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Nature United	Working to advance a vision of Canada where healthy communities and responsible economic development drive locally and globally significant conservation outcomes.	• 30x30 conservation targets • Tripartite Framework Agreement on Nature Conservation • Nature based climate solutions • Indigenous-led conservation and guardians	Hadley Archer, Executive Director Jacqueline Nunes, Marketing and Communications Director	416-238-9597 416-526-7353	harcher@natureunited.ca jacqueline.nunes@natureunited.ca
Northern Confluence	Northern Confluence is dedicated to conserving the salmon watersheds that sustain our communities, economies and shared futures in Northwest BC.	• 30x30 conservation targets • Water, watershed security • Land use planning	Nikki Skuce, Director	778-210-0117	nikki@northernconfluence.ca
Ocean Legacy	Founded with the goal to end ocean plastic waste. Recipient of Clean Coast, Clean Waters funding.	• Ocean clean-up and conservation • Coastal marine planning and policy	Chloé Dubois, Executive Director James Middleton, Managing Director	604-214-3591	Not available
Okanagan Basin Water Board (OBWB)	Valley-wide partnership to identify and resolve critical water issues in the Okanagan watershed.	• Water, watershed security • Aquatic habitat, disease and invasive species	James Littley, Interim Executive Director	250-469-6270	James.Littley@obwb.ca
Organizing for Change (OFC)	A strategic initiative of environmental groups representing hundreds of thousands of British Columbians that currently includes 12 members. (OFC Membership List)	• Tripartite Framework Agreement on Nature Conservation • 30x30 conservation targets, Ecosystem Health, Old growth • Oil and gas targets and *Mineral Tenure Act* Modernization	Lisa Matthaus, Executive Director	250-888-5194	lisa@organizingforchange.org

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Outdoor Recreation Council of BC	A charitable organization that serves as a collective voice for a wide range of outdoor recreational groups and activities, including hiking, cycling, paddling, cross-country skiing, fishing, horseback riding, and motorized recreation. Advocate for public outdoor recreation interests, promotes sustainable outdoor recreation practices across BC	• Access and use of public lands • Land use planning • Environmental stewardship • Permitting and decision-making processes	Louise Pedersen	778-833-2662	louisepedersen@orcbc.ca
Pacific Institute for Climate Solutions	Aims to catalyze and mobilize research, partnerships, and knowledge that advance mitigation and adaptation at the intersection of: Justice, Wellbeing, and Biodiversity; Policy, Practice, and Technology; Communities and Place	• Climate change • Environmental stewardship • Biodiversity and ecosystem health	Ian Mauro, Executive Director	250-853-3595	picsdie@uvic.ca
Pacific Salmon Commission	Government of Canada led delegation negotiating the Pacific Salmon Treaty with US and relevant US states. With a shared responsibility to conserve the Pacific Salmon in order to achieve optimum production and to divide the harvests so that each country benefits of its investment in salmon management.	• Wild pacific salmon • Coastal marine planning and policy	VACANT, BC Commissioner John Field, Executive Secretary	 604-684-8081 ext. 622	 field@psc.org

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Pacific Salmon Foundation	Provides significant investments on behalf of Canada, BC, and philanthropic funds to the benefit of salmon science and restoration Key partner in provincial efforts on wild salmon.	• Wild salmon • Habitat restoration • Coastal marine uses	Michael Meneer, President and CEO	604-664-7664	president@psf.ca
Pacific Seaweed Industry Association	Non-profit, industry association that develops awareness of the benefits and uses for seaweed. It collaborates with stakeholders and rightsholders to develop educational material, new technology and promote innovation. It is an advocate to all levels of government.	• Coastal marine uses • Crown land licencing and policy for aquatic plant tenures	Mark Smith, Executive Director	Not available	mark.smith@seaweedindustry.ca
Partnership for Water Sustainability in British Columbia	Plays a bridging role between provincial and local governments, and between local governments and the stewardship sector. It collaborates to develop methodologies, tools and resources to support implementation of water to land use, infrastructure servicing and asset management.	• Water, watershed security • Flood and drought • Water quality	Kim Stephens, Executive Director	T: 604-947-2911 C: 604-817-4657	kstephens@watersustainabilitybc.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
POLIS	The POLIS Water Sustainability Project is an action-based research group at the University of Victoria's Centre for Global Studies.	• Provides a central coordinating and analytical perspective across academic, scientific, and community interests in water policy, both at the provincial and federal level • Key advocate and contributor to BC's development of a new Watershed Security Strategy and Fund	Oliver Brandes, Co-Director Rosie Simms, Research Lead & Project Manager, Water Sustainability Project	250-721-8800	omb@uvic.ca water@polisproject.org
Private Managed Forest Landowners Association	Represents owners of over 90 per cent of the private Managed Forests in British Columbia. PFLA members include individuals, companies and families. Over 60 per cent of the PFLA's membership is comprised of owners with land under 250 hectares.	• Water, watershed security in Private Managed Forest Lands • Stewardship of private forest lands	Megan Hanacek, CEO	250-642-4300	megan.hanacek@pfla.bc.ca info@pfla.bc.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Provincial Angling Advisory Team (PAAT)	Forum where government can discuss fisheries management, regulation and conservation with angling stakeholders. Government can explain new regulations or identify conservation issues related to fisheries management. Stakeholder can bring forward issues that pertain to sport fishing and changes in regulation and opportunities. Generally meets 2 time a year (spring and fall).	• Regulations and fisheries management issues • Aquatic habitat, disease and invasive species	Mike Ramsay, Chair and Director, Provincial Fisheries Policy & Allocation, WLRS Membership from: BC Wildlife Federation; BC Federation of Drift Fishers, BC Federation of Fly Fishers, Steelhead Society of BC, BC Fishing Tourism Association, Guide Outfitter Association of BC, Freshwater Fisheries Society of BC, Fraser Valley Angling Guide Association	250-398-4530	mike.ramsay@gov.bc.ca
Real Estate Foundation of BC (REFBC)	A philanthropic organization working to advance sustainability, equity, and social justice in 5 areas across BC – land use, fresh water, built environments, food sovereignty, and the real estate profession.	• Water, watershed security • REFBC holds the grant agreement supporting the $100M Watershed Security Fund and is co-developing the Fund with the Water Caucus & First Nations Fisheries Council	Mark Gifford, Chief Executive Officer	604-343-2624	mark@refbc.ca
Rivershed Society of BC	Formed in 1996, after Fin Donnelly's 'Swim for Life' swim down the entire length of the Fraser River. Works to ensure the Fraser Watershed is a resilient watershed, with salmon, people and economies flourishing in rivershed communities.	• Wild salmon • Water, watershed security • Aquatic habitat restoration, disease and invasive species	Justine Nelson, Executive Director	604-773-2416	justine@rivershed.com

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Sierra Club BC	Helping protect existing ecosystems and help others recover and thrive again through shared knowledge and stronger environmental laws.	• 30x30 conservation targets • Water, watershed security • Land use planning • A member of Organizing for Change	Hannah Askew, Executive Director Jens Wieting, Senior Forest and Climate Campaigner	250-386-5255 ext. 249 250-386-5255 ext. 107	hannah@sierraclub.bc.ca jens@sierraclub.bc.ca
Small Ship Tour Operators Association of BC (SSTOABC)	Comprised of seven Canadian owned and operated small ship based travel companies providing wilderness travel experiences for small groups of 6-24 passengers along the BC and Alaska coastline	• Land Act stakeholder for Marina Policy • Use of foreshore policy and dock management • Marine debris removal	Kevin Smith, CEO Maple Leaf Adventures Note: Member of SSTOABC which is part of Wilderness Tourism Association of British Columbia (WTA)	Office: Personal Information Cell: 250-881-3671	kevin@mapleleafadventures.com
Sport Fishing Institute of British Columbia	Ensure sustainability of BC's natural resources and that sustainable angling opportunities are maintained and promoted.	• Fishing regulations and rules • Land use planning • Water, watershed security • Resource stewardship • Access to Crown Land	Martin Paish, Chair	250-882-8486	martinpaish1@gmail.com
Surfrider Foundation	U.S. activist network dedicated to the protection of oceans and beaches.	• Clean up of marine debris and improvement of water quality • Marine policy and planning	Lucas Harris, Executive Director	250-516-6974	lharris@canada.surfrider.org
Tourism Industry Association of BC	Not-for-profit association advocating for the interests of B.C's tourism economy.	• Land use planning • Access to Crown Land • Water, watershed security • Land Act policy that relates to tourism activity	Walt Judas, Chief Executive Officer	778-953-0620	wjudas@tiabc.ca
United Fishermen and Allied Workers Union	Union representing workers in the commercial fishing industry.	• Fishing regulations and rules	James Lawson, President	T: 604-519-3630 C: 778-679-2922	president@ufawu.org

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Valhalla Wilderness Society	Wilderness conservation organization, specializing in the creation of parks and protected areas for wildlife and ecosystems	• 30x30 conservation targets • Land use planning	Anne Sherrod, Chairperson	Not available	ann@vws.org
Water Supply Association of BC	Organization representing the interests of BC's irrigation districts to government.	• Water, watershed security	Generic contact info provided. Individual contacts for each region are available on the website.	250-809-8548	watersupply@wsabc.ca
Watershed Watch Salmon Society	Charity dedicated to reviving and protecting BC's wild salmon.	• Water, watershed security • Coastal marine policy	Aaron Hill, Executive Director	250-818-0054	aaron@watershedwatch.ca
Watersheds BC	Provides training, resources, and peer-to-peer support to local government staff, First Nations, watershed boards and roundtables, regional provincial staff, and other watershed professionals.	• Water, watershed security	Zita Botelho, Program Director	Not available	zita@watershedsbc.ca
West Coast Environmental Law	Non-profit focused on finding legal solutions for environmental protection and sustainability.	• Coastal marine policy and planning including the recently announced Coastal Marine Strategy.	Jessica Clogg, Executive Director and Senior Counsel	604-601-2501 1-800-330-9235 ext. 201	jclogg@wcel.org
Wild Sheep Society of British Columbia	Advocacy group for wild sheep and sheep habitat in BC Partner with government on sheep research	• Restoration, legislation and regulation that relates to licensed sheep hunting. • Nature Agreement • Wildlife and Habitat • Together for Wildlife Strategy	Kyle Stelter, Chief Executive Officer	250-619-8415	kstelter@wildsheepsociety.com

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Wilderness Committee	Protecting nature, defending wildlife and fighting climate change.	• Species at risk • Land use planning • 30x30 conservation targets	Beth Clarke, Executive Director Torrance Coste, Environmental Justice Activist	604-683-8220	info@wildernesscommittee.org torrance@wildernesscommittee.org
Wildlife Conservation Society	Goal is to conserve the world's largest wild places in 14 priority regions, habitat for around 50% of the world's biodiversity and a wide range of charismatic megafauna	• Land use planning • 30x30 conservation targets	Justina Ray, President	Not available	jray@wcs.org
Wildlife Stewardship Council	Represent the interests of guide outfitter license holders and territory certificate holders. Most members of WSC are from Vancouver Island, with a few others through the Province. Guide mostly non-BC residents on paid hunting expeditions.	• Nature Agreement • Wildlife and Habitat • Together for Wildlife Strategy	John Henderson, President	250-205-0235	info@wildlifestewardshipcouncil.com
Wildsight	Defending wildlife, water and wild places in Canada's Columbias and Rocky Mountains.	• Species at risk • Land use planning • 30x30 conservation targets • Water quality in the Elk Valley impacted by EVR metallurgical coal mining • International Joint Commission Reference on Water Quality in the Koocanusa Watershed.	John Bergenske, Conservation Director	250-422-3566 250-489-9605	john@wildsight.ca

Key Stakeholders List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
World Wildlife Fund Canada	Conservation organization working to conserve species at risk, protect threatened habitats and address climate change.	• Work to conserve species at risk, protect threatened habitats, and address climate change. • Freshwater, ocean, urban areas • Caribou and southern resident killer whale recovery	Megan Leslie, President and CEO	Not available	mleslie@wwfcanada.org
Yellowstone to Yukon Conservation Initiative	Protect habitat along the spine of the Rocky Mountains.	• Species at risk • Land use planning • 30x30 conservation targets	Tim Burkhart, BC and Yukon Program Director	250-352-3830	tim@y2y.net

Key First Nations Organizations List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Aboriginal Aquaculture Association	Not for profit corporation established in 2003 to facilitate meaningful participation of Aboriginal communities and Aboriginal entrepreneurs in the aquaculture sector. It serves as a resource body providing guidance and advice with respect to sustainable aquaculture development, regulation and management of aquaculture.	• Tenures for aquaculture operations (all types) • Coastal marine planning	Richard Harry, President/Executive Director	250-286-9939	info@aboriginalaquaculture.com
Aboriginal Housing Management Association	Housing authority for Indigenous people providing a spectrum of housing and support services.	• Housing policy and program development	Margaret Pfoh, CEO	604-921-2462	Not available.
Alliance of British Columbia Modern Treaty Nations	The Alliance of BC Modern Treaty Nations works together to advance and advocate for areas of shared interest relating to the implementation of modern treaties in British Columbia. Membership includes each of the eight Modern Treaty Nations in BC: Tsawwassen First Nation Tla'amin Nation Huu-ay-aht First Nations Ka:'yu:'k't'h'/Chek'tles7et'h' First Nations Toquaht Nation Uchucklesaht Tribe Yuułuʔiłʔatḥ Government Nisga'a Nation	• Appropriate fiscal arrangements to fulfil treaty rights and obligations • Meaningful involvement of modern treaty nations in legislative and policy initiatives • Comprehensive organizational and policy changes in public service to advance a whole-of-government approach to treaty implementation	Alison Butler, Coordinator	604-505-5428	abutler@nvisiongroup.ca or allianceadmin@nvisiongroup.ca

Key First Nations Organizations List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Coastal First Nations (Great Bear Initiative)	Alliance of nine First Nations working together: To protect our coast and improve the quality of life in our communities. Our member nations include Wuikinuxv, Heiltsuk, Kitasoo/Xaixais, Nuxalk, Gitga'at, Metlakatla, Old Massett, Skidegate, and Council of the Haida Nation.	• Conservation efforts in the Great Bear Rainforest and the Great Bear Sea. • Renewed reconciliation agreement 2024, including commitment to partner in the Canada-BC-First Nations Marine Protected Area Network in the North Pacific Coast of BC • Partner in the BC-First Nations Marine Plan Partnership (MaPP) • Member of Guardians Working Group • Wildlife co-management • Wildlife co-existence and commercial viewing	Chief Marilyn Slett (Heiltsuk), President Christine Smith-Martin, Executive Director Paul Kariya, Senior Policy Advisor General Contact	604-696-9889 604-340-6197 604-696-9889	marilyn.slett@heiltsuk.ca executivedirector@coastalfirstnations.ca pkariya@coastalfirstnations.ca info@coastalfirstnations.ca reception@coastalfirstnations.ca
First Nations Emergency Services Society	With the support of the First Nation Leadership Council, FNESS is the organization that communities reach out to for support and delivery of essential emergency and forest fuel management programs and services.	• Emergency Management agency supporting First Nation communities.	Anthony Moore, President	250-377-7600	amoore@fness.bc.ca

Key First Nations Organizations List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
First Nations Fisheries Council (FNFC)	Represents First Nation interests across B.C. to provide unified and coordinated direction on fish, water and watershed related matters One of 3 resource boards of the FNLC	• Partner in advancing provincial policy initiatives in line with DRIPA • Builds processes, capacity, and relationships to help First Nations in BC influence the integrated planning and management of Pacific fisheries and aquatic resources at the province-wide level. • Instrumental in supporting co-design of strategic priorities (e.g. B.C. Water Table) • Water, watershed security • Coastal marine planning and policy	Stu Barnes, Executive Director	403-968-0406	stu_barnes@skeenafisheries.ca
First Nations Forestry Council (FNFC)	• The Forestry Council is an advocacy organization that works to support Nations in their efforts to increase their role in the governance and stewardship of forest lands and resources, and participation in the forest sector. **The Forestry Council does not represent the Nations, nor are they a consultatory body.**	• 30x30 conservation targets • Land use planning • Old growth and biodiversity	Leonard (Suxwsxwwels) Joe	604-971-3448	len@forestrycouncil.ca
First Nations Health Authority	Organization for health governance and health care delivery for First Nations in BC.	• Environmental health and research	Carlos Colindres, Director, Health Emergency Mg't	604-693-6500 (central office)	Carlos.colindres@fnha.ca

Key First Nations Organizations List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
First Nations Leadership Council (FNLC)	The First Nations Leadership Council is comprised of the political executives of the BC Assembly of First Nations, First Nations Summit and the Union of BC Indian Chiefs. This group works together to develop coordinated approaches to issues relevant to First Nations communities throughout the province.	• Alignment of laws (e.g *Wildlife Act*, *Land Act* review) • Development of policy and alignment with the Declaration Act • Tripartite Framework Agreement on Nature Conservation • Land use planning, permitting • Fish and wildlife resources	**BC Assembly of First Nations (BCAFN)** Regional Chief Terry Teegee **First Nations Summitt (FNS)** Robert Phillips Cheryl Casimer Hugh Braker **Union of BC Indian Chiefs (UBCIC)** Grand Chief Stewart Phillip, President Chief Don Tom, Vice-President Kukpi7 Judy Wilson, Secretary-Treasurer	250-981-2151 778-875-4463 778-875-2157 604-812-2632 Vancouver office: 604-684-0231 Kamloops office: 250-828-9746 250-813-3315 604-785-3014	regionalchief@bcafn.ca rphillips@fns.bc.ca ccasimer@fns.bc.ca hbraker@fns.bc.ca president@ubcic.bc.ca chief@tsartlip.com judy@ubcic.bc.ca
Indigenous Leadership Initiative (ILI)	The Indigenous Leadership Initiative (ILI) is a national organization in Canada that supports Indigenous communities in exercising their rights and responsibilities over their lands and waters.	• Water, watershed security • Coastal marine planning and policy • Land use planning	Not available	Not available	info@ilinationhood.ca

Key First Nations Organizations List
Ministry of Water, Land and Resource Stewardship

Organization	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Lower Fraser Fisheries Alliance	Indigenous technical organization that works to advance the collective fisheries interests of Lower Fraser First Nations.	• 2024 MOU signed to advance collaborative and shared governance and management of fish and other aquatic species, water, watersheds and aquatic ecosystems	Jeannette Duguay, Communications support	604-852-4040	communications@lffa.ca
Nanwakolas Council	Council of Kwakwaka'wakw First Nations including: Mamalilikulla, Tlowitsis, Da'naxda'xw Awaetlala, Wei Wai Kum, We Wai Kai, and K'ómoks	• Guardians program • Lands, Waters and Referrals	Dallas Smith, President	250-286-7200	president@nanwakolas.ca info@nanwakolas.ca
Native Fishing Association	Organization promoting and supporting Indigenous commercial fishers in BC.	• Water, watershed security • Coastal marine planning and policy	Fiona MacRaild, Executive Director	T: 604-913-2997 C: 250-720-6004	Executive.director@shoal.ca
Nuu-chah-nulth Council	Not for profit providing services to 14 Nuu-chah-nulth First Nations.	• Water, watershed security • Coastal marine planning and policy • Land use planning • Economic development • Aquatic resources management	Judith Sayers, President	250-724-5757	Judith.sayers@nuuchahnulth.org
Upper Fraser Fisheries Conservation Alliance (UFFCA)	Promotes accountability in the conservation, protection and sustainable harvest of UFFCA fish populations, as well as the health of the ecosystems they depend on.	• Water, watershed security • Coastal marine planning and policy • Land use planning	Gord Sterritt, Executive Director	250-305-5224	gord.sterritt@upperfraser.ca

Key Federal Government and Other Agency List
Ministry of Water, Land and Resource Stewardship

Crown Corporation	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
BC Energy Regulator	Regulates energy resources through the *Energy Resources Act* which includes issuing water and land authorizations under the Water Sustainability and Land Act. Administers Aboriginal Liaison Program (including 3.5 staff positions) with funding transferred from Indigenous Funding Program via agreement with BC Oil and Gas Research Innovation Society. WLRS applies for IFP funding for Aboriginal Liaison Program.	• Implementation of the Blueberry River First Nations Implementation Agreement and the Treaty 8 Consensus Document • Caribou recovery and ecosystem resilience • Innovative solutions to conservation pricing and ESG credit • Land use planning • Water, watershed security	Michelle Carr, Commissioner, CEO	Not available	Michelle.Carr@bc-er.ca
BC Hydro	Proponent and partner in Connectivity and Electrification projects including the Call for Power and North Coast Transmission Line. Holds significant portion of passive infrastructure in BC. They have numerous dams, reservoirs and hydroelectric facilities around the province which are regulated through water licences and Water Use Plans.	• Completion of Site C in 2025 • BC Hydro compensation programs to mitigate long term impacts of storage facilities (fish and wildlife programs) • Water, watershed security • Major stakeholder for Land Act utility tenures	Al Leonard, Executive VP, Capital Infrastructure Project Delivery Dr. Bob Schuback, Director, Dam Safety	Personal Information	allan.leonard@bchydro.com bob.schubak@byhydro.com

Key Federal Government and Other Agency List
Ministry of Water, Land and Resource Stewardship

Local Government	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Local Government Management Association	Organization supporting local government education, training and networking	• Knowledge of provincial government activity	Douglas Holmes, President Candace Witkowskyj, ED	250-383-7032 Ext 223	cwitkowskyj@lgma.ca
Union of BC Municipalities (UBCM)	Formed to provide a common voice for local government and hosts and annual conference.	• Water, drought, land use planning and wildlife management • Flood risk reduction and diking governance, and invasive species • Permitting	Councillor Trish Mandewo, President Gary MacIsaac, Executive Director	604-362-4650 Personal	tmandewo@coquitlam.ca gmacisaac@ubcm.ca

Federal Government	Issues & Interests	Minister	Phone Number	Email Address
Agriculture and Agri-Food Canada - Canadian Food Inspection Agency	• Drought, floods • Invasive species, animal disease	Lawrence MacAulay, Minister of Agriculture and Agri-Food	613-995-9325	lawrence.macaulay@parl.gc.ca
Crown Indigenous Relations and Northern Affairs Canada	• Reconciliation • Modern treaties and Specific claims • Additions to reserve incl policy redesign • First Nations land management: policy and legislation	Gary Anandasangaree Minister of Crown-Indigenous Relations	613-992-1351	gary.anand@parl.gc.ca

Key Federal Government and Other Agency List
Ministry of Water, Land and Resource Stewardship

Federal Government	Issues & Interests	Minister	Phone Number	Email Address
Environment and Climate Change Canada - Parks Canada Agency - Impact Assessment Agency of Canada	• 30x30 conservation targets • Biodiversity and Ecosystem health • Tripartite Nature Agreement • Marine Protected Area Network	Steven Guilbeault, Minister of Environment and Climate Change Canada	Personal Information	ministre-minister@ec.gc.ca
Fisheries and Oceans Canada - Canadian Coast Guard	• Aquaculture, shellfish harvesting • Invasive species, Fish habitat protection, Fisheries management • Moorage, Ship breaking, Dredging • Coastal marine policy and planning	Diane Lebouthiller, Minister of Fisheries and Oceans Canada	604-664-9220	min@dfo-mpo.gc.ca
Global Affairs Canada	• Diplomatic relations • Transboundary issues advice	Melanie Joly, Minister of Foreign Affairs Ahmed Hussen, Minister of International Development Mary Ng, Minister of Export Promotion, International Trade and Economic Development	613-992-0983	melanie.joly@parl.gc.ca
Housing, Infrastructure and Communities Canada - Canada Infrastructure Bank - Canada Mortgage and Housing Corporation	• Land use planning	Sean Fraser, Minister of Housing, Infrastructure and Communities Canada	613-992-6022	sean.fraser@parl.gc.ca

Key Federal Government and Other Agency List
Ministry of Water, Land and Resource Stewardship

Federal Government	Issues & Interests	Minister	Phone Number	Email Address
Indigenous Services Canada	• Water in First Nations communities • Infrastructure in Indigenous communities • New fiscal relationship • Emergency management • Environment and natural resources • Treaty annuities, estates and trusts	Patty Hajdu, Minister of Indigenous Services Canada	Personal Information	patty.hajdu@parl.gc.ca
Innovation, Science and Economic Development Canada	• Expected to play a leadership role in the Aquaculture transition plan implementation	Francois-Philippe Champagne, Minister of Innovation Science and Industry Mary Ng, Minister of Export Promotion, International Trade and Economic Development	613-995-4895	francois-philippe.champagne@parl.gc.ca
Intergovernmental Affairs	• Federal, Provincial, Territorial Relations • Council of the Federation • First Ministers' meetings	Dominic LeBlanc, Minister Public Safety, Democratic Institutions and Intergovernmental Affairs	613-992-1020	dominic.leblanc@parl.gc.ca
Natural Resources Canada - Canada Energy Regulator - Northern Pipeline Agency (Alaska Highway Gas Pipeline project)	• Land use planning, forest landscape planning • 30x30 conservation targets • Critical mineral strategy • Permitting and access to crown land	Jonathan Wilkinson, Minister of Energy and Natural Resources	604-775-6333	jonathan.wilkinson@parl.gc.ca

Key Federal Government and Other Agency List
Ministry of Water, Land and Resource Stewardship

Federal Government	Issues & Interests	Minister	Phone Number	Email Address
Public Safety Canada – Emergency Preparedness - Canada Boarder Services Agency - Pacific Economic Development Canada (PacifiCan)	• Drought, flood, landslides • Disaster funding	Dominic LeBlanc, Minister Public Safety, Democratic Institutions and Intergovernmental Affairs Harjit Sajjan, Minister Emergency Preparedness and PacifiCan	604-775-5323	harjit.sajjan@parl.gc.ca
Transport Canada - Pacific Pilotage Authority (Crown Corp) - Canada Port Authorities (Shared Governance Organization) - VIA Rail Canada Inc.(Crown Corp) - Oceans Protection Plan (Fund)	• Moorage • Ship breaking • Dredging • Coastal marine policy and planning	Anita Anand, Minister of Transport	613-995-4014	Anita.Anand@parl.gc.ca

Other	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Association of BC Forest Professionals	Responsible for registering and regulating BC's professional foresters and forest technologists.	• Professional governance	Christine Gelowitz, CEO	Personal Information	cgelowitz@abcfp.ca
Association of British Columbia Land Surveyors (ABCLS)	Regulates and governs the profession of land surveying; only individuals and companies licensed by the ABCLS are permitted by law to undertake and assume responsibility for land surveying practice in B.C.	• Use of licensed surveyors in crown land management	Kelly Stofer, Chief Administrative Officer Mike Thomson, President	Personal Information	kstofer@abcls.ca

Key Federal Government and Other Agency List
Ministry of Water, Land and Resource Stewardship

Other	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
BC Groundwater Association	Certification process for the water well drillers, well pump installers, geotechnical/ environmental drillers, and geoexchange drillers trades. Pump installing, well drilling service providers must be certified and listed on the Province's Well Drillers and Well Pump Installers registry managed by WLRS.	• WLRS has a statutory obligation under the WSA to oversee and licence well drillers and pump installers in the province. • WLRS's relies on BCGWA through an external vetting process to complete these reviews.	Not available	Personal Information	general-manager@bcgwa.org
British Columbia Institute of Agrologists	Responsible for licensing professional agrologists and regulating the practice of agrology in the province.	• Professional governance	Jane Kerner, PAg, Interim CEO Tess Karuvetti, Administrative/Financial Officer	250-380-9292	ceo@bcia.com tess.karuvetti@bcia.com
College of Applied Biologists	Responsible for licensing professional biologists and regulating the practice in the province.	• Professional governance	Christine Houghton, CEO Alexandra de Jong Westman, President	250-383-3306	ceo@cab-bc.org
Engineers and Geoscientists British Columbia	Responsible for licensing professional engineers and geoscientists and regulating the practice in the province.	• Professional governance	Heidi Yang, Chief Executive Officer	604-430-8035	hyang@egbc.ca
Integrated Cadastral Information Society	Facilitate and streamline cadastral geospatial information sharing between members.	• Cadastral geospatial information sharing	Steve Mark, Director	250-381-9295 ext. 225	smark@icisociety.ca

Key Federal Government and Other Agency List
Ministry of Water, Land and Resource Stewardship

Other	Description	Issues & Interests	Contact Name and Title	Phone Number	Email Address
Land Title and Survey Authority of British Columbia (LTSA)	Publicly accountable statutory corporation that manages, operates and maintains the land title and survey systems of BC.	• Crown land management	Gregory Steves, VP, Policy and Legal Services Al-Karim Kara, President and CEO	Personal Information	gregory.steves@ltsa.ca al-karim.kara@ltsa.ca
Planning Institute of British Columbia (PIBC)	Dedicated to the advancement of the planning profession. They maintain and administer standards and requirements for professional membership and uphold professional and ethical standards.	• Professional governance	Dave Crossley, Executive Director	604-696-5031 ext. 102	dave.crossley@pibc.bc.ca
United Fisheries and Allied Workers Union	Represents fishing industry workers and fishermen since 1945.	• Coastal marine planning • Fish harvesting and closures • Foreign ownership and beneficial interest in Pacific Region fisheries	James Lawson, President	T: Personal Personal C: Personal Personal	president@ufawu.org

Ministry of Water, Land and Resource Stewardship

2024/25 – 2026/27 Service Plan

February 2024

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Published by the Ministry of Water, Land and Resource Stewardship

Minister's Accountability Statement

The Ministry of Water, Land and Resource Stewardship 2024/25 – 2026/27 Service Plan was prepared under my direction in accordance with the *Budget Transparency and Accountability Act*. I am accountable for the basis on which the plan has been prepared.

Honourable Nathan Cullen
Minister of Water, Land and Resource Stewardship
February 9, 2024

Table of Contents

Minister's Accountability Statement 3
Strategic Direction 5
Purpose of the Ministry 5
Operating Environment 5
Economic Statement 7
Performance Planning 8
Financial Summary 24
Appendix A: Public Sector Organizations 25

Strategic Direction

In 2024/25, the Government of British Columbia will remain focused on providing the services and infrastructure that people depend on to build a good life. Government will continue delivering results that matter to British Columbians including helping people with costs, attainable and affordable housing, strengthened health care, safer communities, and a secure, clean and fair economy. Government will continue working collaboratively with Indigenous Peoples as it implements the Action Plan for the Declaration on the Rights of Indigenous Peoples Act and delivers initiatives that advance reconciliation in ways that make a difference in communities throughout the province.

This 2024/25 service plan outlines how the Ministry of Water, Land and Resource Stewardship will support the government's priorities, including the foundational principles listed above and selected action items identified in the December 2022 Minister's Mandate Letter.

Purpose of the Ministry

The Ministry of Water, Land and Resource Stewardship (the Ministry) works with other natural resource sector ministries to achieve British Columbia's goals of reconciliation, economic development, and environmental sustainability.

The Ministry is directly responsible for the effective development of water, land and marine use policy and planning as well as biodiversity and ecosystem health, including species at risk policy and program management. The Ministry is also responsible for developing a new vision for water, land and resource management with First Nations that will embrace shared decision-making as part of reconciliation. In addition, the Ministry holds responsibility for the administration of water, lands, fish and wildlife while also directing work across natural resource ministries to develop solutions to sector-wide challenges in policy, permitting, and improving the management of cumulative effects.

To do this work the Ministry is accountable for all or key parts of the *Creston Valley Wildlife Act*, *Dike Maintenance Act*, *Drainage Ditch and Dike Act*, *Environment and Land Use Act*, *Flathead Watershed Area Conservation Act*, *Forest and Range Practices Act*, *Land Act*, *Land Title Act*, *Libby Dam Reservoir Act*, *Ministry of Lands, Parks and Housing Act*, *Ministry of Environment Act*, *Ministry of Forests and Range Act*, *Muskwa-Kechika Management Area Act*, *Skagit Environmental Enhancement Act*, *Water Protection Act*, *Water Sustainability Act*, *Water Users' Communities Act*, *Water Utility Act* and *Wildlife Act*.

Operating Environment

B.C. is one of the most biologically diverse areas in Canada. Many species are found nowhere else in Canada, and several are found nowhere else in the world. Natural resource stewardship activities are confronted by challenges that include the intensification of environmental and social pressures, the impacts of climate change on natural resources. Resource management is also undergoing changes in response to growing jurisdictional complexity, complex

permitting processes, recognition of the rights of First Nations, and the Province's commitment to reconciliation.

B.C.'s land and ecosystems provide essential "services" that people rely on: clean water and air, food and fibre production, waste treatment, climate regulation, protection from flooding and erosion, and many other functions, as well as economic opportunities. Human activities have degraded, fragmented, and even eliminated some ecosystems in B.C., making it more important than ever to establish and manage protected areas and manage development activities.

Water is the foundation of life. It sustains all living things—the plants, forests and animals that form our biosphere—and it sustains human communities, economies and cultures. For Indigenous Peoples, water cannot be separated from the interconnected nature of our world. Healthy watersheds are at the forefront of climate resiliency and are the foundation of all social, environmental, and economic systems. However, B.C.'s watersheds are becoming less resilient over time due to threats from the cumulative effects of development, unsustainable land use practices, invasive species, and population growth. Climate change will amplify each of these problems, making ecosystems and communities more vulnerable to acute disasters like the recent floods and wildfires, and chronic stressors, like drought and water scarcity.

Since the creation of the Ministry on April 1, 2022, the Ministry has both a policy leadership and support role in key areas such as: the provision of operational guidance to all Natural Resource Ministries, particularly in respect of reconciliation, improving ecosystem management; working to achieve the goal of conserving 30% of the province by 2030; and working to co-develop a vision for a co-managed land and resource regime with First Nations.

Initiatives such as modernizing land use planning (LUP), collaborative Indigenous stewardship forums, watershed and coastal marine planning, the evolution of a cumulative effects framework, Together for Wildlife and improvements to the Province's permitting approach support ongoing stewardship of the land, water and ecosystems that people rely on. Further, on October 19, 2023, several statutory authorities for the administration of water, lands, fish and wildlife were transferred from the Ministry of Forests to the Ministry of Water, Land and Resource Stewardship. This realignment of key statutory authorities for water, lands, fish and wildlife under a single ministry ensures clear accountability and brings together the strategic and operational teams to address priority actions. This realignment positions the Ministry to take a greater role in flood and drought management and focus on related natural hazard events. The service plan also includes the responsibilities that come with the October 19, 2023, realignment.

Many of the Ministry's initiatives extend to other natural resource ministries and require a closely coordinated approach between organizations, ensuring alignment with the intended stewardship outcomes and avoiding conflicting or redundant policy development. The Ministry continues to develop and improve governance models to ensure coordination, support the implementation of mandates for the Ministry and other natural resource ministries, and achieve expected outcomes. The Tripartite Framework Agreement on Nature Conservation

and coordination of internal Regional Management Committees are two examples that show the breadth of this governance related work.

Despite best efforts to integrate decision making, drive transformation of the natural resource sector, provide the right data to better manage cumulative impacts, and introduce a "one-window approach" to permitting and authorizations across the Natural Resource Ministries (NRMs), these concepts have never been fully realized. Permitting and authorizations continue to challenge the natural resource management system, leading to dissatisfaction in First Nations, industry, local governments and other parties.

Consistent with the United Nations Declaration on the Rights of Indigenous Peoples, and affirmed in B.C. through the Declaration on the Rights of Indigenous Peoples Act work to advance Ministry legislative mandates must be undertaken in consultation and cooperation of First Nations. In addition, advancing new lands and resource policies require the active involvement and partnership with First Nations. Approaches will need to be developed in partnership with First Nations, in recognition of their rights and title interests. The Ministry also has responsibility to deliver on government's commitments regarding lands in reconciliation agreements, which is supported through the realignment of legislative authorities that occurred in 2023/24.

Prioritizing the centralized provision of Natural Resource Information and Digital Services to all natural resource ministries provides for the maintenance of current information technology applications, data and infrastructure as well as the development of new applications and infrastructure. Ongoing investment in data acquisition, such as LiDAR, wildlife inventories and critical infrastructure, in existing and future applications, and in infrastructure is an essential component to all natural resource ministries' ability to deliver on their respective mandates.

Economic Statement

B.C.'s economy posted modest growth last year as interest rate increases weighed on the economy, and employment continued to expand, supported by immigration. Inflation in the province continued to ease and the Bank of Canada has not raised its policy interest rate since July 2023. The impact of higher rates on borrowing costs and elevated household debt led to lower consumer spending and reduced home sales. Lumber, natural gas and coal prices declined in 2023, reducing the value of the province's goods exports. Meanwhile, there was a record number of housing starts in the province in 2023. There is uncertainty over the transmission of high interest rates to the residential construction sector and the duration of slower growth for the rest of the economy in B.C. and among our trading partners. The Economic Forecast Council (EFC) estimates that B.C. real GDP expanded by 0.9 per cent in 2023 and expects growth of 0.5 per cent in 2024 and 2.1 per cent in 2025. Meanwhile for Canada, the EFC estimates growth of 1.1 per cent in 2023 and projects national real GDP growth of 0.5 per cent in 2024 and 1.9 per cent in 2025. As such, B.C.'s economic growth is expected to be broadly in line with the national average in the coming years. The risks to B.C.'s economic outlook continue to center around interest rates and inflation, including the risk of price increases stemming from geopolitical conflicts, the potential for interest rates remaining higher for longer, and uncertainty around the depth and timing of the impact on housing

markets. Further risks include ongoing uncertainty regarding global trade policies, lower commodity prices, climate change impacts and the volatility of immigration levels.

Performance Planning

The Ministry of Water, Land and Resource Stewardship is accountable for integrated land and natural resource management, including objective setting for land and marine environments, effectively managing cumulative effects, and advancing reconciliation with Indigenous peoples, environmental sustainability, and economic growth.

Goal 1: First Nations and the provincial government are partners in effective stewardship of water, land and natural resources.

The Ministry will work with First Nations to build a vision for co-management on the land base that embraces shared decision-making and builds an approach for co-management of land and natural resources that will ensure effective management now and in the future.

Objective 1.1: Strengthen Partnerships and Advance Engagement with First Nations in the Stewardship of B.C.'s Natural Resource Values.

The Ministry will develop a path forward with First Nations through partnerships and engagement, which includes the continued development of sector strategies and plans, the alignment of natural resource sector laws and the development of tools and supports.

Key Strategies

- Co-develop with First Nations, the options for policies, programs, legislation, decision-making models, and agreements that advance a co-managed water, land, and resource management system in a manner consistent with the UN Declaration.
- Work with First Nations to co-develop a vision for stewardship, including natural resources co-management and shared decision-making to protect environmental and cultural values and to provide for a balance of economic opportunities.
- Continue working with First Nations to co-develop an integrated approach that supports Indigenous stewardship and guardian activities, including training and expanding the Collaborative Indigenous Stewardship Framework.
- Support the BC-First Nations Water Table as an enduring mechanism for leadership on watershed governance, and water policy and legislation
- Implement the Together for Wildlife Strategy to advance wildlife stewardship in partnership with First Nations.
- Advance policy, legislation and business processes that better position the Ministry and First Nations, working together, to manage the cumulative impacts of industrial

development and ensure British Columbia's lands and waters are managed sustainably for generations to come.

- Coordinate implementation of the Tripartite Framework Agreement on Nature Conservation.

Discussion

The Ministry is guided by its mandate and important reconciliation commitments and obligations to meaningfully transform its relationship with Indigenous Peoples. These commitments include the ongoing implementation of the Declaration on the Rights of Indigenous Peoples Act (including its associated Action Plan, annual reporting and commitment to ensure provincial laws are consistent with the UN Declaration – all of which must be done in consultation and cooperation with Indigenous peoples); the guidance from the Declaration Act Secretariat's Interim Approach to Implementing the Requirements of Section 3 of the Declaration Act (Interim Approach); the 2018 B.C. and First Nation Leadership Council's Concrete Actions, and the Draft 10 Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples.

The Ministry has been working collaboratively through the First Nations Leadership Council to establish and implement a collaborative and constructive forum to engage in dialogue and work on issues and initiatives related to co-management as an expression of Government-to-Government relationships in the areas of water, land and resource stewardship. The Ministry continues to work with the Alliance of BC Modern Treaty Nations to ensure work is occurring in support of the commitments outlined in the Shared Priorities Framework.

The Ministry and First Nations, through various venues are creating space to co-develop a new vision for natural resource stewardship that will embrace shared decision-making and co-governance on the land base as part of reconciliation. This currently involves a mix of existing/ongoing approaches such as land and resource management planning, managing for cumulative effects, supporting guardians, Forums for decision-making, as well as any new approaches, strategies, programs, and legal instruments that are identified as essential to realise a co-developed vision.

Since 2011, the Province has been partnering with over 124 First Nations, covering approximately eighty percent (80%) of the land base across B.C., on collaborative stewardship through the Marine Plan Partnership (MaPP), the Great Bear Rainforest (GBR) initiative, the Environmental Stewardship Initiative (ESI) and the Collaborative Stewardship Framework (CSF). Collaborative Indigenous Stewardship Forums under MaPP, GBR, ESI, and CSF are developing high-quality, accessible and trusted environmental information to inform shared stewardship of land and natural resources and decisions on the land-base. The Province and First Nations are working together through a co-governance committee, the Governance Working Group Executive (GWGE), implementing jointly developed recommendations for collaborative stewardship in B.C. These recommendations and a long-term mandate for Collaborative Indigenous Stewardship Forums were endorsed by Cabinet in October 2022.

Working collaboratively with conservation financing experts and other natural resources ministries, the Ministry developed a new conservation financing mechanism to support

protection of biodiverse areas. A primary objective of the mechanism is to secure philanthropic or other private funding to support the implementation of new measures that help the province meet its goals to conserve 30% of B.C.'s land and waters by 2030.

Objective 1.2: Advance and modernize Land Use Planning (LUP) for sustainable natural resource management.

Land use planning sets the strategic direction to guide sustainable resource stewardship and management of provincial public land and waters that meet economic, environmental, social, and cultural objectives. Modernized land use planning is led by the B.C. government in partnership with First Nations and includes the engagement of communities, local governments, industry, and other parties.

Key Strategies

- Continue to modernize and advance development of the land use planning program and policies in partnership with First Nations that ensures a transparent process that engages and involves local government, industry, and the public. Key policies to be advanced include providing guidance on how to integrate climate change in a land use planning process, and guidance on understanding a co-governance approach in planning.
- The Ministry will continue to partner with First Nations to develop modern plans that set long term land use objectives and direction for stewardship, advance reconciliation, co-management and shared decision making with First Nations, and create increased predictability for economic activities.
- Coordinate land use planning priorities with other land and water stewardship initiatives to maximize data, information, and opportunities to identify strategic direction that is responsive to climate change, species-at-risk management, wildfires, floods, and drought.

Discussion

Modernizing land use planning will provide updated land and resource management direction that reflects current environmental, economic and cultural interests. Existing strategic land use plans developed in the 1990's and early 2000's in most cases do not reflect the landscape present today or the right and title of First Nations. Developing modernized land use plans is an important component of natural resource stewardship that ensures environmental stewardship and creates increased predictability for resource economies. It supports government-to-government partnerships at a strategic level and plays a key role in building trust with First Nations partners, advancing a collaborative management approach on the land, and implementing reconciliation through the *Declaration Act* Action plan. For this reason, the approach to implementing modernized land use plans will be linked to the provincial approach to co-management led by the Ministry. LUP requires a coordinated approach with other natural resource sector strategies (i.e. Together for Wildlife Strategy, Old Growth Strategic Review, Climate Action Plan, Watershed Security Strategy, Wild Salmon Strategy, Coastal Marine Strategy, Forest Landscape Planning, and strategies that align with

Agricultural Land Reserve principles) and benefits from finding efficiencies and applying (or piloting) new information and process developed through these initiatives at land use planning tables. Land use planning is reliant on other ministries' expertise and data to support socio-economic and environmental analysis of planning values and outcomes. The Ministry will build coordinated reporting on land and water planning initiatives across British Columbia.

Performance Measures

Performance Measure	2023/24 Forecast	2024/25 Target	2025/26 Target	2026/27 Target
1.1 Number of Forum partnerships that support trusted integrated resource management[1]	14	16	18	TBD

Data source: Ministry of Water, Land and Resource Stewardship

[1] Future target will be developed in partnership with Collaborative Indigenous Stewardship Forums.

Discussion

At the regional level, the Province works jointly with First Nations representatives to provide oversight to Collaborative Indigenous Stewardship Forums (Forums) through a Governance Working Group Executive (GWGE). The GWGE is committed to discussing the onboarding of new regional forums, including the number of forums, where they are located, funding allocation, and membership on the GWGE. Furthermore, the Province is committed to jointly developing with First Nation partners, clear and comprehensive performance measures and targets to accurately assess success of the Forums in a collaborative and ongoing manner.

In recognition of the commitment made to Forums to co-develop performance measures for the Collaborative Indigenous Stewardship Frameworks, the Province will work with Forum Partner Nations and will reflect these co-developed performance measures in future Ministry service plans. This work will consider Indigenous metrics, including but not limited to, knowledge transfer, culture, language, joint decision-making, economic justice, ecological restoration, and anti-racism advancements.

Performance Measure	2023/24 Forecast	2024/25 Target	2025/26 Target	2026/27 Target
1.2 Number of land use plans (LUP) underway	12 LUP processes	15 LUP processes	TBD	TBD

Data source: Ministry of Water, Land and Resource Stewardship

Discussion

The LUP process indicates that provincial and First Nations (the partners) are coming together to resolve modern resource management challenges. More specifically, the LUP process means the partners will be co-developing strategic direction to guide sustainable resource stewardship and management of the public land and waters within a given plan area. The inclusive and transparent nature of a LUP process ensures the strategic direction set by the

partners is also informed by input from local governments, stakeholders, and the public. As such, LUPs result in the following outcomes:

1. Advancement of reconciliation with First Nations through the implementation of a co-management approach.
2. New opportunities to unify communities around shared stewardship values.
3. Increased predictability and certainty for resource economies.
4. Support related mandates including achieving 30% protected and conserved areas, including Indigenous Protected and Conserved Areas, by 2030.

The number of new projects initiated over time will be largely dependent whether LUP is the appropriate tool to solve a given land-based management issue, and whether a new project would support provincial priorities like reconciliation and the economy. Future targets will be determined in consultation with the project partners and will be influenced by their capacity and resources. The number of new projects initiated over time is also subject to Cabinet approval and funding.

Goal 2: British Columbia is a global leader in stewarding water, land and natural resources.

Modernized land use planning, undertaken with First Nations, will help to identify areas where environmental values are affirmed through protection and sustainable economic opportunities. The Ministry is providing leadership in the co-development of a Biodiversity and Ecosystem Health Framework as part of implementing the recommendations of the Old Growth Strategic Review, implementing Together for Wildlife, and improving species at risk recovery. B.C. has committed to the international target of effectively protecting 30% of the province by 2030. The Ministry is also focussing on strengthening monitoring efforts and ensuring that land and water plans reflect current conditions and consider the changing climate.

Objective 2.1: Improve Stewardship of Land and Water to Enhance Wildlife Management & Biodiversity.

The Ministry identifies opportunities to conserve, manage and protect land and water to improve the health of provincial ecosystems. These efforts result in improved habitat for wildlife and fish, while also realizing additional co-benefits including the restoration of forests impacted by wildfire and pests, and increased carbon sequestration to name a few. This objective highlights the effectiveness of Ministry management activity to conserve, maintain and restore wildlife and fish populations and habitat. The Ministry will collaborate with internal and external partners to develop and improve relationships, agreements, and strategies that enhance wildlife stewardship and biodiversity outcomes.

Key Strategies

- Work in partnership with the First Nations Leadership Council and the federal government to implement the Tripartite Framework Agreement on Nature

Conservation to reinforce the shared commitment to advance conservation and stewardship in a way that supports reconciliation and economic opportunities.

- Implement the Together for Wildlife (T4W) strategy with the advice of the Minister's Wildlife Advisory Council and the First Nations-B.C. Wildlife Stewardship and Habitat Conservation Forum and in partnership with wildlife organizations, First Nations, rural communities, neighbouring jurisdictions and the public.
- Together with First Nations, key interested parties and other B.C. ministries, plan and deliver key actions to stabilize, recover and/or maintain identified habitat and species at risk in B.C.
- Partner with First Nations and work together with key interested parties to advance the Watershed Security, Coastal Marine and Wild Salmon Strategies.
- Connect the systems, tools and people to the transformative work taking place across the natural resource sector and increase the Province's ability to manage for cumulative effects through integrated, traditional knowledge, science-based land, aquatic, resource, and geographic data.

Discussion

In 2022, at the international biodiversity conference in Montreal (COP 15), a resolution was passed as part of the Kunming-Montreal Global Biodiversity Framework to ensure that at least 30% of terrestrial areas, inland waters, and marine areas are effectively conserved and managed. Canada and British Columbia committed to this resolution and will work towards those targets through implementation of the Tripartite Framework Agreement on Nature Conservation. The Ministry will ensure that the principles of transparency, equity and accessibility will shape next steps of implementation, including the development and/or maintenance of communication tools, governance structures, human resources, and availability of financial resources.

The T4W strategy was launched in 2020 and continues to be implemented. This includes the review of the *Wildlife Act*, currently underway, plus ongoing investment in on-the-ground stewardship and monitoring. Our Ministry will continue to realise the T4W vision of thriving, resilient habitats through continued implementation, continuous improvement and by providing expertise on fish and wildlife habitat, species at risk and stewardship. The Ministry also aims to develop guidelines and tools to support conservation and management of biodiversity, wildlife and habitat.

The Ministry will lead efforts through mechanisms such as modernized land use planning to achieve these targets. This includes identifying new areas and strengthening conservation in other areas that meet international standards for contributing to the targets. In 2023, the Province, alongside 15 First Nations and the federal government, endorsed a Marine Protected Area (MPA) Network Action Plan that would help to support this goal on the Pacific North Coast; implementation is now underway.

Objective 2.2: Improve Water Stewardship from Source to Tap.

British Columbians depend on water for drinking, washing, cooking, growing our food, and recreation. Small businesses and industries rely on water to support economic opportunities and growth. Water is essential for aquatic life and sustaining our fisheries. Importantly, water has vital sustenance, cultural, and spiritual significance for Indigenous Peoples that are enshrined in Indigenous laws. The Ministry partners with First Nations, and works with other interested parties to develop strategies and policies, plan, set objectives and invest in accessible information and digital services that guide water stewardship.

Key Strategies

- Co-lead implementation of the Watershed Security Strategy with First Nations, through the BC-First Nations Water Table. Implement the Strategy in collaboration with Indigenous Peoples building on current internal and external work to help ensure British Columbia's watersheds are healthy.
- Lead the collaborative design and implementation of key actions to improve our drinking water protection and drought resilience. Actions will focus on building greater accountability across responsible agencies, defensible surface and groundwater risk assessments, enhanced science and digital services, and evidence-based policies and pathways to solutions.
- Implement a water planning program in collaboration with First Nations, by advancing watershed planning, governance and objective setting that is supported by strong technical assessments and policy development.

Discussion

Improving our water stewardship, from source to tap is a priority for the Ministry. The unprecedented dry conditions experienced throughout B.C. during the summer of 2023 highlighted the need to change our thinking. Water scarcity is no longer an infrequent and localized occurrence. Instead, it is ongoing and widespread throughout B.C. As water is limited, a behavioural change needs to be encouraged. There is a need to reduce consumption of water, adjust when to use it, how to use it and how to distribute it. These changes will ensure a sustained drinking water supply, resilient ecosystems, food security and equitable water sharing. The Ministry is accountable for developing water policy to support such changes.

The Ministry provides strategic policy and science leadership across a range of statutes that influence water stewardship, and support for the implementation of the *Water Sustainability Act* is one of the Ministry's core functions. The Ministry supports decision makers on how to apply legislation to manage and protect our water. Watershed scale planning and Watershed Security Strategy co-development with First Nations are two other key strategies the Ministry is advancing to achieve a more secure water future. These strategies are supported by the Ministry's strategic and operational water policy and forward-thinking water science. Consistent throughout this work is a focus on co-development with First Nations and collaboration with Indigenous Peoples. Progress towards improving water stewardship in

British Columbia is monitored by tracking the development and future implementation of major strategies and key policies that support water stewardship.

Objective 2.3: Advance Permitting Solutions that Increases Predictability, Transparency and Public Trust in the Permitting Regime.

Government issued permits are critical components to advancing government priorities, including a sustainable clean economy, and other broad government strategies and priorities. The Ministry is responsible for water, land, fish and wildlife permits, all of which support opportunities to gather data and mitigate risks in the management of these resources. This work aligns to strategic work the Ministry is leading across priority projects to address provincial priorities such as housing, connectivity, electrification, critical mineral extraction, and positions the Ministry to scale these solutions across other priorities, sectors and processes, while maintaining high environmental standards.

Key Strategies

- Continue focus on Housing-related permits as a priority project to deliver short-term results, while continuing to build scalable policy frameworks and solutions that advance towards substantive, long-term changes for all natural resource authorizations.
- Develop strategic shifts to impact authorization processes, including potential changes to reporting analytics, policy, process, legislation, and provincial decision-making models.
- Reduce permitting backlogs across the Natural Resource Sector through focused identification and prioritization of permitting priorities such as housing, connectivity and electrification projects.
- Work in partnership with applicants to promote improved and informed applications, greater collaboration and increased transparency and consistency across the Natural Resource Sector.

Discussion

The Ministry will work with First Nations, other ministries, and industry to advance key areas to transform the permitting regime in the province. Through these consultations and partnerships, the Ministry will lead the transformation of permitting and authorizations that addresses priority projects through strategic shifts to policy, process, legislation, and systems to help address competing interests on the land base, climate change, First Nations Rights and Title and changing industries. These strategic shifts include enhanced stewardship, improving technology systems and data, and reducing administrative burden. The ultimate transformation of the land and resource management regime will see the reduction of the day to day transactional relationship with First Nations from permitting to more strategic “upstream” planning on the land base that is responsive to climate change, addresses cumulative effects and brings certainty to the land base by determining what activities will take place where.

Objective 2.4: Advance actions that reduce risk and increase community resiliency in response to increasing natural hazards.

The Province constantly strives to reduce the risk of natural hazards impacting the lives of British Columbians. With the diverse range of geography and climate in British Columbia, water availability differs throughout the province and varies throughout the seasons. Natural hazards, such as floods or drought, pose risks to the health of the environment, communities and the economy. There are about 1,900 regulated dams that provide electricity, irrigation and flood control for the people of B.C. Also, failures of dams can be disastrous for people, the environment and property. The Ministry works in partnership with the Ministry of Emergency Management and Climate Readiness (EMCR), other natural resource ministries, First Nations, and local authorities, to ensure there is a collaborative approach on the actions to mitigate the risk for all British Columbians.

Key Strategies:

- Strengthen the Province's flood resilience through completion of the B.C. Flood Strategy and begin the work to translate the Strategy into action.
- Advance provincially coordinated floodplain mapping by facilitating connections among all orders of government and building upon current investments to provide accessible, standardized flood hazard data for communities to contribute to future flood risk assessments alongside local values and knowledge.
- Accelerate improvement of B.C.'s communication, planning, response and mitigation of water scarcity and drought conditions in collaboration with Indigenous Governing Bodies, other levels of government, economic sector organizations and Health Authorities.

Discussion

The atmospheric river event of November 2021 was the most expensive natural disaster B.C. has ever experienced, with catastrophic impacts to communities, the economy, the environment, and critical infrastructure. The event's flooding and landslides contributed to loss of life, income, severe damage to highway infrastructure, power outages, agricultural devastation, natural gas interruption, and supply chain impacts due to road, rail, and port interruptions and closures. Since then, government has made efforts to reduce our collective risks by advancing the B.C. Flood Strategy, increasing early warning systems and capacity, and advancing our understanding of risks through provincial flood hazard mapping. This work has been achieved through partnerships with First Nations and working closely with local governments and other interested parties across B.C.'s major watersheds.

The drought conditions of 2023 highlighted that our weather patterns are changing and the times of year and the volume of water available to recharge aquifers and maintain stream flows are more variable. The Ministry recognizes that B.C. must improve its watershed security through multiple means, including improved data collection, water conservation and storage practices and advance planning to minimize the impacts of drought on drinking water supplies for communities, the environment and the many sectors that contribute to our vibrant economy.

The updated Emergency and Disaster Management Act (EDMA) (brought into force November 8, 2023) reflects the realities of our current world and shifts from focusing on emergency response to the four phases of emergency management (mitigation, preparedness, response and recovery). The Ministry is reviewing the new legislation and planning how to better support local authorities meet their risk assessment and emergency management planning accountabilities, as well as anticipating and planning for the Ministry's own responsibilities under EDMA.

In addition, the Ministry is committed to implementing the tools provided by the *Water Sustainability Act* to allocate water sustainably, take action to protect critical ecosystems and fish populations, and develop plans to achieve greater watershed security. The Ministry will continue to work with government partners, including First Nations and local governments, to support local water management and water restriction enforcement. Industry and large water users, including food producers, will be directly engaged to support them in preserving water for essential needs and to encourage efficient water use for conservation. The Ministry will continue to reach out to water licensees in water-scarce areas to improve coordination and communication on voluntary water conservation and reduction measures and any regulatory actions required to balance the needs of other watershed values.

Performance Measures

Performance Measure	2021/2022 Baseline	2023/24 Forecast	2024/25 Target	2025/26 Target	2026/27 Target
2.1 Increase the amount of effective area-based conservation of lands, inland waters, and marine areas that contribute to 30% of international conservation target by 2030.	19.5%	Guiding principles for OECM identification established	Approach to 30 by 30 completed	Reporting progress to achieve 30 by 30 commitments	TBD

Data Source: Ministry of Water, Land and Resource Stewardship

Discussion

Scientific analysis led by the International Union on the Conservation of Nature shows that 30% is a minimum target for land, sea, and freshwater to protect and conserve key biodiversity values, including species at risk, high-biodiversity areas, key migration sites, spawning areas, and ecologically intact areas which protect large-scale ecological processes and ensure the ecosystem services human society depends on. These conservation targets were recently adopted by Canada at COP 15 in Montreal.

The Province is committed to achieve 30% conservation by 2030 and work to advance is being done in partnership with First Nations and in consultation with key stakeholders and technical

experts. Protected areas have historically been used to conserve biodiversity. However, in 2010 the international community recognized that biodiversity can be conserved outside of protected areas when an area of land is managed or used in such a way that biodiversity protection is achieved. These areas are called Other Effective Conservation Measures (OECMs). B.C. will use both protected areas and OECMs to achieve 30 by 30. By incorporating OECMs into the path to 30 by 30, B.C. can achieve effective biodiversity conservation and still derive sustainable economic and cultural benefits from the land. The Ministry is developing a "made in B.C." approach to identifying, managing, and reporting OECMs. The approach will be developed collaboratively with First Nations, will align with international OECM standards, and will incorporate cultural, spiritual, socio-economic, and other locally relevant values.

Modernized land use planning is the preferred approach to considering new conserved areas because it is conducted in full partnership with First Nations rights and title holders and includes engaging with industry, stakeholders and local communities. It also considers environmental, economic and reconciliation outcomes, as opposed to single, one-off conservation proposals.

Some First Nations have identified their long-term stewardship interests through Indigenous Protected and Conserved Areas (IPCA) proposals or other Indigenous land use proposals or plans. IPCAs provide valuable understanding of Indigenous perspectives for the management of lands and waters. The Province will work with First Nations through strategic and operational government-to-government initiatives such as modernized land use planning, Forest Landscape Planning, and Collaborative Indigenous Stewardship Forums.

Performance Measure	2023/24 Forecast	2024/25 Target	2025/26 Target	2026/27 Target
2.2 Improve watershed security and health throughout the province by implementing the Watershed Security Strategy	WSS released	WSS actions implemented	WSS actions implemented and tracking of outcomes initiated	TBD

Data source: Ministry of Water, Land and Resource Stewardship, manually compiled.

Discussion

Implementation of the Strategy requires long term coordinated and strategic resourcing both internal and external to government. Coordinated leadership and a whole of government approach supporting healthy and secure watersheds are key to achieving the vision of the Strategy. Continued significant climate related events that necessitate short term focus both underscore the need for a long-term strategy but also pose a risk to meeting that longer term strategic approach. Detailed targets are developing as part of Strategy implementation planning, monitoring, and assessment.

Climate emergencies both highlights need for planning and delay our ability to plan as resources are directed to responding to urgencies. Co-development of water sustainability plans with Indigenous Nations can help address water use conflicts, especially during times of scarcity. Engagement with all interests in the watershed throughout the development is also a

key to success. New performance measures will be developed to track co-development of water sustainability plans in the future.

Stable and adequate supplies of water are dependent on how B.C. understands and adapt to the changing climate and how to address impacts from land use activities. An updated B.C. Water Scarcity and Drought Response Plan which better serves First Nations' interests, improves communication and incorporates planning and mitigation ensures the Province is adapting to the changing climate and protecting B.C.'s future. Clearly defined roles and responsibilities, improved data collection, structured assessment, and communication of risks, and planning ahead for water scarcity are critical factors to success. Performance measures to track these items will be developed in future years, focusing on drinking water and drought risk assessments and planning for scarcity and drought.

Performance Measure	2022/23 Baseline	2023/24 Forecast	2024/25 Target	2025/26 Target	2026/27 Target
2.3 Streamline permitting to build efficiencies so that processing time[1] for applications received for housing permits across the Natural Resource Ministries[2] is reduced.	185 days	139 days	111 days	TBD	TBD

Data Source: Ministry of Water, Land and Resource Stewardship

[1]Median Permitting related to NR Ministries and Ministry of Transportation and Infrastructure

Discussion

In 2023, the Ministry established the Applications & Authorizations Insights tool with a focus on Natural Resource Ministry Housing-related permits. This tool was developed to identify and track housing permits across the Natural Resource Ministries involved in Housing permits. This is the first time that the Natural Resource Ministries have developed an activity-based reporting tool that has the capability to report data across ministries. The Ministry has been tracking housing-related permits across Ministries for 1 year and can now report out with more certainty on permit turnaround times (the time from application to decision) and trends in permitting for housing. The performance measure is based on median permitting turnaround time across the NR Ministries and Transportation and Infrastructure for permits commonly associated with a housing project as this measure better communicates the various turnaround time across the permit types.

Housing continues to be a priority for the province and for the Natural Resource Ministries. The Housing Action Taskforce, established in January 2023, is led by the Ministry of Water Land and Resource Stewardship and includes the Ministries of Environment, Forests, Transportation and Infrastructure and Water Land and Resource Stewardship. In 2023, the Housing Action Taskforce made significant strides to identify, prioritize and reduce the existing backlog of

housing-related applications across the Natural Resource Ministries. In 2024, the Housing Action Taskforce will focus on integrating and coordinating housing projects across the Ministries to accelerate and streamlined the housing project process for homebuilders.

In September 2023, the Ministry launched the Single Housing Application Service (SHAS) which is the first step in providing a singular coordinated housing permitting process for homebuilders across the Natural Resource Ministries. The SHAS connects homebuilders to "navigators," dedicated staff in the Ministry of Water, Land and Resource Stewardship, who guide homebuilders through all stages of housing projects, by acting as the single, dedicated point of contact for Natural Resource Ministry permits involved in housing projects and partners with homebuilders to co-ordinate permitting across ministries. In 2024, the focus will be on expanding services to homebuilders such as a client-facing dashboard to understand the status of Natural Resource Ministry permits.

Goal 3: B.C. is a global leader in the stewardship of marine and coastal values for environmental protection, economic development and reconciliation.

This goal addresses the Ministry's role in working with First Nations and partners to ensure sustainable use of our coastal and marine spaces, marine fisheries, and production in the aquaculture sector as part of the government's broader goals on economic recovery, rural and coastal community growth, and food security. Supporting these efforts requires investing in the conservation and restoration of species and their habitats, infrastructure, and programs addressing healthy fish populations and sustainable harvests.

Objective 3.1: Address Fish Species Declines.

Wild Pacific Salmon are iconic in British Columbia due to their importance to our culture, ecology and economy. However, many populations are currently experiencing unprecedent declines. The Ministry is working to integrate provincial programs that address wild salmon and other fish species declines, as well as coastal fisheries economies. Investments are aligning with recommendations from B.C.'s Wild Salmon Advisory Council and other fisheries reviews and work to leverage funds where viable.

Key Strategies

- Work with the federal government, First Nations leadership, and key parties to continue to implement strategies for wild salmon recovery and revitalization in B.C.
- Explore ways to continue investment in high value projects through the British Columbia Salmon Restoration and Innovation Fund (BCSRIF), a contribution program funded jointly by the federal and provincial governments.
- Explore options for unlocking under-utilized salmon habitat rendered impassable by natural or human causes.
- Explore policies to prioritize wild salmon and other fish species recovery in provincial natural resource programs.

- Further integrate wild salmon values within provincial strategies including the Coastal Marine Strategy and Water Sustainability Strategy etc.

Discussion

The Ministry is committed to collaborating with federal, First Nations and local governments to protect fish and fish habitats and advance meaningful reconciliation with Indigenous Peoples, grow the economy and ensure a sustainable environment. With our relevant partners, the Ministry will monitor this work through the implementation of programs such as the British Columbia Salmon Restoration and Innovation Fund (BCSRIF) and direct outcomes such as the area of aquatic habitat restored.

Objective 3.2: Launch a Coastal Marine Strategy to Promote Healthy Marine Ecosystems and Coastal Communities.

The Province has committed to developing a new coastal marine strategy, in cooperation with the federal government, Indigenous Peoples, and coastal communities, to provide a blueprint for future stewardship, economic resilience and management of our coastal waters. This complements work on a network of Marine Protected Areas in the Northern Shelf Bioregion and continued implementation of the integrated marine plans developed under the Marine Plan Partnership.

Key Strategies

- Support the implementation of agreements and shared initiatives including the Marine Plan Partnership for the North Pacific Coast.
- Working with First Nations, federal and local governments, and other natural resource ministries, launch the first provincial Coastal Marine Strategy that includes policies and actions to better protect coastal habitat while supporting coastal economies.
- In partnership with First Nations and the federal government, continue to implement the first-ever Marine Protected Area Network in Canada.
- Continue to work with Marine Plan Partnership First Nations partners to advance shared priorities, update plans, and co-deliver a durable and stable implementation financing model. Work to develop a long-term vision of dedicated ongoing cleanup of B.C.'s coasts.

Discussion

This objective has been revised to focus on the Ministry's transition from strategy development to implementation. It continues to emphasize two key elements of strategy development – the importance of completing this work collaboratively with First Nations, federal agencies, and coastal communities, and the need for the Province's new strategy to be comprehensive in addressing the range of issues and desired outcomes for the coast. In assessing progress through implementation, the Ministry will look both at the level of collaboration achieved as well as the breadth and scope of strategies and actions delivered. Successfully delivering on this objective will require the active engagement of multiple parties and the effective, efficient

use of new and existing committees and governance mechanisms. Although completing this work in partnership with others takes time, the results are expected to be more durable, equitable, and consistent with the aims and interests of coastal communities.

Performance Measures

Performance Measure	2021/22 Baseline	2023/24 Forecast	2024/25 Target	2025/26 Target	2026/27 Target
3.1 Aquatic Habitat restored or enhanced through Ministry activities	1,167,160 square meters	1,705,503 square meters	5% increase from previous year	7% increase from previous year	9% increase previous year

Data source: Ministry of Water, Land and Resource Stewardship

Discussion

Increasing the number of square meters of aquatic habitat restored or enhanced through Ministry activities will increase the area where fish can thrive and grow their populations. Increasing aquatic habitat will work toward ensuring that fish have clean flowing water which is at the right temperature for their developmental needs. Additionally, it provides a complex natural environment for them to grow and return to, which will provide the shelter, nutrition and required conditions for all stages of life. By supporting aquatic habitat restoration, the Province is also investing in job creation and training for British Columbians, and in the case of salmon, helping a keystone species that has far-reaching environmental impacts. Wild Pacific salmon are also vitally important for food and cultural purposes of many Indigenous communities throughout British Columbia.

The data being used to support this metric will be provided to B.C. from the BCSRIF, which is operated by the Fisheries and Oceans Canada. The source data is being provided by BCSRIF recipients. Targeted increases are based on potential restoration work completion within different projects and may be influenced by extraneous influences such as extreme weather events or staffing shortages. The Ministry will work towards targets that are based on the anticipated results from projects funded by the Province and other measures. Increasing wild salmon and other fish habitat is considered an important means to ensuring these resources are available for future British Columbians and safeguarding species of particular concern including some wild salmon.

Performance Measure	2023/24 Forecast	2024/25 Target	2025/26 Target	2026/27 Target
3.2 Provincial Coastal Marine Strategy launched.	Complete co-development of Coastal Marine Strategy with First Nations	Release the final Coastal Marine Strategy publicly.	Negotiate governance structures and implementation approach with First Nations	Initiate 6 implementation priorities

Data source: Ministry of Water, Land and Resource Stewardship

Discussion

This performance measure tracks the predicted progress of the launch and early implementation of the Coastal Marine Strategy. With consideration of input received through public engagement on the Intentions Paper in 2022-23, the Ministry has been working to co-develop a draft Coastal Marine Strategy with First Nations. At the same time, the Ministry has been continuing to engage with stakeholders, and federal and local governments before seeking final Provincial approval for release in 2024. The Coastal Marine Strategy will articulate proposed actions for the coastal marine environment, and by 2025, the Province will initiate implementation of six near-term priorities for action. This will demonstrate the Ministry's commitment and drive towards improving stewardship, advancing reconciliation, and fostering community resilience. These targets also reflect the development processes and implementation plans for other natural resource management strategies (e.g., Watershed Security Strategy), and will allow the Ministry to take a holistic and integrated approach towards priorities of ecosystem health, reconciliation with Indigenous Peoples and economic opportunities for all British Columbians on both the land and water.

Financial Summary

($000s)	2023/24 Restated Estimates[1]	2024/25 Estimates	2025/26 Plan	2026/27 Plan
Operating Expenses				
Land Use Planning and Cumulative Effects	57,386	58,428	58,432	58,432
Resource Stewardship	41,147	41,365	41,365	41,365
Water, Fisheries and Coast	13,822	14,244	14,241	14,241
Natural Resource Information and Digital Services	26,225	28,803	28,796	28,796
Reconciliation, Lands and Natural Resource Policy	11,402	11,610	11,612	11,612
Permitting Transformation	29,083	29,516	29,520	29,520
Executive and Support Services	26,537	29,801	29,801	29,801
Crown Land Special Account	500	500	500	500
Total	**206,102**	**214,267**	**214,267**	**214,267**
Capital Expenditures				
Executive and Support Services	3	3	3	3
Total	**3**	**3**	**3**	**3**
Other Financing Transactions				
Crown Land Administration Disbursements	6,382	6,382	6,382	6,382
Habitat Conservation Trust Disbursements	6,500	6,500	6,500	6,500
Habitat Conservation Trust Receipts	(6,500)	(6,500)	(6,500)	(6,500)
Total Disbursements	**12,882**	**12,882**	**12,882**	**12,882**
Total Receipts	**(6,500)**	**(6,500)**	**(6,500)**	**(6,500)**
Total Net Cash Requirements (Source)	**6,382**	**6,382**	**6,382**	**6,382**

[1] For comparative purposes, amounts shown for 2023/24 have been restated to be consistent with the presentation of the *2024/25 Estimates*.

* Further information on program funding and vote recoveries is available in the Estimates and Supplement to the Estimates.

Appendix A: Public Sector Organizations

As of February 2024 the Minister of Water, Land and Resource Stewardship is responsible and accountable for the following organizations:

Association of British Columbia Land Surveyors

Created by legislative authority *Land Surveyors Act*, s. 6 (9), as a self-governing body charged with the responsibility of setting educational requirements, examining for admission, and regulating professional land surveyors to perform legal surveys within British Columbia, Canada. Their mandate, "To protect the public interest and the integrity of the survey systems in BC by regulating and governing the practice of land surveying in the province."

Association of British Columbia Land Surveyors (abcls.ca)

Creston Valley Wildlife Management Authority (CVWMA)

Created through legislation, *Creston Valley Wildlife Act*, s. 16., the operational board is charged with managing the Creston Valley Wildlife Management Area. The CVWMA is currently in place to ensure funding provided by BC Hydro is spent on approved projects and activities. The Board provides oversight to the CVWMA work, ensures the same accountability from delivery partners receiving a portion of the same funding, and holds fiduciary responsibility.

Home - Creston Valley (crestonwildlife.ca)

Mackenzie River Basin Board

Established to implement the Mackenzie River Basin Transboundary Waters Master Agreement (between the Government of Canada, Saskatchewan, Alberta, British Columbia, Yukon and Northwest Territories), which is non-binding, process focused and publishes State of the Aquatic Ecosystem Report (SOAER) for the Mackenzie River Basin.

Home • Mackenzie River Basin Board (mrbb.ca)

Muskwa-Kechika Advisory Board

Created through legislation (*Muskwa-Kechika Management Act* and regulation), the M-KAB provides advice and feedback on emerging Government policies that may impact the M-KMA and on potential management activities in the area. The M-KAB reports out to the Premier and the public annually as well as monitoring activities, including resource development activities.
Home | Muskwa-Kechika Management Area

Skagit Environmental Endowment Commission

Created through legislation (*Skagit Environmental Enhancement Act*) the Commission administers the Skagit Environmental Endowment Fund. The Commission reviews, selects and funds projects which provide or maintain environmental values and recreational facilities in the Skagit watershed south of Hope, B.C.

Skagit Environmental Endowment Commission – A transboundary watershed in Washington State, USA and British Columbia, Canada (skagiteec.org)

Wildlife Advisory Council

Formed in 2020, the mandate is to work together to support the implementation of the Together for Wildlife Strategy, as well as advising Ministers on province-wide wildlife and habitat issues on an ongoing basis.

Home | Minister's Wildlife Advisory Council

WLRS Quarterly Calendar of Event Dates (Nov 2024-Oct 2025)

November 2024

- October 1 – November 1, 2024 COP 16 -Sixteenth meeting of the Conference of the Parties to the Convention on Biological Diversity, Cali, Columbia Convention on Biological Diversity (cbd.int)
- November 1 to 7, 2024 Women and Girls in Science, Technology, Engineering, Art and Design, and Math (STEAM) Week
- November 5, 2024, World Tsunami Awareness Day
- November 6 to 7, 2024, First Nations Fisheries Council of BC (FNFC) Annual General Assembly
- November 11 to 22, 2024, UN Climate Change Conference (COP 29)
- November 19, 2024, Canadian Council on Invasive Species National Conference: Wildfires, Climate Change & Invasive Species
- November 21, 2024, World Fisheries Day
- November 26, 2024, Five-year anniversary of the passing of the Declaration on the Rights of Indigenous Peoples Act
- November 26, 2024, Premier's Awards ceremony
- November 28, 2024 Sport Fishing Institute (SFI) Policy Conference and "Big Splash" Gala

December 2024

- December 2 to 13, 2024, United Nations Convention to Combat Desertification and Drought (UNCCD) Conference of the Parties (COP16)
- December 2 to 3, 2024, Clean Energy BC First Nations Energy Summit 2024
- December 3 to 4, 2024 International Conference on Biodiversity and Conservation (ICBC-24)
- December 3 to 4, 2024, BC Salmon Recovery & Resilience Conference
- December 5, 2024, World Soil Day
- December 15 Anniversary of the Truth and Reconciliation Commission's final report

January 2025

- January 14 to 16, 2025, BC Natural Resources Forum (Prince George)
- January 20 to 23, 2025, Association for Mineral Exploration (AME) Roundup
- January 21 to 22, 2025, First Nations Leaders' Gathering 2024
- January 26, 2025, International Day of Clean Energy
- Bloomberg event: Critical minerals and the battery supply chain (January 2025 TBC)

February 2025

- February 11 to 14, 2025, Globe Forum 2025 (Toronto)
- February 20-23, 2025, 2025 Salute to Conservation & Mountain Hunting Expo (Penticton)

March 2025

- March 2 to 5, 2025, Prospectors and Developers Association of Canada (Toronto)
- March 22, 2025, World Water Day
- March 24 to 25, 2025, Ocean Visions Biennial Summit 2025 (Vancouver)
- March 27 to 29, 2025 Guide Outfitters Association of BC 59th Annual General Meeting and Convention (Kelowna)

April 2025

- April 2 to 4, 2025, Council of Forest Industries 2025 Convention (Prince George)
- April 6 to 12, 2025, National Wildlife Week
- April 7, 2025, World Health Day
- April 13 to 19, 2025, World Tsunami Preparedness Week
- April 17, 2025, Bat Appreciation Day
- April 22, 2025, Earth Day
- April 24 to 26, 2025, B.C. Wildlife Federation AGM & Convention (Dawson Creek)

May 2025

- Invasive Species Action Month
- May 2, 2025, World Tuna Day
- May 2 to 3, 2025, International Conference on Marine Biodiversity and Conservation (ICMBC-2025) Makassa, Indonesia
- May 4 to 9, 2025, Emergency Preparedness Week
- May 4 to 9, 2025, International Seaweed Symposium 2025 (Victoria)
- May 10, 2025, World Migratory Bird Day
- May 12, 2025, International Day of Plant Health
- May 13 to 15, 2025, 2025 Invasive Species Research Conference (Kelowna)
- May 20, 2025, World Bee Day
- May 22, 2025, International Day for Biological Biodiversity

June 2025

- June 1, 2025, B.C. Wild Salmon Day
- June 1 to 7, 2025, Canadian Environment Week
- June 5, 2025, World Environment Day
- June 5, 2025, Canada Clean Air Day
- June 6, 2025, World Caribou Day
- June 8, 2025, World Oceans Day
- June 8, 2025, Canada Rivers Day
- June 17, 2025, World Day to Combat Desertification and Drought
- June 18 to 2, 2025, BCIROC – Working Together with the Land Indigenous Resource Opportunities Conference

July 2025

- Lakes Appreciation Month
- July 20 to 24, 2025, Pacific NorthWest Economic Region (PNWER) 2025 Annual Summit (Bellevue, WA)

August 2025

- No known events

September 2025

- September-October Long Service Awards ceremonies (dates TBC)
- September 7,2025, International Day of Clean Air for Blue Skies
- September 13, 2025, Anniversary of UN Declaration on the Rights of Indigenous Peoples
- September 16, 2025, International Day for the Preservation of the Ozone Layer
- September 20, 2025, World Cleanup Day
- September 21, 2025, Rivers Day
- September 21 to 27, 2025, Union of BC Municipalities Convention
- September 30, 2025, National Day for Truth and Reconciliation / Orange Shirt Day

October 2025

- October 6, 2025, World Habitat Day
- October 11, 2025, World Migratory Bird Day
- October 12, 2025, International Day for Disaster Risk Reduction
- October 17, 2025, The Great British Columbia ShakeOut
- October 24 to 30, 2025, Bat Appreciation Week

November 2025

- November 4 to 5, 2025, First Nations Leaders' Gathering 2025
- 2025 UN Climate Change Conference (UNFCCC COP 30) in Brazil

Other Events/Conferences Dates TBC:

- Salish Sea Strategy Symposium (hosted by Transport Canada)
- World Fisheries Congress (every four years 2028)
- Pacific Salmon Foundation Gala Dinner and Auction
- Clean Energy BC Generate Conference (date to be determined)

First Nations Dates TBC:

- First Nations Summit Meeting (usually three per year)
- Alliance of BC Modern Treaty Nations Premier's Forum (by invite)
- Union of BC Indian Chiefs Council Meeting

BC Premier Dates TBC:

- Council of the Federation (Canada's Premier's)
- Western Premiers' Conference

International Events Dates TBC:

- Conference of the Parties to the Convention on Biological Diversity (COP17 host/date TBD)
- Convention on International Trade in Endangered Species of Wild Fauna and Flora Plants and Animals Committees 20th Meeting 2025
- International Symposium on Ecohydraulics and Fish Passage (Three Gorges Dam (China) in 2025, and Davis, California (USA) in 2026)
- International Marine Protected Areas Congress (IMPAC6) (host TBC 2026)
- 11th World Water Forum, Saudi Arabia 2027
- IUCN Canada Regional Conservation Forum (every 4 years 2028)
- Convention on Migratory Species
- Convention on Biological Diversity meeting of the Subsidiary Body on Implementation
- United Nations Environment Assembly
- Intergovernmental Negotiating Committee on Plastic Pollution
- Global Nature Positive Summit
- Canada/Mexico/U.S. Trilateral Committee for Wildlife and Ecosystem Conservation and Management Annual Meeting (federal level Canada Wildlife Service)
- G7 Ministerial Meetings (topics can include Climate, Energy and Environment)