



Ministry of Water, Land and Resource Stewardship

Estimates Binder

April 2024

**ESTIMATES BINDER
FOR MINISTER NATHAN CULLEN
APRIL 2024**

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2024/25 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Issue: Budget 2024 Summary

Recommended Response:

The 2024/25 Estimates budget is \$214.267M, representing an increase of \$90.258M compared to the original 2023/24 Estimates of \$124.009M.

The 2023/24 restated Estimates of \$206.102M represents an increase of \$82.093M for Inter-Ministry Transfers:

- \$79.776M - Budget transfers from the Ministry of Forest (FOR) for natural resource sector rebalancing.
- \$2.984M - Budget transfers from the Ministry of Indigenous Relations and Reconciliation (MIRR) for natural resource sector rebalancing.
- (\$0.580M) – Budget transfer to Government Communications and Public Engagement (GCPE) for six positions.
- (\$0.087M) – Budget transfer to the Ministry of Energy, Mines and Low Carbon Innovation (EMLI) for one position.

The 2024/25 Estimates budget is an increase of \$8.165M, or 3.96 percent, compared to the restated 2023/24 Estimates of \$206.102M.

Base Budget Lifts of \$8.165M include:

- \$1.738M –Base Budget lifts associated with Permitting, Authorizations and Housing Priority.
- \$6.427M – Shared Recovery Mandate lifts including the Shared Recovery Mandate from rebalancing.

2024/25 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Key Facts:

Budget 2024 Summary Per Divisions

The 2023/24 Estimates (Restated) column reflect changes in WLRS' core businesses and associated budgets, due to natural resource sector rebalancing.

	2023/24 Estimates (Original) (\$M)	2023/24 Estimates (Restated) (\$M)	2024/25 Estimates (\$M)	Variance (\$M)
Ministry Operations by Core Business				
Land Use Policy and Planning and Ecosystems	57.465	-	-	-
Land Use Planning and Cumulative Effects	-	57.386	58.428	1.042
Resource Stewardship	-	41.147	41.365	0.218
Water, Fisheries and Coastal Policy and Planning	10.355	-	-	-
Water, Fisheries and Coast	-	13.822	14.244	0.422
Natural Resource Information and Digital Services	26.225	26.225	28.803	2.578
Reconciliation and Natural Resource Sector Policy	3.254	-	-	-
Reconciliation, Lands and Natural Resource Policy	-	11.402	11.610	0.208
Natural Resource Sector Secretariat	6.953	-	-	-
Permitting Transformation	-	29.083	29.516	0.433
Executive and Support Services	19.757	26.537	29.801	3.264
Crown Land Special Account	-	0.500	0.500	-
Total Ministry Operations	124.009	206.102	214.267	8.165
April 2023 Plan	124.009	124.009	127.634	3.625
Total Inter-Ministry Transfers - Rebalancing		82.760	84.586	1.826
Total Inter-Ministry Transfers - Others		(0.667)	(0.792)	(0.125)
Total Base Budget Lifts		-	2.839	2.839
February 2024 Plan	124.009	206.102	214.267	8.165
Percentage Change				3.96%

2024/25 Estimates Debate

Ministry of Water, Land and Resource Stewardship

Budget 2024 Summary by Decisions

	2023/24 Estimates (Original) (\$M)	NRS Rebalancing (\$M)	EMLI (\$M)	GCPE (\$M)	2023/24 Estimates (Restated) (\$M)	Permitting Authorization Housing Priority (\$M)	Shared Recovery Wage Mandate (\$M)	2024/25 Estimates (\$M)
Land Use Policy and Planning and Ecosystems	57.465	(57.465)	-	-	-	-	-	-
Land Use Planning and Cumulative Effects	-	57.465	(0.079)	-	57.386	0.134	0.908	58.428
Resource Stewardship	-	41.147	-	-	41.147	-	0.218	41.365
Water, Fisheries and Coastal Policy and Planning	10.355	(10.355)	-	-	-	-	-	-
Water, Fisheries and Coast	-	13.822	-	-	13.822	0.046	0.376	14.244
Natural Resource Information and Digital Services	26.225	-	-	-	26.225	1.003	1.575	28.803
Reconciliation and Natural Resource Sector Policy	3.254	(3.254)	-	-	-	-	-	-
Reconciliation, Lands and Natural Resource Policy	-	11.402	-	-	11.402	0.180	0.028	11.610
Natural Resource Sector Secretariat	6.953	(6.953)	-	-	-	-	-	-
Permitting Transformation	-	29.083	-	-	29.083	0.240	0.193	29.516
Executive and Support Services	19.757	7.368	(0.008)	(0.580)	26.537	0.135	3.129	29.801
Crown Land Special Account	-	0.500	-	-	0.500	-	-	0.500
Total Base Budget	124.009	82.760	(0.087)	(0.580)	206.102	1.738	6.427	214.267

Date Prepared/Revised: February 7, 2024

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**MINISTRY OF WATER, LAND AND RESOURCE
STEWARDSHIP**

Vote 46: Ministry Operations

DRAFT
February 12, 2024

**MINISTRY OF WATER, LAND AND RESOURCE STEWARDSHIP
2024/25 Budget Highlights**

OPERATING BUDGET: \$214.267M (Increase of \$8.165M, or 3.96%, from 2023/24 Restated)

Budget Lifts: \$8.165M

Permitting, Authorizations and Housing Priority	\$1.738M
Shared Recovery Wage Mandate	\$6.427M

Inter-Ministry Program Transfers: \$83.794M

1. Budget Realignments due to Natural Resource Sector Rebalancing	
From Ministry of Forest	\$81.507M
From Ministry of Indigenous Relations and Reconciliation	\$3.079M
2. Other Budget Realignments	
To Government Communications & Public Engagement	(\$0.705 M)
To Ministry of Energy, Mines and Low Carbon Innovation	(\$0.087 M)

See Inter-Ministry Program Transfer worksheet for specific details on individual transfers.

CAPITAL BUDGET: \$0.003M (No Change from 2023/24 Restated)

1. Budget 2024 provides \$0.003M as recurring CRF capital funding for Office Furniture and Equipment.

FTEs/ STAFFING:

FTEs - 2,250 Approved

1. Budget 2023 included funding for 1,282 FTEs.
2. Budget 2024 adds 955 FTEs as part of the NRM Budget Rebalancing.
3. Budget 2024 adds 13 new FTEs, for the Permitting, Authorizations and Housing Priority.

Staffing

1. As of December 1, 2023, 822 staff were transferred to WLRS as part of the NRS Rebalancing.
2. As of March 1, 2024, the WLRS Headcount is 2,271, with 2,186 Active and 85 On Leave

MINISTRY OF WATER, LAND AND RESOURCE STEWARDSHIP
2024/25 Budget Briefing
THREE YEAR BUDGET CHANGES FROM FEBRUARY 2024 PLAN
OPERATING (\$Ms)

	2023/24 Estimates	2024/25 Estimates	2025/26 Plan	2026/27 Plan
A April 2023 Plan				
Vote 46 - Ministry Operations	124.009	127.634		
Total April 2023 Plan	124.009	127.634		
Year-to-year change in 2023/24 Service Plan (See Key Facts - Budget Summary)	-	3.625		
<hr/>				
B Inter-Ministry Transfers				
Budget Realignment - from Ministry of Forest	79.776	81.507		
Budget Realignment - from Ministry of Indigenous Relations and Reconciliation	2.984	3.079		
Budget Realignment - to Government Communications & Public Engagement	(0.580)	(0.705)		
Budget Realignment - to Energy, Mines and Low Carbon Innovation	(0.087)	(0.087)		
Total Inter-Ministry Transfers	82.093	83.794		
C Base Budget Lifts (Reductions)				
Permitting, Authorizations and Housing Priority	-	-		
Shared Recovery Wage Mandate	-	2.839		
Total Base Budget Lifts (Reductions)	-	2.839		
Total Transfers and Adjustments	82.093	86.633		
Year-to-year change in 2023/24 Service Plan	82.093 66.20%	86.633 67.88%		
<hr/>				
	2023/24 Restated Estimates	2024/25 Estimates	2025/26 Plan	2026/27 Plan
D February 2024 Plan				
Vote 46 - Ministry Operations	206.102	214.267		
Total February 2024 Plan	206.102	214.267		
Year-to-year change in 2024/25 Service Plan		8.165 3.96%	-	-
Year-to-year change from April 2023 Plan to February 2024 Plan		90.258 72.78%	-	-

Advice/Recommendations; Government
Financial Information

Advice/Recommendations;
Government Financial Information

MINISTRY OF WATER, LAND AND RESOURCE STEWARDSHIP
2024/25 Budget Briefing
THREE YEAR BUDGET CHANGES FROM FEBRUARY 2024 PLAN
Inter-Ministry Transfers (\$Ms)

	2023/24		2024/25		
Inter-Ministry Transfers	Restated		Estimate	E-Form#	Note
	Estimates				
	13.329	13.673		T004070	<i>Aquatic/Fish Program Management</i>
	0.001	0.001		T004071	<i>Water Rental Remissions</i>
	5.340	5.340		T004072	<i>Contaminated Sites</i>
	21.281	21.281		T004073	<i>Regional Operations - FrontCounter BC, Lands Authorizations, and related permitting support functions</i>
	26.570	26.226		T004074	<i>Regional Operations - Fish and wildlife policy, allocations and authorizations</i>
	4.152	4.152		T004075	<i>Corporate Overhead - related to WATER</i>
	3.040	3.040		T004076	<i>Corporate Overhead - related to LAND</i>
	3.466	3.466		T004077	<i>Land Based Investment Strategy (LBIS) related to WATER</i>
	1.248	1.248		T004078	<i>Land Based Investment Strategy (LBIS) related to LANDS</i>
	0.486	0.486		T004079	<i>Permitting (Water)</i>
	0.363	0.363		T004080	<i>Permitting (Land)</i>
	-	0.727		T004081	<i>Transfer Shared Recovery Mandate for LAND</i>
	-	1.004		T004082	<i>Transfer Shared Recovery Mandate for WATER</i>
	0.500	0.500		T004083	<i>Crown Land Special Account</i>
Budget Realignment - from FOR	<u>79.776</u>	<u>81.507</u>			
	0.278	0.235		T004103	<i>Lands Transfer team from IRR to WLRS</i>
	0.176	0.387		T004104	<i>OH maintenance costs for systems transferred from IRR to WLRS</i>
	2.530	2.411		T004105	<i>Lands Transfer team from IRR to WLRS</i>
	-	0.046		NA	<i>SRM allocation for Lands Transfer team</i>
Budget Realignment - from IRR	<u>2.984</u>	<u>3.079</u>			
Total Net Budget Realignments	<u>82.760</u>	<u>84.586</u>			Budget Realignments due to MoF, MIRR, and WLRS Restructuring
Budget Realignment - to GCPE	(0.580)	(0.705)		T004094	<i>Transfer of Budget for 6 staff hired on WLRS's behalf</i>
	(0.079)	(0.079)		T004091	<i>Transfer of Budget for 1 position to EMLI</i>
	(0.008)	(0.008)		T004092	<i>Transfer of Budget for 1 position to EMLI (OH)</i>
Budget Realignment - to EMLI	<u>(0.087)</u>	<u>(0.087)</u>			
Total Inter-Ministry Transfers	<u>82.093</u>	<u>83.794</u>			

MINISTRY OF WATER, LAND AND RESOURCE STEWARDSHIP
2024/25 Budget Briefing
THREE YEAR BUDGET CHANGES FROM FEBRUARY 2024 PLAN
CAPITAL (\$Ms)

	2023/24 Estimates	2024/25 Estimates	2025/26 Plan	2026/27 Plan
A April 2023 Plan				
Vote 46 - Ministry Operations	0.003	0.003	<small>Advice/Recommendations; Government Financial Information</small>	
Total April 2023 Plan	0.003	0.003		
Year-to-year change in 2023/24 Service Plan	-	-	-	-
<hr/>				
	2023/24 Restated Estimates	2024/25 Estimates	2025/26 Plan	2026/27 Plan
D February 2024 Plan				
Vote 46 - Ministry Operations	0.003	0.003	<small>Advice/Recommendations; Government Financial Information</small>	
Total February 2024 Plan	0.003	0.003		
Year-to-year change in 2024/25 Service Plan		-	-	-

MINISTRY OF WATER, LAND AND RESOURCE STEWARDSHIP
2024/25 Budget Briefing
Budget 2024 Summary (\$M)

	2023/24 Estimates (Original) (\$M)	2023/24 Estimates (Restated) (\$M)	2024/25 Estimates (\$M)	Variance (\$M)
Ministry Operations by Core Business				
Land Use Policy and Planning and Ecosystems	57.465	-	-	-
Land Use Planning and Cumulative Effects	-	57.386	58.428	1.042
Resource Stewardship	-	41.147	41.365	0.218
Water, Fisheries and Coastal Policy and Planning	10.355	-	-	-
Water, Fisheries and Coast	-	13.822	14.244	0.422
Natural Resource Information and Digital Services	26.225	26.225	28.803	2.578
Reconciliation and Natural Resource Sector Policy	3.254	-	-	-
Reconciliation, Lands and Natural Resource Policy	-	11.402	11.610	0.208
Natural Resource Sector Secretariat	6.953	-	-	-
Permitting Transformation	-	29.083	29.516	0.433
Executive and Support Services	19.757	26.537	29.801	3.264
Crown Land Special Account	-	0.500	0.500	-
Total Ministry Operations	124.009	206.102	214.267	8.165
April 2023 Plan	124.009	124.009	127.634	3.625
Total Inter-Ministry Transfers - Rebalancing	-	82.760	84.586	1.826
Total Inter-Ministry Transfers - Others	-	(0.667)	(0.792)	(0.125)
Total Base Budget Lifts	-	-	2.839	2.839
February 2024 Plan	124.009	206.102	214.267	8.165
Percentage Change				3.96%

	2023/24 Estimates (Original) (\$M)	NRS Rebalancing (\$M)	EMLI (\$M)	GCPE (\$M)	2023/24 Estimates (Restated) (\$M)	Permitting Authorization Housing Priority (\$M)	Shared Recovery Wage Mandate (\$M)	2024/25 Estimates (\$M)
Land Use Policy and Planning and Ecosystems	57.465	(57.465)	-	-	-	-	-	-
Land Use Planning and Cumulative Effects	-	57.465	(0.079)	-	57.386	0.134	0.908	58.428
Resource Stewardship	-	41.147	-	-	41.147	-	0.218	41.365
Water, Fisheries and Coastal Policy and Planning	10.355	(10.355)	-	-	-	-	-	-
Water, Fisheries and Coast	-	13.822	-	-	13.822	0.046	0.376	14.244
Natural Resource Information and Digital Services	26.225	-	-	-	26.225	1.003	1.575	28.803
Reconciliation and Natural Resource Sector Policy	3.254	(3.254)	-	-	-	-	-	-
Reconciliation, Lands and Natural Resource Policy	-	11.402	-	-	11.402	0.180	0.028	11.610
Natural Resource Sector Secretariat	6.953	(6.953)	-	-	-	-	-	-
Permitting Transformation	-	29.083	-	-	29.083	0.240	0.193	29.516
Executive and Support Services	19.757	7.368	(0.008)	(0.580)	26.537	0.135	3.129	29.801
Crown Land Special Account	-	0.500	-	-	0.500	-	-	0.500
Total Base Budget	124.009	82.760	(0.087)	(0.580)	206.102	1.738	6.427	214.267

2024/25 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Issue: Minister's Office Budget

Recommended Response:

- For FY 2024/25, the Minister's Office budget is \$876,000.
- The increase of \$13,000 over FY 2023/24 includes:
 - Shared wage mandate for Salaries and Benefits.
- The Salary and Benefits budget of \$745,000 supports nine FTEs. There is one FTE that is risk managed, for a total of 10 FTEs.

Positions	2024/25 Estimates	Name
Minister	1	Honourable Nathan Cullen
Parliamentary Secretary	2	Fin Donnelly + Kelly Greene
Chief of Staff	1	Scott Harris
Ministerial Advisor	2	Lisa Dekleer + Jordan Van Schaik
Ministerial Advisor	1	Matthew Damario
Executive Assistant	1	Marshall Scott-Bigsby
Administrative Coordinator	1	Hailey Walters
Administrative Assistant	1	Nicole Moreira
Ministers Office Total	10	

Key Facts:

- No change to Operating Budget.

2024/25 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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STOB	STOB Description	2023/24 Estimates	2024/25 Estimates	2025/26 Estimates	2026/27 Estimates	Variance
50EA	Base Salaries	479,000	490,000	Advice/Recommendations		11,000
5298	Employee Benefits	122,000	124,000	Government Financial		2,000
52EA	Legislative Salaries - Indemnities	38,000	38,000	Information		-
54EA	Legislative Salaries	93,000	93,000			-
	Salary and Benefits Sub-total	732,000	745,000			13,000
57EA	Public Service Travel Expenses	71,000	71,000			-
63EA	Information Systems - Operating	12,000	12,000			-
65EA	Office and Business Expenses	17,000	17,000			-
82EA	Legislative Assembly	15,000	15,000			-
85EA	Other Expenses	16,000	16,000			-
Total		863,000	876,000			13,000

Date Prepared/Revised: February 7, 2024

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2024/25 Estimates Debate

Ministry of Water, Land and Resource Stewardship

Issue: Budget Transfer Summary: Natural Resource Sector Rebalancing

Recommended Response:

- The natural resource sector was reorganized in 2022 with the creation of the Ministry of Water, Land and Resource Stewardship (WLRS) to support government's goals of reconciliation with First Nations, environmental sustainability and economic prosperity.
- Since that time, the province has faced unprecedented challenges with wildfire, floods and drought. The importance of cross-Ministry coordination and collaboration is clear, and while positive changes have been demonstrated, a decision has been made to further refine the work between the Ministries of FOR, Indigenous Relations and Reconciliation (MIRR) and WLRS to ensure they are streamlined and efficient in delivering the services British Columbians count on.
- On October 19, 2023, an Order-in-Council was issued for the rebalancing.
- FOR transferred 799 staff (927 positions):
 - Water Management Branch and staff,
 - Fish and Wildlife Branch and staff,
 - Land Branch and Crown Lands Opportunities and Restoration staff, and
 - Front Counter BC and Regional Operations staff responsible for lands authorizations.
- MIRR transferred 23 staff (28 positions):
 - Strategic Partnerships & Initiatives staff, and

2024/25 Estimates Debate

Ministry of Water, Land and Resource Stewardship

- Negotiations & Regional Operations staff.
- The alignment of key statutory authorities for water, lands, fish and wildlife under a single Minister's portfolio ensures clear accountability and brings together the strategic and operational teams to address priority actions in these critical areas.
- In early Fiscal Year 2024/25, ministries will review the budgets transferred and identify any further budget refinements between ministries and across divisions.

2024/25 Estimates Debate

Ministry of Water, Land and Resource Stewardship

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Key Facts:

Budget Impacts (\$M)	
FOR divisions transferred budget to WLRS (Note 1)	81.507
IRR divisions transferred budget to WLRS (Note 2)	3.079
Total	84.586
FOR transferred contingency access to WLRS (Note 3)	12.263

Note 1: Details for \$81.507M budget transfer from FOR to WLRS:

- \$13.673M: Aquatic/Fish Program Management
- \$ 0.001M: Water Rental Remissions
- \$ 5.340M: Contaminated Sites
- \$21.281M: Land activities identified in the Regions
- \$26.226M: Water activities identified in the Regions
- \$ 7.192M: Overhead for Executive and Support Services
- \$ 4.714M: Land Based Investment
- \$ 0.849M: Permitting
- \$ 1.731M: Shared Recovery Mandate
- \$ 0.500M: Crown Land Special Account

Note 2: Details for \$3.079M budget transfer from IRR to WLRS:

- \$2.411M: Land Strategies
- \$0.235M: Land Transfers and Implementation
- \$0.387M: Land Return
- \$0.046M: Shared Recovery Mandate

Note 3: Details for \$12.263M contingency access transfer from FOR to WLRS:

- \$4.554M: Access to contingency for Flood Management and Drought Resilience (CPAS)
- \$4.209M: Access to contingency for Permitting
- \$3.500M: Access to contingency for Blueberry River First Nations

Date Prepared/Revised: February 7, 2024

Ministry Executive Sponsor:

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Ministry of Water, Land and Resource Stewardship

Issue: Budget 2024 Revenue

Recommend Response

On October 19, 2023, an Order in Council was issued for a rebalancing between FOR and WLRS. The entirety of the following revenues (\$602M Budget 2024) has been transferred from FOR to WLRS: water resources, *Wildlife Act* fees and licenses; real estate earnings of the Crown Land Special Account; interest on overdue accounts; and miscellaneous fees and licenses.

Other Natural Resources Revenue

- Water Resources FY2024/25 shows reduced revenue expectations due to extended 2023 drought.
- Water Resources FY2025/26 and FY2026/27 revenue increasing due to Site C generation estimates beginning in 2025.
- Water Resources revenue is 97 percent from about 250 power producers, and 3 percent from 30,000 other licensed water users in the province, from domestic usage to the Greater Vancouver Water District supplying all of Vancouver with water.
- Water rental rates are indexed based on the annual percent change in the CPI rate. Forecasted increase in BC CPI calendar 2025 is 2.20 percent.
- 100 percent of net angling revenue is allocated to Freshwater Fisheries Society BC annually.

Crown Land Revenue

- Land tenure increases for all fiscal years are mainly attributed to new authorizations expected to be issued and increases in BC Assessment land values. There is no material change in forecast compared to Budget 2023.
- Crown Land sales revenue shifts due to sales being finalized later than expected. Since Budget 2023, \$12M in planned land sales are expected to be completed in FY2024/25 (shifted from FY2023/24 in Budget 2023)

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- Crown land revenue includes crown land sales to external parties, sales of crown land assets in accordance with the provincial Surplus Property Program (SPP), and land royalties collected when crown land resources are extracted or used. Land tenure instruments include investigative permits, licences of occupation and leases.
- Crown land revenue is generated from all regions within the province.

Total Revenue (\$, Millions)				
Ministry Revenue Category	2023/24 Revised Forecast	2024/25 Budget Forecast	2025/26 Plan	2026/27 Plan
Other Natural Resources Revenue	531	501	Advice/Recommendations; Government Financial Information	
Crown Land	80	101		
Other CRF Revenue	1	1		
Total Ministry Revenue	612	602		

Other Natural Resources Revenue (\$, Millions)				
Ministry Revenue Category	2023/24 Revised Forecast	2024/25 Budget Forecast	2025/26 Plan	2026/27 Plan
Water Resources	459	428	Advice/Recommendations; Government Financial Information	
Water Recoveries	50	50		
Wildlife Act Fees & Licenses	10	10		
Fish and Wildlife Recoveries	13	13		
Other Natural Resources Revenue	531	501		

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Ministry of Water, Land and Resource Stewardship

Crown Land Revenue (\$, Millions)				
Ministry Revenue Category	2023/24 Revised Forecast	2024/25 Budget Forecast	2025/26 Plan	2026/27 Plan
Land Tenure	55	59	Advice/Recommendations; Government Financial Information	
Net Land Sales	4	6		
Net SPP Sales	1	19		
Land Royalties	19	15		
Interest and Other Income	1	1		
Total	80	101		

Key Facts:

- **Total Ministry Revenue** as from the 2024/2025 Budget Forecast by major category is \$602M in 2024/25, ^{Advice/Recommendation} in 2025/26; and ^{Advice/Recommendation} in 2026/27.
- The “Other Natural Resources” category aligns with the corresponding row in Table A9 (expected value) of the 2024/25 Budget and Fiscal Plan. Note: the 2024/25 Budget and Fiscal Plan has not yet been published and table reconciling will need to occur.
- Crown land and other revenue do not have their own separate line items and are rolled up with other revenue sources in the Budget and Fiscal plan.

Date Prepared: February 12, 2024

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2024/25 Estimates Debate

Ministry of Water, Land and Resource Stewardship

Issue: Modernized Land Use Planning Program and Approach

Recommend Response:

- The Ministry’s mandate letter states “continue to transform the management and stewardship of our waters, lands and resources, together with First Nations, and work toward modern land use plans and permitting processes rooted in science and Indigenous knowledge that consider new and cumulative impacts to the land base.”
- Modernized land use planning (LUP) sets strategic direction to guide sustainable resource stewardship and management of provincial public land and waters that meets economic, environmental, social, and cultural objectives.
- LUP applies a partnership model centered on building lasting relationships and trust between First Nations and the Government of British Columbia.
- Engagement occurs iteratively throughout an LUP process to ensure the values, interests, and perspectives of all affected parties are understood and considered.
- Projects are being initiated in high priority areas, at the appropriate scale, varying between comprehensive to issue specific plans that seek to address defined community needs and assist implementation of the *Declaration on the Rights of Indigenous Peoples Act*.
- The LUP program receives \$7.78M annually to support program development and the advancement of 12 projects throughout the province.
- Advancing LUP is core to natural resource sector strategies and mandates including advancing reconciliation, improved timing and transparency of permitting, transforming the management of lands and waters, and delivering a commitment to protect 30 percent of lands and waters by 2030.

2024/25 Estimates Debate

Ministry of Water, Land and Resource Stewardship

- The LUP program is collaborating with Forest Landscape Planning and Water Sustainability Planning program to ensure the provincial approach to strategic and operational planning is aligned/coordinated.
- The LUP program is expected to play a role in implementing the Biodiversity and Ecosystem Health Framework by setting management direction that supports ecosystems, communities, and economic resiliency.
- In some cases, First Nations have declared Indigenous Protected and Conserved Areas (IPCAs) in their territories. IPCAs can include a wide variety of management objectives
 - In some cases they describe a First Nations interest to be more involved in on the ground monitoring and stewardship initiatives,
 - In some cases they are an interest to be more involved in natural resource stewardship decisions,
 - And in some cases they describe a First Nation's interest to create a new land use plan or update specific elements of an existing land use plan.
- LUP is an appropriate approach in addressing some IPCAs because it is conducted in partnership with First Nations rights and title holders and includes engaging with industry, stakeholders, and local communities; and considers environmental, economic and reconciliation outcomes.

Key Facts:

- LUP provides an opportunity to resolve land use conflicts at the local level. Strategic planning helps to define 'what' can occur and 'where', in a planning area and supports improved land base predictability and certainty.
- The annual LUP budget supports technical planning staff in regions; policy and project coordination in branch; and planning-focused positions within the Ministry of Indigenous Relations and Reconciliation and the Ministry of Energy, Mines and Low Carbon Innovation.
- Capacity funding is sought annually from the Indigenous Funding Program to support First Nations participation in LUP (\$1.3M annually).

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Ministry of Water, Land and Resource Stewardship

- Other funding mechanisms including those flowing from the Nature Agreement and Conservation Finance Mechanism may assist in advancing conservation commitments through LUP.
- Early in 2023, five LUP projects advanced to the stage of Plan Development:
 - **Previously Initiated:** Tahltan-B.C. Land Use Plan; Gitanyow-Nisga'a-B.C.: Meziadin Salmon Habitat Plan; 'Namgis-B.C.: Gwa'ni Project.
 - **New:** Kaska-B.C. Land Use Plan; Taku River Tlingit-B.C.: Taku River Watershed Plan.
- Plan Development will involve the following key steps for each project:
 - Explore new combinations of land use zones, objectives, and associated impacts including the identification of candidate conservation areas.
 - Work with First Nations partners to develop and deliver a strategy for engagement with stakeholders, local government, and the public.
- Other planning projects include:
 - Northeast Land Use Planning (3 projects)
 - shíshálh-B.C. Land Use Planning Project
 - Nicola Watershed Land Use Planning Project
 - Wetzin'kwa Water Sustainability Project

Appendix 1: Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications
Appendix 2: Summary of Modernized Land Use Planning: A Guide to Effective Stakeholder Engagement 2021

Date Prepared/Revised: February 9, 2024

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Advice/Recommendations ; Intergovernmental Communications

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Advice/Recommendations ; Intergovernmental Communications

Appendix 2: Summary - Modernized Land Use Planning: A Guide to Effective Stakeholder Engagement

Overview:

[Modernized Land Use Planning: A Guide to Effective Stakeholder Engagement \(2021\)](#), is a resource available on the public [Land Use Planning and Policy and Guidance](#) webpage. ‘A Guide to Effective Stakeholder Engagement’ (the guide) is a reference for both Provincial government and Indigenous government planners working together to create a land use plan and provides clarity to stakeholders on the principles and processes considered in a land use plan (LUP) engagement process.

Engagement occurs iteratively throughout a project to ensure the values, interests, and perspectives of all affected parties are understood and considered in planning-related decisions. Engagement is intended to hear and understand perspectives and ideas related to land use values, and to consider this input in land use decisions and direction.

Engagement on existing and future projects will be guided by project-specific engagement strategies developed by project planning teams, informed by this guidance. The following provides a summary of the guiding principles for engagement activities in LUP.

Guiding Principles for Effective Stakeholder Engagement

Principle #1 – Credibility: Stakeholder engagement is transparent, representative of the range of interests, and communicated fairly across all parties in a timely manner throughout the planning process.

Criteria	
Transparency	<ul style="list-style-type: none">• Engagement strategies developed for each land use planning process are publicly available and clearly define how and when stakeholders will be engaged;• Project principles and scope are clear to inform parameters around what is being considered;• Purpose and objectives of engagement are mutually understood by all parties;• Supplementary documents and information to support engagements are easily accessible and are proactively shared, so that stakeholders are well-informed of the issues prior to the engagement; and• Engagement summaries (e.g. What We Heard reports) are posted online following public comment periods.
Representation	<ul style="list-style-type: none">• All parties, whether in person or by proxy, have an opportunity to be involved in planning-related engagement processes;• Representatives of a stakeholder organization or group must be authorized by, and are accountable to, their constituencies; and

Appendix 2: Summary - Modernized Land Use Planning: A Guide to Effective Stakeholder Engagement

	<ul style="list-style-type: none"> • Representation of the spectrum of interests is fair and balanced¹
Communication	<ul style="list-style-type: none"> • Communication is open, sincere, and demonstrates mutual respect and trust; • Prompt and thorough responses are provided to concerns and comments; • It is clear how engagement feedback will, or will not, influence plan development; • The constraints on the planning process are clearly communicated; and • The level of commitment that is being asked from participants (particularly in terms of time) is clearly communicated.
Access to Process	<ul style="list-style-type: none"> • Stakeholders may be engaged throughout the process or at various stages, from drafting the terms of reference, to review of plan products as they are developed, to implementation, monitoring and evaluation; • Engagement methods are inclusive; and, • Financial barriers to participation are addressed and resolved through resources allocated to the process.
Verification	<ul style="list-style-type: none"> • Stakeholder input is reflected in planning direction or options considered by planning partners, and planning partners report out on how that input influenced the decision making process.
Understandable information	<ul style="list-style-type: none"> • Information is clear and comprehensive and distributed in accessible formats; • Participation provides opportunities to promote learning and understanding; and • There are transparent and agreed upon procedures for information gathering and analysis.
Timelines and Resources	<ul style="list-style-type: none"> • Timelines are realistic for the level of engagement, appropriate to the situation, and respectful of the communities being engaged; and • Be clear and upfront with stakeholders about any available financial, human, and technical resources to support engagement.

Principle #2 – Impartiality: Stakeholder engagement should be impartial to outcomes and perspectives.

Criteria:	
Neutral Process	<ul style="list-style-type: none"> • Unbiased, neutral facilitation available for use at appropriate stages of the land use planning process; and,

¹ Where existing legislation applies, some stakeholder groups (ex. tenure holders) may have different rights to engagement than others.

Appendix 2: Summary - Modernized Land Use Planning: A Guide to Effective Stakeholder Engagement

	<ul style="list-style-type: none">• Clear and fair procedures are determined at the outset of the engagement process.
Documentation	<ul style="list-style-type: none">• All stakeholders will receive the same information as to provide equal opportunity for review and engagement; and,• A communication plan will be developed that will have detailed documentation of steps taken to involve stakeholders, and accounting of how each participation impacted planning products.
Respect for Different Values	<ul style="list-style-type: none">• Values of all stakeholders participating in the planning process are recognized and respected; and,• Potential value conflicts are expected and respected.
Communication	<ul style="list-style-type: none">• Background information, as well as scientific and technical data, is equally available to all participating stakeholders.

ADVICE TO MINISTER

**CONFIDENTIAL
ISSUES NOTE**

Ministry of Water, Land and Resource
Stewardship
Date: March 18, 2024
Minister Responsible: Hon. Nathan Cullen

**No-mining orders (OICs)
issued under the
*Environment and Land Use Act***

ADVICE AND RECOMMENDED RESPONSE:

- Reconciliation with First Nations and enhanced co-stewardship of B.C.'s lands and waters are key elements of our government's approach to managing natural resources for the benefit of everyone who lives here.
- The *Declaration Act*, which was passed unanimously in 2019, requires the Province to take all measures necessary to ensure the laws of British Columbia are consistent with the United Nations Declaration on the Rights of Indigenous Peoples.
- Our government implemented the interim measures in the Gitxaala Nation and Ehattesaht First Nation territories as part of an ongoing effort to address these Nations' concerns and support reconciliation, while broader work continues to reform the *Mineral Tenure Act* in response to the 2023 B.C. Supreme Court ruling.
- Let me be very clear... These measures do not constitute a First Nation veto over mining in these areas.
- Instead, they support reconciliation by preventing the registration of new mineral claims, temporarily pausing current mining activities (which are limited) and pausing the issuance of new permits in Gitxaala and Ehattesaht territories — subject to further consultation and agreement from these Nations.
- These measures align with the broader work proposed as part of the reform of the *Mineral Tenure Act*.
- In June 2023, the *Mineral Tenure Act* Modernization Office was established by our government to support the modernization of that statute.

- Our government is firmly committed to implementing MTA modernization in consultation and in cooperation with title and rights holders, as indicated in the Declaration Act Action Plan.
- We will also work with industry, stakeholders, the public and other partners as this process unfolds.
- This will be challenging work, but we are confident that by working together, we can modernize the act while maintaining a vibrant mineral exploration and mining sector that continues to contribute to reconciliation and economic prosperity for everyone.

If needed:

- A recent news article suggested that the *Environment and Land Use Act* has never been used to pause resource-related activity in this way, but that's not true.
- The *Environment and Land Use Act* was enacted in 1971 and, over the course of 53 years, orders were made by ELUC for a variety of reasons to support protecting and conserving the environment and guiding land use decisions.
- These uses include pauses to commercial or industrial activity within specified areas to provide time and space to undertake land use planning, which is critical to long-term economic and environmental sustainability.
- For instance, starting in 2014, the Province issued orders under the ELUA to restrict mineral and coal activities in the Klappan in the Northwest, while a land use plan was being developed for that area.
- The Province also implemented interim restrictions with respect to existing permits for oil and gas activities in the Blueberry River First Nation's Claim Area, following the Blueberry River First Nations (Yahey) v. Province of British Columbia Supreme Court decision in 2021.
- In 2012, the Province enacted an order to establish the Sliammon Forest Area. The order restricted the Minister of Forest's ability to enter into a forest agreement for the purposes of harvesting timber within the Forest Area unless the forest agreement was entered into with the Sliammon First Nation (now Tla'amin) or its representative. The order was enacted for a period of five years.

ADVICE TO MINISTER

- **The authority provided by the *Environment and Land Use Act* is broad and allows the Province to make orders that it considers necessary or advisable respecting the environment or land use.**

KEY FACTS:

On March 11, 2024, business law firm McMillan LLP posted an article on its website entitled “The Latest Risk to the BC Natural Resource Sector: Government Uses Little Known Law to Freeze Mining Rights Unless First Nations Consent”

<https://mcmillan.ca/insights/publications/the-latest-risk-to-the-bc-natural-resource-sector-government-uses-little-known-law-to-freeze-mining-rights-unless-first-nations-consent/>

The article was co-authored by Robin Junger, who was critical of the government’s proposed amendments to the *Land Act* earlier in 2024. The article focuses on interim measures taken by the B.C. government in early March 2024 under the *Environment and Land Use Act* to “place restrictions on mineral claim registrations and mining activities in Gitxaala Nation and Ehattesaht First Nation territories.” <https://news.gov.bc.ca/30420>

The Orders in Council (OICs) pause current mining activities (which are limited) and the issuance of new permits in Gitxaala and Ehattesaht territories, and they prevent the registration of new mineral claims without agreement by the respective nations.

Please note: The two First Nations and the Ministry of Energy, Mines and Low Carbon Innovation agreed to support amendments to the OICs if the Ehattesaht First Nation or Gitxaala Nation were to reach an agreement with companies seeking to explore or mine in their territories, but the ELUA orders themselves do not specify that certain activities may be permitted if an agreement is reached with either of the First Nations. If any changes to the orders are to be made, they would be done in consultation with the two First Nations.

BACKGROUND

In September 2023, the B.C. Supreme Court declared that the provincial Crown’s conduct in establishing an online system that allows the registration of mineral claims (without creating a system for consultation) breaches the obligations that the Crown has toward First Nations. Justice Ross gave the Province 18 months to reform the *Mineral Tenure Act* (MTA) to incorporate the duty to consult. The Province’s duty to consult with First Nations (with respect to decisions that would impact their rights) is well established by Section 35 of the *Constitution Act*, the *Declaration on the Rights of Indigenous Peoples Act* and the United Nations Declaration on the Rights of Indigenous Peoples.

In the Declaration on the Rights of Indigenous Peoples Act Action Plan, the Province committed to modernizing the MTA in consultation and in co-operation with First Nations. In June 2023, the Mineral Tenure Act Modernization Office was established by the Province — alongside the First Nations Leadership Council and the B.C. technical working group — to support the modernization of this legislation.

