

Recommendations on the BC Cumulative Effects Framework

**Submitted on behalf of the
Fraser Basin Council and British Columbia Wildlife Federation**

June 27, 2016

Introduction

This briefing note summarizes recommendations for submission to the Province of BC regarding the BC Cumulative Effects Framework (CEF). It is based on a review of literature as well as observations, insights and lessons learned from attending meetings and workshops on cumulative effects, discussions with practitioners from across the province of BC and a review of the phase 2 engagement documents available at:

<http://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/cumulative-effects-framework>.

Recommendations are provided on the following aspects of the CEF:

1. Engagement and Advisory Processes
2. Selection of Values and Objectives
3. Evaluation, Oversight and Reporting
4. Resourcing
5. Other Comments

1. Engagement and Advisory Processes

- Ensure early and ongoing government-to-government engagement and collaboration with First Nations.
- Ensure open and ongoing engagement with stakeholders and practitioners throughout policy development and implementation, as well as the review and refinement of values, objectives, policies and procedures over time.
- Clearly define opportunities for engagement in Cumulative Effects Assessment (CEA) review and identification of management responses.
- Establish scientific and public advisory bodies to act as permanent and ongoing sources for external engagement and review. This recommendation would benefit the CEF in many ways, including:
 - Facilitating input from a variety of technical experts, professionals and practitioners, along with public, private and nonprofit stakeholders regarding values, objectives, indicators, cause-effect relationships, benchmarks, triggers, management responses, etc.
 - Supporting continual improvement to keep pace with evolving scientific knowledge, emerging analytical tools, changing issues and impacts, as well as evolving values and objectives.

2. Selection of Values and Objectives

- Consider a wide range of values that relate to environmental, social, economic, and cultural dimensions of sustainability.
- Use a consultative and collaborative process to inform the selection of values and objectives that is inclusive of First Nations governments, other communities, and a variety of public, private and nonprofit stakeholders.
- The selection of values, objectives and indicators should be iterative and adaptive.
- Ensure provincial initiatives that identify and assess values (e.g., Forest and Range Evaluation Program, Multiple Resource Value Assessments, etc.) are aligned and coordinated for consistency with CE values. This will help to improve the alignment of values across different initiatives and policies over time.
- Draw upon values and objectives that are expressed through existing government-to-government agreements and other initiatives to support the identification of values of First Nations and others.
- In addition to integrating values and objectives from existing plans, there is a need to develop a process for reviewing, adding or revising values and objectives over time. Past plans such as LRMPs, water use plans, watershed plans, forest stewardship plans, and others can help collate the mix of community and societal values and objectives. However, it must be recognized that for much of BC, existing land use plans are substantially out of date and gaps exist. Ideally these plans would be updated, or at the very least, the values and objectives articulated in those plans should be reviewed, confirmed, or corrected before using these values and objectives as the basis of CE assessment and management in modern times. Much has changed in terms of the natural resource sector pressures on the landscape; the organizational structure and capacity of government; the evolving title, rights and roles of First Nations; the evolving values and objectives of society, and even the climate itself. Therefore, there is a need to review – and potentially add or revise – values and objectives in the near term and include provisions to continue to do so over time.
- It is key to have measurable indicators to provide early warning signals, as well as thresholds and targets to trigger appropriate management responses to mitigate the identified risks.
- In *Part 1: Policy for Cumulative Effects Assessment within section 5.3 “The following are primary criteria for the selection of CEF values:*
 - *b. The value can be spatially identified and mapped.*
 - *c. There is data available to support assessment of the value.”*
- There is recognition that one cannot manage things that are not measured or mapped. However, a lack of data should not prevent the expression of legitimate and significant values. In some cases the lack of data could fundamentally bias the CEF (both assessment and management aspects) by excluding key values of importance. It would be far preferable to

develop the means to measure important values, than to disregard important values simply because historically, the relevant data has not been collected.

3. Evaluation, Oversight and Reporting

- In addition to issuing the various assessment and management reports as outlined in the CEF, it is recommended to add a function to evaluate and report on the effectiveness of CE assessment and management including the accuracy of assessment, the improvement of data over time, the suitability of management thresholds and triggers, the effectiveness of terms and conditions of permits and approvals (e.g. management responses, mitigation, offsets, etc.) as well as long-term achievement and maintenance of values and objectives.
- Establish a third party, science-based body to oversee monitoring, audits and investigations to ensure effective implementation of the CEF as well as continual improvement. A Natural Resource Practices Board (NRPB) is one model that could be established to provide this function. A NRPB could be based on the Forest Practices Board, but with an extended mandate to include all natural resource sectors. A NRPB would be well suited to provide 3rd party oversight on the CEF.

4. Resourcing

- Ensure that adequate resources are dedicated to staffing, training, and capacity building to support effective CEF development and implementation.
- Ensure that adequate resources are dedicated to improving data and information to fill gaps, monitor trends, improve provincial coverage, etc. Good information is fundamental to a technically sound CE assessment and management process and the need to adequately resource improved information cannot be over-emphasized. In many cases, we do not currently have adequate data to accurately assess and effectively manage cumulative effects. In addition, there is a need to improve the accuracy of risk functions, understanding of cause-effect relations, modeling of future scenarios and projected effects, etc.
- In the short term, a couple of key data gaps that need to be addressed relate to good baseline information (i.e. the conditions of values prior to significant resource development) as well as the influence of a changing climate on future conditions of identified values.

5. Other Comments

- One of the benefits expressed from the Cumulative Effects Framework is that proponents will know expectations “up front”. In addition to understanding the expectations of statutory decision-makers, there is also a need for proponents to consider the expectations of several other parties, including First Nations, along with community and stakeholder interests. This can be expressed within the values and objectives if these values and objectives are developed in collaboration with these entities.
- In regards to First Nations, there are numerous treaties, legal decisions, and existing government-to-government agreements that may provide helpful guidance in expressing the values and objectives of First Nations. Additional thought is required to enhance existing engagement processes with First Nations and to clarify how the values and objectives of other communities and stakeholders can be integrated.
- In *Part 1: Policy for Cumulative Effects Assessment and Part 2: Policy for Cumulative Effects Management within the section on “Key Roles and Responsibilities”* it is recommended to add the following:
 - 3rd party oversight and audit function such as a Natural Resource Practices Board
 - Formal government-to-government processes with First Nations
 - Formal advisory processes for local governments, and other public, private and nonprofit stakeholders.
- In *Part 1: Policy for Cumulative Effects Assessment within Appendix A: Initial List of CEF Values*, it is recommended to add the following:
 - Environmental flows as a specific, critical aspect of the broad value “*Water Quantity and Quality*”. This should consider both the volume and timing of flows throughout the year to ensure healthy ecosystem functions.
 - Wetlands as a value in addition to riparian within the broad value of “*Aquatic Ecosystem*”.