

Part 2: Policy for Cumulative Effects Management

Preamble

This is a draft natural resource sector policy being shared for the purpose of gaining input from a broad audience. It does not represent a position or decision by government.

The province is committed to considering cumulative effects as an integral component of natural resource decision-making in BC. The Cumulative Effects Framework complements current land management achieved through BC's legislative framework, land use plans and various best practices and processes. Improving cumulative effects assessment and management will be a vital part of sustainable and integrated resource management and provides an important foundation for addressing First Nations rights and interests. Transparently reporting on cumulative effects assessment information and management recommendations will enable coordinated and consistent management responses across the natural resource sector that is required to mitigate undesirable cumulative effects.

Cumulative Effects

Changes to environmental, social and economic values caused by the combined effect of past, present and potential future activities and natural processes.

This Cumulative Effects Policy is divided into two parts: *Part 1: Policy for Cumulative Effects Assessment* and *Part 2: Policy for Cumulative Effects Management*. This document is Part 2 and provides guidance for provincial government staff and decision-makers for managing cumulative effects to resource values in natural resource decision-making in BC. It defines expectations for a new regional business process necessary for identifying consistent and coordinated management responses to mitigate cumulative effects. It also provides guidance to decision-makers for how to consider information from regional-scale *Cumulative Effects Framework Assessments* (CEF Assessments) and for considering cumulative effects in the absence of a CEF Assessment. This document includes general expectations and guidance for considering cumulative effects in the following types of decisions.

1. **Operational decisions**, including:

- i. **Natural Resource Authorizations:** authorizations and renewals for land or resource permits, licences, tenures and operational plans, and the associated stages of application review, evaluation and preparation of decision support material, and decision-making

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- ii. **Major Project Assessments:** assessments of direct and cumulative effects of proposed major projects that are reviewable by the Environmental Assessment Office¹, as well as other major projects.
- iii. **First Nations Consultation and Assessment of Potential Impacts:** assessments of potential impacts of proposed activities on the exercise of claimed Aboriginal and treaty rights;

2. **Tactical decisions**, such as setting government priorities for inventory, monitoring and research, planning and implementing government-led resource stewardship and management activities; and,
3. **Strategic decisions**, such as setting strategic direction for the management of lands and resources through establishing or revising legal objectives and/or completing land use plans.

Figure 1 below illustrates idealized workflow for **CE Assessment** and **CE Management** and the specific elements that are addressed in Part 2 of the policy.

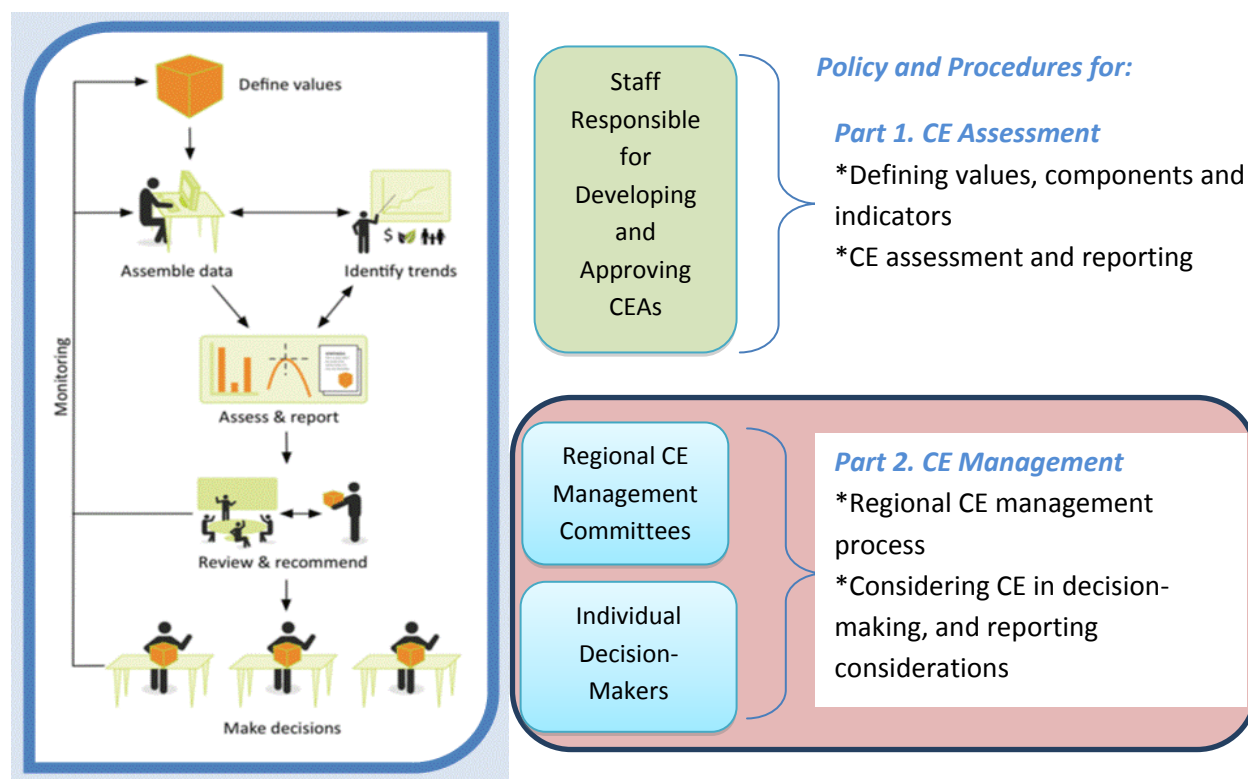


Figure 1: Components of the Cumulative Effects Framework addressed in this document.

Further guidance and procedures for implementing this policy will be provided in accompanying *Procedures for Cumulative Effects Management*. In addition, operational policy and/or guidance will be developed pursuant to this policy to provide implementation direction specific to each resource sector

¹Note: the Environmental Assessment Office provides direction for the assessment of reviewable projects by project proponents. This document provides guidance for how regional-scale CEF assessments can support and be considered in the assessment and approval of major projects.

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(e.g. forestry, mining, oil and gas, land allocation). While the intent of this policy is to convey strategic direction for how cumulative effects are to be considered and managed in decision-making across the natural resource sector, the specific steps and approach to implementation need to be defined in relation to the current regulatory framework and business process for decision-making in each sector through operational policy and/or guidance.

From April to June 2016, engagement will be undertaken to seek critical input on this draft policy from First Nations, stakeholders and government staff that will be integral to its implementation. The results of this engagement will be reflected in a final draft for the approval of the Deputy Ministers' Natural Resource Board.

Once approved for implementation, this policy will be periodically reviewed to consider the need for updates and improvements, based, in part, on insights gained from evaluating the effectiveness of CEF implementation.

Questions and comments on this draft policy may be submitted at any time by:

- a. email to Cumulativeeffects@gov.bc.ca
- b. feedback form on the CEF [web page](#).

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Table of Contents

1. Definitions and Acronyms.....	5
2. Purpose and Authority.....	8
3. Key Roles and Responsibilities.....	8
3.1 Natural Resource Sector Executive Direction.....	8
3.2 Regional Accountable Official.....	9
3.3 Regional Cumulative Effects Management Committees (CEMC).....	9
4. Cumulative Effects Management Framework.....	10
4.1 Cumulative Effects Management Classes.....	10
4.2 Cumulative Effects Indicator Assessment.....	11
5. Regional Cumulative Effects Management Process.....	12
5.1 Generalized Business Process for Cumulative Effects Management.....	12
5.2 Identifying CE Management Responses.....	12
5.3 Engagement.....	13
5.4 Approval of CEAM Reports.....	13
5.5 Notice of CEAM Report.....	13
6. Considering Cumulative Effects in Natural Resource Decision-Making.....	14
6.1 Operational Decision-Making.....	14
6.1.1 Natural Resource Authorizations.....	14
6.1.2 Environmental Assessment for Major Projects.....	15
6.1.3 First Nations Consultation and Impact Assessment.....	16
6.2 Tactical Decisions.....	16
6.3 Strategic Decisions.....	16
7. Considering Cumulative Effects in the Absence of a CEA.....	17
8. Documenting and Reporting CE Considerations.....	17
9. Policy Approval.....	18

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1. Definitions and Acronyms

Benchmark

Reference points that support interpretation of the condition of an indicator or component. Benchmarks are based on our scientific understanding of a system and may or may not be defined in policy or legislation.

Best Management Practices (BMPs)

Approaches based on known science that, if followed, should allow the client to meet the required standard(s) or achieve the desired objective(s). [Source MoE website intro for Guidance and Best Management Practices. <http://www.env.gov.bc.ca/wld/BMP/bmpintro.html#second>]

Cumulative Effects (CE)

Changes to environmental, social and economic values caused by the combined effect of past, present and potential future activities and natural processes.

Cumulative Effects Assessment and Management Report (CEAM Report)

A report summarizing the results of CEF assessment (and associated maps) and management responses intended to mitigate cumulative effects.

Cumulative Effects Framework (CEF)

The CEF includes policy, procedures and decision-support tools to improve the consideration of cumulative effects in natural resource decision-making in BC. It enables a strategic approach to assessing cumulative effects and identifying management responses necessary to mitigate unintended effects to these values.

Cumulative Effects Framework Assessment (CEF Assessment)

A strategic level assessment of the current and/or potential future condition of CEF values.

Cumulative Effects Framework Values (CEF Values)

CEF values are an approved core set of provincial and regionally-specific values that are important to the people of British Columbia, are recognized as being sensitive to cumulative effects and are periodically assessed and reported as part of the Cumulative Effects Framework.

Cumulative Effects Management (CEM)

The identification of consistent and coordinated management responses to mitigate adverse consequences of cumulative effects.

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Cumulative Effects Management Committee (CEMC)

A regional, interagency, senior management committee with responsibility for cumulative effects management.

Current Condition Report Card

A report on the current state or condition of individual CEF values in relation to selected indicators.

Environmental assessment

Refers to the assessment of environmental, social, health, economic and heritage effects under the BC *Environmental Assessment Act*, and the resulting decision by ministers in relation to an application for an environmental assessment certificate.

Environmental Mitigation Policy (EMP)

The [Environmental Mitigation Policy](#) and Procedures (2014) provides the expectations and guidance for mitigating impacts on environmental values and associated components. They provide a consistent approach for identification of environmental values and associated components, assessment of project-scale impacts on environmental values and associated components, application of the mitigation hierarchy to develop mitigation measures, and preparation of mitigation plans.

Indicators

The metrics used to measure and report on the condition and trend of a component, including:

State Indicators – that directly measure and report on the condition of a component, and

Pressure Indicators that measure and report on processes that act upon or influence the condition of a component.

Management Triggers

Defined levels of condition that trigger a change in management response. Within the CEF there are two defined triggers:

Regulatory/Policy Trigger – The condition of a CEF value (or component or indicator of a value) that reflects a legal or policy objective and triggers a change in management response from enhanced to intensive management.

Enhanced Management Trigger – The condition of a CEF value (or component or indicator of a value) that triggers a change in management response from standard management to enhanced management.

Management Responses

Actions, decisions or measures proposed or approved for the consistent and coordinated management of CEF values. Three levels of management responses are identified within the CEF:

Operational responses – site-level measures to mitigate the effects of projects or activities, typically undertaken by proponents.

Tactical responses – processes to improve consistency and/or coordination in applying current policy direction, or to seek further information, that may be undertaken by government and/or stakeholders and First Nations.

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Strategic responses – measures to define or establish strategic direction for the management of land and/or resource values, typically led or coordinated by government.

Mitigation Hierarchy

The order of priority for the selection of mitigation measures.

Mitigation Measure

A tangible action taken to avoid, minimize, restore on-site or offset impacts to resource values.

Near-term Trends

The estimated trend in condition of CEF values in the near term, based on a qualitative, expert assessment of the expected extent and intensity of industrial activity and associated potential effects on CEF values.

Objective

The desired condition of a value (or component or indicator associated with a value) as defined in legislation, policy or agreements with First Nations. Objectives are categorized as one of two types: **Broad Objectives** – that describe the overall desired conditions for a value or component, usually in a qualitative manner

Specific Objectives – that describe desired conditions for a component or indicator associated with a value, usually in a quantitative manner.

Potential future activities

- a. **Certain/ Probable:** the physical activity will proceed or there is a high probability that the physical activity will proceed (e.g. proponent has received the necessary authorizations)
- b. **Reasonably Foreseeable:** the physical activity is expected to proceed, e.g., the proponent has publicly disclosed its intention to seek the necessary EA or is in the process of seeking other types of authorizations.
- c. **Hypothetical:** there is considerable uncertainty whether the action will ever proceed. The conjecture is based on currently available information.

Potential future condition

The assessed or estimated condition of a value at a point in the future, with consideration to activities defined as one or more of the following: certain/ probable, reasonably foreseeable or hypothetical (long-term scenarios).

Values

The things that the people and government of British Columbia care about and see as important for assuring the integrity and well-being of the province's people and communities, economies and ecological systems, as defined in policy, legislation or agreements with First Nations.

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2. Purpose and Authority

2.1 The purpose of this policy is to provide guidance for managing cumulative effects, including:

- a) expectations for regional interagency review of cumulative effects assessments and identification of management responses, and
- b) guidance for considering cumulative effects in individual natural resource decisions, in support of timely, informed, durable and transparent decision-making.

2.2 This policy is intended for natural resource sector decision-makers and staff involved in the process of authorizing the use of Crown lands and resources or directing the management of resource values, including:

- a) Natural resource authorizations, including authorizations and renewals for land or resource permits, licences, tenures and operational plans, and the associated stages of application review, evaluation and preparation of decision-support material, and decision-making
- b) Environmental assessment of major projects
- c) First Nations consultation and assessment of impacts to the exercise of asserted or proven aboriginal and treaty rights
- d) Tactical decisions, such as setting government priorities for inventory, monitoring and research, or planning and implementing government led resource stewardship and management initiatives, and
- e) Strategic decisions, such as setting strategic direction for the management of lands and resources through establishing or revising legal objectives, and/or completing land use plans.

2.3 This policy does not convey legal authority. It supports and does not replace existing legislation, any other legal requirements or application requirements established by policy.

2.4 Application of this policy supports but does not fetter the existing discretion of a decision-maker to determine the acceptability of potential impacts associated with a proposed activity.

3. Key Roles and Responsibilities

3.1 Natural Resource Sector Executive Direction

3.1.1 The Natural Resource Board (NR Board) shall be responsible for approving CEF Policy and Procedures.

3.1.2 The MFLNRO Area Assistant Deputy Ministers shall be responsible for specifying the official accountable for the implementation of cumulative effects assessment and management in each region.

3.1.3 The Natural Resource Sector Assistant Deputy Ministers' (NRS ADMs) Committee shall be responsible for approving regional CEAM reports, including proposed management responses.

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3.2 Regional Accountable Official

The regional accountable official shall be responsible for:

- a. confirming and implementing a structure for regional interagency engagement in cumulative effects management in their region (CE Management Committee)
- b. confirming resourcing and priorities for cumulative effects assessment and management in their region
- c. endorsing regional CEAM reports and proposed management responses and preparing a recommendation for approval by the NRS ADMs.

3.3 Regional Cumulative Effects Management Committees (CEMC)

Each region shall have a cross-sector cumulative effects management committee that is responsible for:

- a. reviewing draft CEAM reports, considering the need for consistent and coordinated management responses to address values in enhanced and intensive management classes, and providing direction on potential responses
- b. indicating level of support for the approval of CEAM reports
- c. communicating notice of approved CEAM Reports to their members' respective business areas;

3.4 CE Assessment Team

A *CE Assessment Team* shall be responsible for:

- a. completing periodic updates to current condition reports
- b. completing periodic assessments of current and potential future condition and preparing draft CEAM reports
- c. completing steps for validating assessed conditions and interpreting results
- d. preparing potential management responses for consideration by the CE management committee.

3.5 Resource Stewardship Division

The Resource Stewardship Division of MFLNRO is responsible for developing provincial CEF policy and procedures and for coordinating provincial CEF implementation.

4. Cumulative Effects Management Framework

4.1 Cumulative Effects Management Classes

4.1.1 Where CE Management Triggers have been approved for a value (see Part 1: Policy for CEA for more information), cumulative effects assessments shall report the condition of values relative to three defined management classes described below and illustrated in Figure 2.

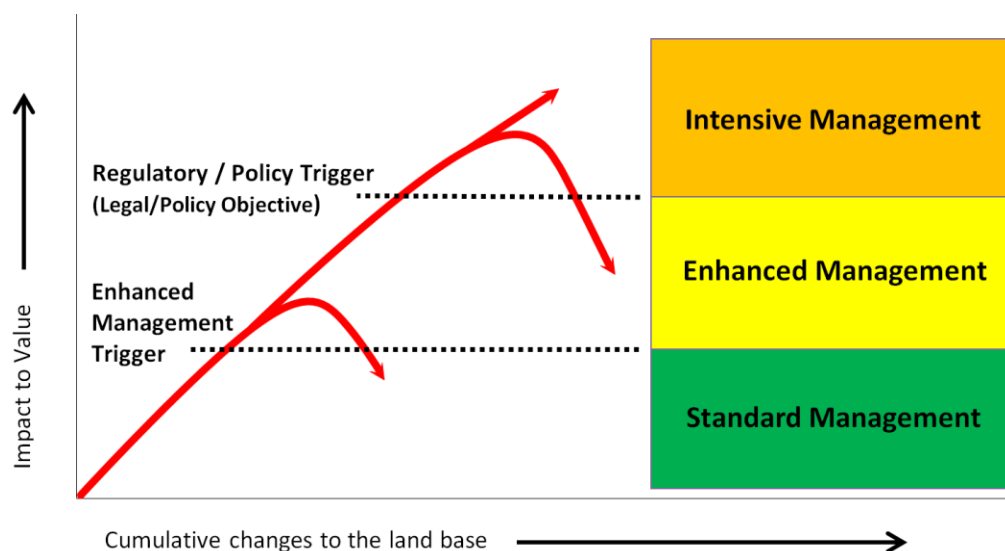


Figure 2: Conceptual relationship between condition of value and CEF management classes

1. Standard Management Class

The condition of a value is assessed as being below (i.e. better than) both the regulatory and enhanced management triggers, and objectives for the value are being achieved. ***The management goal is to maintain the value in good condition while supporting streamlined decision-making.***

2. Enhanced Management Class

The condition of a value is assessed as being below the regulatory/policy trigger but above the enhanced management trigger. Government objectives are likely being achieved, but conditions are approaching a level where further development could put their achievement at risk. ***The management goal is to ensure that conditions do not exceed the regulatory/policy trigger.***

3. Intensive Management Class

The condition of a value has exceeded the regulatory/policy trigger, and therefore it is likely that government's objectives for the value are not being achieved. ***The management goal is to restore conditions to below the regulatory/policy trigger.***

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4.2 Cumulative Effects Indicator Assessment

4.2.1 Where a value or its components or indicators do not have approved CE management triggers, cumulative effects assessments shall report on the current condition of the indicators for that value, relative to benchmarks if applicable. (See *Part 1: Policy for CEA* for more information.) These assessments provide information to support decision-making, in particular the identification of management responses, but do not include or infer a specific target condition for a value.

The condition of indicators will be reported individually and summarized in one of the following ways:

1. The number of indicators flagged

	Number of Indicators flagged
	0
	1
	2
	3
	4
	5

This is a representation of the number of indicators that exceeded a reference point, defined as a flag, that warrants further examination to determine the current condition of the value and the appropriate level of management response.

2. The likelihood of a negative effect to the value

	Rating
	Very Low
	Low
	Moderate
	High
	Very High

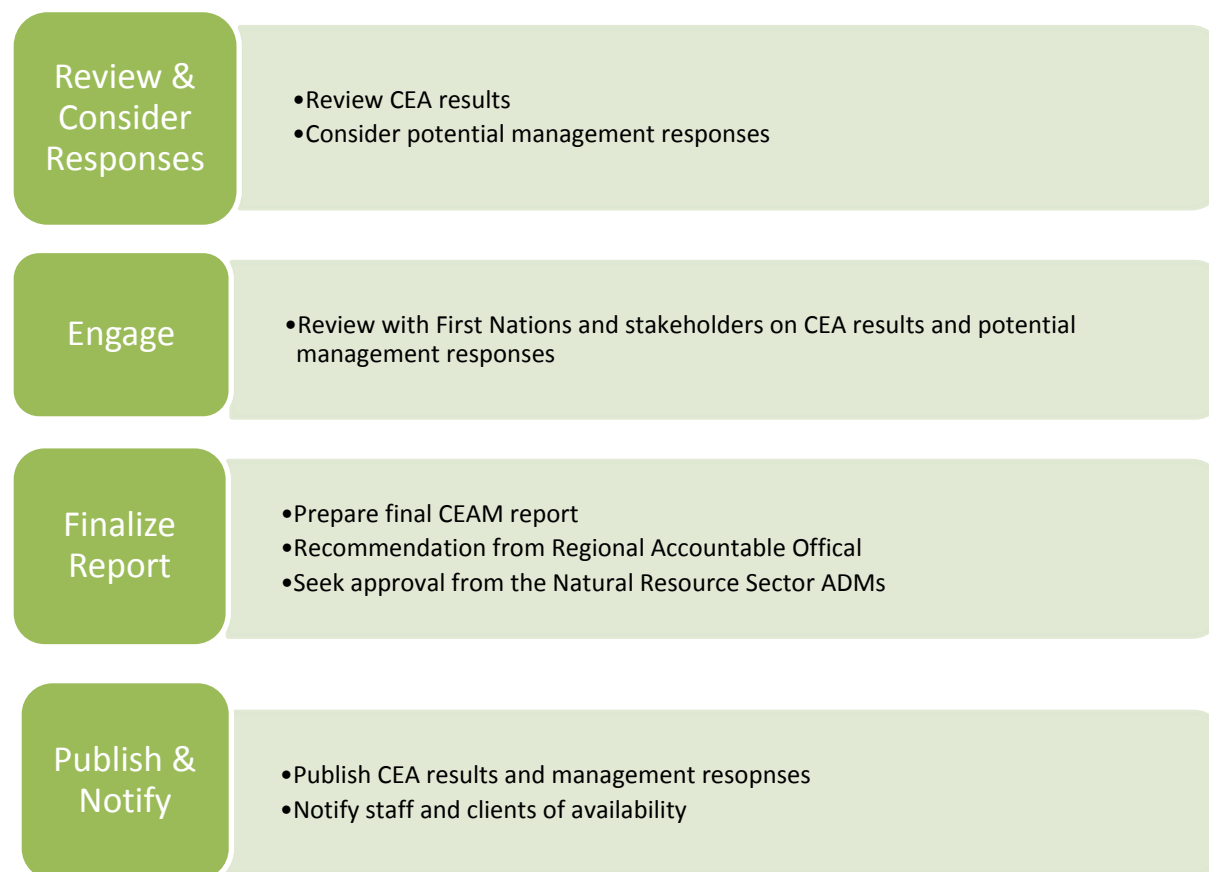
Likelihood of negative effects to the value, or hazard, uses ratings (very low to very high) to describe the potential for the value to be negatively affected based on the assessed condition of the indicators. Where the consequence of an effect has also been assessed, results are reported as risk ratings.

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5. Regional Cumulative Effects Management Process

5.1 Generalized Business Process for Cumulative Effects Management

5.1.1 Generalized steps and responsibilities for the regional cumulative effects management process are as follows²:



5.2 Identifying CE Management Responses

5.2.1 Regional cumulative effect management committees shall review CEA results (including assessment of management classes for specific objectives and indicators related to broad objectives) and consider potential management responses to address cumulative effects.

² See Policy and Procedures for Cumulative Effects Assessment for expectations and steps for preparing CEA reports.

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5.2.2 Management responses should be considered for values in enhanced or intensive management classes, to address emerging or existing risks to meeting objectives for the value.

5.2.3 Management responses may be operational, tactical or strategic in nature, as defined below.

Operational responses: site-level measures to mitigate the effects of projects, activities or natural processes, typically undertaken by proponents.

Tactical responses: processes to improve consistency and/or coordination in applying current policy direction that may be undertaken by government and/or proponents/stakeholders.

Strategic responses: measures to define or establish strategic direction for the management of land and/or resource values typically led or coordinated by government.

5.2.4 Management responses should be identified in relation to the goals for each management class (see 4.1.1).

5.3 Engagement

5.3.1 First Nations and broadly affected stakeholders shall be provided opportunity to review and provide feedback on draft Cumulative Effects Assessment and Management reports.

5.3.2 Opportunities for collaboration and partnership with First Nations and affected stakeholders may be provided subject to available resourcing.

5.4 Approval of CEAM Reports

5.4.1 CEAM reports shall include a recommendation for approval from the responsible Regional Accountable Official.

5.4.2 CEAM reports shall be approved by the NRS ADMs.

5.5 Notice of CEAM Report

5.5.1 Approved CEA results and management responses shall be made available to government staff, First Nations, clients and stakeholders.

5.5.2 Notice of the availability of an approved CEAM report shall be provided to government staff, First Nations, external clients and stakeholders.

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6. Considering Cumulative Effects in Natural Resource Decision-Making

6.1 Operational Decision-Making

6.1.1 Natural Resource Authorizations

6.1.1.1 *CEF Assessments* should be considered by government staff and decision-makers when reviewing applications for the use of land and natural resources that could potentially affect the condition of *CEF values*³.

6.1.1.2 The following should be considered by government staff and decision-makers when reviewing applications and considering approvals for the use of lands and natural resources in relation to 6.1.1.1

- a. the assessed condition or management class for *CEF values*⁴, as defined by approved *CEAM* reports and maps.
- b. the potential future condition or management class of *CEF values*, or near-term trends, as defined by approved *CEAM* reports and maps.
- c. the potential impacts of the proposed activity. on the condition of the *CEF values*;
- d. management responses identified in the approved *CEAM report* that may be relevant for mitigating potential impacts of the proposed activity;
- e. additional measures for mitigating the potential impacts of the proposed activity that are consistent with the goals of the assessed *CE* management class (see Section 4.1);

6.1.1.3 The condition of individual indicators assessed in relation to broad objectives for *CEF values*, as defined in *CEAM* or *Current Condition* reports, may be considered by government staff when reviewing or recommending mitigation measures for a proposed activity (6.1.1.2e).

6.1.1.4 Assessments of *CE* completed as part of the review of an application for an *Environmental Assessment* certificate for major projects may inform or address requirements for considering *CE* in subsequent authorizations.

³ If no *CEF Assessment* is available, refer to Section 7 for considering cumulative effects in the absence of a *CEA*

⁴ Applies where *CE Management* triggers have been approved in relation to a specific objectives for a *CEF value* – see *CEA Policy* for more information.

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6.1.2 Environmental Assessment for Major Projects

This section provides direction for considering CEF assessments in the assessment of effects of proposed major projects, defined as:

- a. projects that are 'reviewable' under the BC Environmental Assessment Act,
- b. other major projects (e.g., clean energy developments, major resorts, mines).

This direction supplements but does not replace existing policy or guidance for project-level assessment of effects. See for example [EAO Guideline for the Selection of Valued Components and Assessment of Potential Effects \(2013\)](#).

6.1.2.1 Project Scoping (Pre-application Phase): The following should be considered by government staff and decision-makers for inclusion in the Application Information Requirements⁵ for a major project:

- a. CEF values and associated components should be selected as valued components or key indicators, as applicable, for the assessment of project effects, where the proposed activity has the potential to affect CEF values.
- b. Spatial and temporal boundaries for valued component assessment should align with those used in CEF assessments, wherever feasible and appropriate for project-level assessment.
- c. Indicators, benchmarks and management triggers used in CEF assessments should be applied in assessments of project effects for the same valued components, where feasible.
- d. CEAM reports and Current Condition reports should be considered in characterizing baseline and potential future conditions for valued components, as well as informing proposed mitigation.

6.1.2.2 Project Assessment (Application Review Phase): The following should be considered by government staff when reviewing project applications and concluding on residual effects.

- a. The current condition or potential future condition (where available) of CEF values and how the proposed activity may affect that condition.
- b. Where applicable, the current management class for CEF values and the potential for the proposed activity to cause a change in management class for a value.
- c. Where current conditions for a value are within an enhanced management class, mitigation strategies should be consistent with the goals specified for enhanced management (section 4.1) and should consider any management responses defined in CEAM reports (see Section 5.3).
- d. Where the current condition for a value is within an intensive management class, mitigation strategies should be consistent with the goal for intensive management (section 4.1) and should consider any management responses defined in CEAM reports (see Section 5.3).

⁵ Or comparable document for major projects that are not EA reviewable.

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6.1.2.3 Project Conditions: When drafting recommended conditions, government staff may consider including a condition for the certificate or permit holders to submit baseline or environmental monitoring data that were collected for any CEF values in the preparation of the environmental assessment or as required for monitoring the condition and trend of the valued component and the effectiveness of approved mitigation strategies.

6.1.3 First Nations Consultation and Impact Assessment

6.1.3.1 For the purpose of consulting and accommodating First Nations in relation to proposed activities, and undertaking a preliminary assessment of potential impacts to claimed aboriginal rights and treaty rights, the following should be considered.

- a. CEF values that have been assessed within the traditional territories of First Nations, that are relevant to the exercise of claimed aboriginal and treaty rights and overlap the project area of interest
- b. The current condition of indicators assessed for each relevant value in current condition reports and the current management class for each relevant value, as defined in CEAM reports
- c. The potential future management class or near term trends for each relevant value, as defined in regional CEAM reports
- d. Management responses identified in regional CEAM reports.

6.2 Tactical Decisions

6.2.1 CEF assessments should be considered in tactical government decisions, such as:

- a. establishing priorities for inventory, research and monitoring
- b. developing resource management plans or strategies to achieve desired outcomes from established direction;
- c. coordinating development or use-planning across to achieve desired outcomes from established direction.

6.3 Strategic Decisions

6.3.1 CEF Assessments should be considered when undertaking processes to support any of the following types of strategic decisions:

- a. the establishment of new or revised resource objectives, land use plans and other types of management plans for values b.
- b. the determination of Allowable Annual Cuts for timber harvesting;
- c. the determination of harvestable surplus for the allocation of wildlife.

7. Considering Cumulative Effects in the Absence of a CEA

7.1 Where a CEF Assessment has not been completed for a selected area and/or a selected CEF value, the following should be considered for the purpose of identifying the potential for cumulative effects and possible management responses.

- a. The CEF value(s) that could potentially be affected by the proposed activity
- b. The importance or significance of the value – locally, regionally, provincially and to First Nations
- c. Government’s objectives for the value and the spatial scale of those objectives
- d. The current condition of the value, trend in the condition of the value and whether government objectives are at risk of not being achieved
- e. Existing or proposed activity in the general area or existing natural disturbance events, and near term risk to the value based on those activities or events
- f. Conservation or mitigation measures currently in place to manage for the value within the general area (e.g., protected areas)
- g. The potential impact of the proposed activity on the value, and appropriate mitigation strategies, if warranted
- h. The residual impact of the proposed activity on the value, after applying mitigation measures.

8. Documenting and Reporting CE Considerations

8.1 Decision-support packages prepared for statutory decision-makers should include a summary of considerations related to cumulative effects, where relevant to the decision at hand.

8.2 Decision rationales should include a summary of how cumulative effects were considered, where relevant to the decision at hand, including:

- a) any assumptions made and uncertainty
- b) any conditions of authorization intended to address cumulative effects
- c) gaps in information and any commitments by government.

8.3 For values in the intensive management class, decision rationales should include a summary of the public benefit of developing the resource relative to the potential negative effects of the development on the value.

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9. Policy Approval

On behalf of
Natural Resource Board