

Partnership Principles for Trial Application of the B.C. Environmental Mitigation Policy

Introduction

The B.C. Ministry of Environment is leading the development of a new environmental policy to support a consistent approach to mitigating adverse impacts from development projects and activities on environmental values and their associated components.

Trial application is being used to assess the use of the Policy and Procedures with an aim to improve and refine their future application. Working with proponents in “real-world” situations to test the Policy and Procedures is a key step towards demonstrating success and building support for potential broader implementation beyond trial. Specifically, trial application will be carried out to test how the Policy and Procedures can bring consistency to:

- identifying environmental values and components;
- developing environmental impact assessments;
- using the mitigation hierarchy; and
- selecting mitigation measures.

This document outlines the objectives, principles, and activities of participating proponents and the B.C. Ministry of Environment (herein, collectively referred to as “The Parties”) in working together in trial implementation of the draft Environmental Mitigation Policy, particularly through proponents using the Policy and Procedures to develop a mitigation plan.

Trial application of the Environmental Mitigation Policy by the BC Provincial Government is proposed to run until the end of March, 2013.

Objectives for Working Together

The Parties share the following objectives:

1. To apply the draft Policy and associated Procedures for the purposes of developing mitigation plans;
2. To highlight what is working, identify gaps, and propose solutions to address the gaps;
3. To improve the quality of information used to support decision making and authorizations.

Principles for Working Together

The following principles establish the expectations for the relationship of the Parties:

- **Consideration and Courtesy.** Individuals will act in a way that is considerate of the mandates, objectives, and values of the Parties so as to maintain positive relationships among the Parties. The Parties will allow reasonable timeframes for the review of documents, and make their best efforts to respond in a timely manner.

- **Open Communications.** The Parties agree to communicate clearly and transparently with one another about expectations, objectives and limitations, to ensure a common understanding and take full advantage of improvements resulting from honest and constructive criticism.
- **Innovation and Adapting to Change.** The Parties agree to adapt to changing circumstances through continuous improvement, shared learning, and innovation.
- **Participation.** The Parties will each designate at least one representative and one alternate to participate in meetings or discussions amongst the Parties. As much as possible, the Parties will aim to maintain consistency in this representation over time.
- **Resolving Disagreements.** The Parties will first attempt to resolve the issues through discussions amongst designated representatives of the Parties. If this approach is unsuccessful, the Parties may involve the necessary members of their respective organizations to attempt to efficiently and effectively resolve the issue in a reasonable timeframe.
- **Confidentiality.** Information shared between Parties is supplied on the understanding that it will be held confidentially and not disclosed to third parties without prior consent; however this information is still subject to the Freedom of Information and Protection of Privacy Act, as are all documents under custody and control of the Government of British Columbia.

Activities of the Parties

The following are the expectations of the Parties:

Ministry of Environment

- Provide orientation to the Environmental Mitigation Policy and associated Procedures.
- Be available to answer proponent questions on the Policy and Procedures.
- Provide a written review of mitigation plans to the statutory decision maker for consideration. (*Note: The written review is not intended to represent a technical review of the proposed mitigation in terms of adequacy or technical accuracy of the information provided. Instead, it will focus on how the proposed mitigation and monitoring plan incorporates and follows the Policy and Procedures.*)

Proponent

- Use the Policy and Procedures to develop a mitigation plan.
- Share the developed mitigations plan with the Environmental Mitigation Policy Team.
- Participate in an exit interview on the application of the Policy and Procedures.

Proponents are not required to submit mitigation plans resulting from participating in trial application, unless directed otherwise by the statutory decision-maker or in accordance with existing legislation. Applications submitted using the Policy and Procedures as guidance may result in permit conditions that may be different from what might have been the case if the guidance for the environmental mitigation plan was not used.