



# Cumulative Effects Framework

*Assessing and Managing Cumulative Effects in British Columbia*

## Comments Received during CEF Phase 1 Engagement

From March 2015 to January 2016, comments and feedback were collected during workshops and meetings from representatives of First Nations, B.C. government, natural resource industries and ENGOs, including:

- **First Nations**

Through a variety of forums and regional relationships

- **Natural resource sector**

- Association of Mineral Exploration BC
- Association of BC Forest Professionals
- Business Council of British Columbia
- Canadian Association of Petroleum Producers
- Canadian Wind Energy Association
- Clean Energy BC
- Coast Forest Products Association
- Council of Forest Industries
- Mining Association of BC
- Northeast Strategic Advisory Group (industry, ENGO, First Nation, local government)
- BC Wildlife Federation

- **B.C. government ministries and agencies**

- Environment
- Energy and Mines
- Natural Gas Development
- Aboriginal Relations and Reconciliation
- Forests, Lands and Natural Resource Operations
- Environmental Assessment Office
- Oil and Gas Commission

- **Environmental Non-Government Organizations**

- Canadian Parks and Wilderness Society
- Conservation Northwest
- David Suzuki Foundation
- ForestEthics (Solutions)
- Pembina Institute
- Sierra Club
- West Coast Environmental Law
- Wildsight
- World Wildlife Fund

## Comments and Feedback Received:

### Governance

- Create a centralized secretariat responsible for developing a CE governance model, a reporting structure across ministries and a repository for decision-making documentation.
- Consider centralizing CE assessment responsibilities with the Forest Analysis and Inventory Branch – potential efficiencies with integrating CEA and Timber Supply Review.
- Clarify roles and responsibilities between government, proponents and First Nations.
- Clarify how CE policy overlaps with mandates of the federal Canadian Environmental Assessment Agency, the provincial Environmental Assessment Office and other provincial legislation and initiatives.
- Establish scientific and public advisory bodies to act as permanent and ongoing sources for external engagement and review.
- Ensure consistent policy implementation across regions and sectors through decision-making by senior levels of government.

### Values Selection

- Ensure value selection is a collaborative effort with First Nations.
- Incorporate socio-economic values and objectives.
- Incorporate more broad-scale, over-arching values that better reflect overall ecosystem health.
- Ensure that value selection does not put any particular industry or sector at a disadvantage to others.
- Ensure provincial initiatives that identify and assess values (i.e., Forest and Range Evaluation Program, Liquefied Natural Gas Environmental Stewardship Initiative, and Area Based Analysis) are aligned and coordinated for consistency with CE values.
- Identify a process for adding or revising values and objectives over time.

### Assessment

- Clarify how assessment procedures differ at each level (i.e., provincial, regional, operational).
- Clarify who is responsible for conducting assessments and how often.
- Clarify how objectives, targets, benchmarks, and triggers are selected and approved.
- Provide flexible mechanisms to incorporate proponent data to verify provincial assessment results and afford opportunity for realistic mitigation options.
- Ensure anthropogenic vs. natural factors that influence values are reflected in value trend analyses.
- Clarify the differences between risk assessment and management assessment and how each inform decision-making.

## Risk Assessments

- Ensure a consistent and transparent risk assessment process.
- Ensure risk assessments being evaluated against qualitative objectives are not introducing decision-maker biases.
- Clarify risk definitions – risk is assessed as “likelihood of negative event,” but described as “risk to sustaining value.”
- Ensure risk assessments that solely use coarse-scale data for their evaluations do not result in fine-scale management recommendations.
- Clarify if assessments are applicable to park lands and/or private lands.
- Ensure risk classes (high, medium and low) and their associated management repercussions are clearly defined.
- Clearly document sources data for assessments and their corresponding levels of uncertainty.
- Ensure that risk classes do not have potential unintended consequences, such as:
  - concentrating development in low-risk areas
  - creating permanent no-go areas for development (e.g., intensive class)
  - increased risk exposure and costs for proponents
  - not addressing or mitigating for values with low risk (i.e., keeping common things common)

## Decision-Making

- Clarify what decisions and at what decision levels CEAs should be applied to.
- Clearly define each management class and provide examples of management responses consistent with each class.
- Provide further detail and description of CE management process.
- Clarify linkages to the Environmental Mitigation Policy.
- Clarify how CEAs will support assessments of impacts to aboriginal rights and title, and the identification of conditions likely to support the exercise of aboriginal rights.
- Use consistent terms (e.g., CE management recommendations vs. management responses).
- Consider the need to define regulatory triggers for referrals.
- Consider the need for mitigation targets.
- Incorporate thresholds for CE exemptions for smaller or less intrusive projects.
- Incorporate a mechanism where project “cumulative benefits” can offset cumulative (adverse) effects.
- Consider legislative change required to effectively ensure consideration of CE in some decisions, forestry in particular.

## Engagement

- 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.
- Communicate and clearly define the scope of CE to manage expectations among stakeholders.
- Clearly define opportunities for engagement in CEA review and identification of management responses.

## Resourcing

- Ensure costs and capacity requirements associated with CE implementation are borne by government and not downloaded onto industry.
- Ensure adequate and dedicated resources be allocated for training and engaging staff, First Nations, proponents and end users.
- Ensure any assigned responsibility (CE data collection, mitigation, monitoring and reporting) that requires proponent resourcing be known early, during scoping, prior to NR permitting or EA.

## Addendum Comments

- Clarify terminology and definitions to provide consistency throughout document.
- Where practical, use common terminology and definitions that are consistent with existing EAO and federal CEEA terms and language.
- Produce resources and draft policy for review in a clear and succinct format to facilitate stakeholder engagement capacity.
- Incorporate more graphics, diagrams and charts to illustrate complex concepts and pathways.
- Include appendices for a glossary of terms and acronym definitions.