

Cumulative Effects Framework Engagement Overview

April 2016

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1. Executive Summary

This document provides an overview of past and current engagement materials to provide context for organizations and individuals that wish to provide feedback and advice on current draft policies and procedures for the Cumulative Effects Framework (CEF).

Meaningful engagement with external audiences is vital for the successful implementation of the CEF. The Province is engaging with First Nations, natural resource industries and environmental stakeholders to ensure meaningful input in the development of policy and procedures.

During an earlier round of engagement through the fall and winter of 2015, substantial feedback was received on the *Draft Policy for Addressing Cumulative Effects in Natural Resource Decision-Making*. The views we heard about the accountability for decision-making (governance), how values are selected, development of assessment procedures, consideration of risk in the management process, and how decisions will be made can be found in Appendix 1. This feedback identified the need for substantial revisions to the initial draft policy. The focus of this second phase of engagement, outlined in this document, will be on the latest version of CEF policy: the *Draft Part 1: Policy for Assessing Cumulative Effects* and *Draft Part 2: Policy for Managing Cumulative Effects*. We are also including a summary of the value assessment protocol for grizzly bear to support interpretation of the policy documents. Lastly, for parties that may be interested, the paper *Towards the Development of Cumulative Effects Management Procedures for Defined Cumulative Effects Values* is available for comment.

Key Materials for Engagement:

The *Draft Part 1: Policy for Assessing Cumulative Effects* provides guidance for BC government staff and decision-makers on selecting values and indicators for assessment, collecting data and trend information, and completing assessments and associated reporting products.

The *Draft Part 2: Policy for Managing Cumulative Effects* provides guidance for BC government staff and decision-makers to foster consistent and coordinated consideration of information and management recommendations to address cumulative effects in natural resource decision-making that will support timely, informed, durable and transparent decisions.

It is expected that once approved, both policies will be updated overtime to reflect insights gained as the CEF is implemented.

To support interpretation of these draft policy documents a Value Summary of the assessment procedures for grizzly bear, with examples of the interpretation of results, is also provided. More detailed information on the grizzly bear value assessment will be available in the CEF *Grizzly Bear Knowledge Summary* and *Provincial Scale Grizzly Bear Assessment Protocol*. The protocol for grizzly bear

and provincial assessment results still require external engagement and approval by government before final release and implementation.

Lastly, for interested parties, the paper *Towards the Development of Cumulative Effects Management Procedures for Cumulative Effect Values* builds on broad direction for CE management in the draft provincial CE policies. The paper outlines a proposed vision and approach for using CE assessment results to develop CE management responses within CE management classes specifically.

Input to the policy documents may be submitted through email (CumulativeEffects@gov.bc.ca) or the internet [website](#).

2. Background

A. Overview

Cumulative effects are *changes to environmental, social and economic values caused by the combined effect of past, present and potential future activities and natural processes*. The Province manages cumulative effects, and the potential of cumulative effects, using a number of existing stewardship tools, including parks and protected areas and management designations for social, cultural and environmental values, and through the multiple statutes and standards governing natural resource development. With expanding opportunities in the natural resource sector, however, the risk of unintended consequences of sector-specific resource management is increasing. Government has therefore taken progressive steps toward an integrated, rather than sector-specific, approach to land and resource management. The Cumulative Effects Framework supports this shift to integrated resource management in British Columbia (Figure 1).

The CEF defines a process to periodically assess and track social, economic and environmental values over larger resource management areas to assess their current condition and trend in relation to government's existing objectives. Through the development and implementation of sector-wide CEF policy, procedures and decision-support tools, consistent and coordinated consideration of cumulative effects across the sector will be enabled.

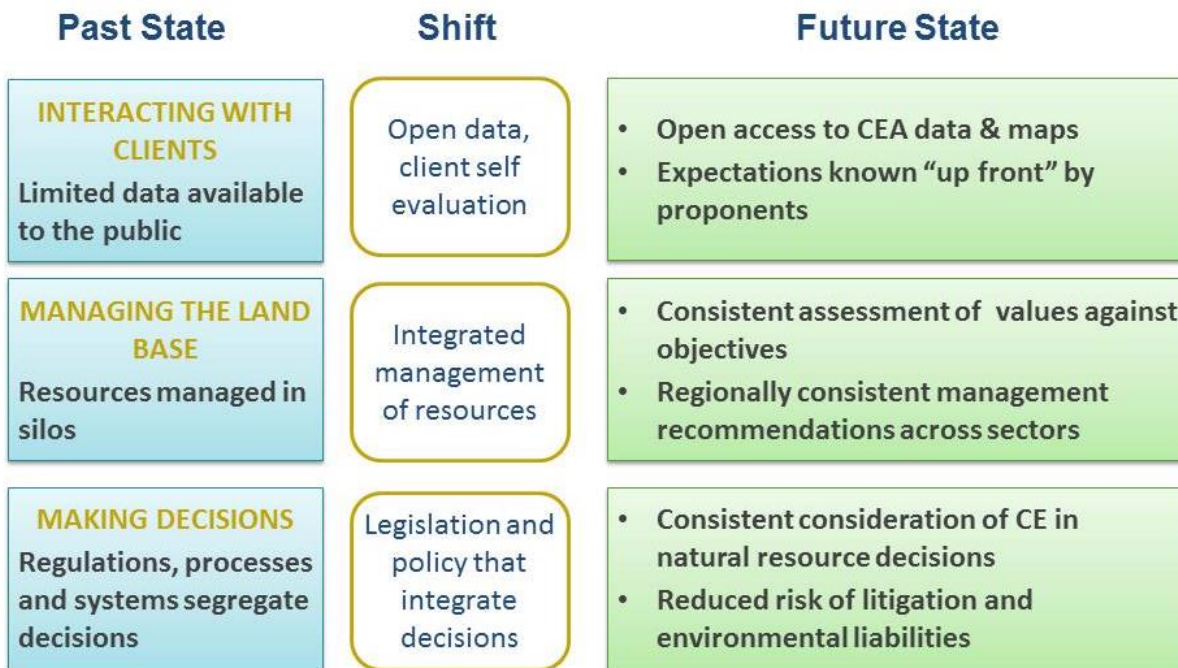


Figure 1. The Cumulative Effects Framework is aligned with several core strategic shifts to support sector transformation to an integrated land management approach.

The draft CEF policy proposes a process to approve both provincial and regionally specific **values** that should be considered for cumulative effects management. Values identified by First Nation (e.g., in government-to-government agreements or as identified through other initiatives, such as the Liquefied Natural Gas Environmental Stewardship Initiative), can be incorporated into the structure the CEF provides. Once values are selected and defined, cumulative effect assessments can be completed and shared to improve understanding of the condition of values. Assessment results from other natural resource initiatives (e.g., Species at Risk Recovery or Implementation Planning, wildfire risk assessment, monitoring and research) can inform and be informed by the CEF (see Appendix 2 for a summary of some of the initiatives and program areas related to the CEF). Results of assessments are then interpreted and management responses are recommended and approved. Finally, CEF decision-support tools (technological and procedural) and governance structure enable the consideration of management recommendation across the natural resource sector.

The Province is inviting engagement on the CEF. All input will be reviewed and considered as we improve natural resource management for the benefit of all British Columbians.

B. Key Benefits of the CEF

The inter-agency accountability allows us to develop provincial standards, policies and tools to:

- assess cumulative effects at a regional scale rather than on a project-by-project basis
- address emerging risks
- minimize negative impacts of resource use
- improve environmental outcomes

Natural resource clients and decision-makers can use the reports and maps to ensure resource development proposals are aligned with government's objectives. With clear expectations for project assessment and mitigation, individual project reviews will cost less and can be completed faster.

The assessments consider First Nations values and interests. Better information to support assessment of impacts to aboriginal and treaty rights will make consultation processes more effective.



3. Engagement Activities

A. Phase 1

June – October 2015 – Phase 1 Engagement

A first review draft of the CE policy was taken out for focused engagement with internal Natural Resource Sector staff through various workshops and meetings, and to selected external stakeholders, including the BC Business Council Environment Committee, Northeast Strategic Advisory Group and others. (See Appendix 1 for a summary of Phase 1 engagement.)

The CEF policy was revised based on feedback received in Phase 1 engagement. Feedback from staff and executive has been incorporated into the current version of the policy, which is now broken into two parts: Draft *Part 1. Policy for Cumulative Effects Assessment* and Draft *Part 2. Policy for Cumulative Effects Management*.

B. Phase 2

We are now in Phase 2 of the engagement process. Opportunities to engage include workshops, direct meetings and online submissions (Appendix 3). Workshop announcements will be provided to organizations and individuals involved with past engagement and through provincial associations. Visit our [website](#) for announcements and other information. To request a presentation or material, please contact CumulativeEffects@gov.bc.ca.

As we engage with First Nations and stakeholders around the province, we will also take advantage of the opportunity to have discussions with government agency staff in different regions to update them on the framework and to gather any advice they may offer.

Following Phase 2 engagement and the incorporation of input received, final versions of the CE policies will be prepared for approval by the Deputy Minister's Natural Resource Board.

Products for Phase 2 Engagement

Draft *Part 1: Policy for Cumulative Effects Assessment* (April 2016)

Draft *Part 2: Policy for Cumulative Effects Management* (April 2016)

Supporting Material

Grizzly Bear Value Summary (supports interpretation of both draft policies)

Towards Development of Cumulative Effects Management Procedures for Cumulative Effect Values
(supports Draft Part 2: Policy for Cumulative Effects Management)

General questions we are asking include:

1. What specific elements or concepts work well for you in the documents?
2. Are there any elements that need more clarification?
3. Are there any elements you would change?
4. Are there gaps?
5. Are there implications or linkages with respect to any aspect of the content that you feel important for us to be aware of?
6. Overall, how do you rate the document in providing needed guidance?
7. Any other comments?

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Appendix 1. What We Heard

From March 2015 to January 2016, we held workshops and invited feedback from representatives of First Nations, BC government, natural resource industries and ENGOs. These included:

- **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
- **BC 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.

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Appendix 2. Related Initiatives and Program Areas

The CEF does not stand on its own. Many other program areas and initiatives inform or are informed by the CEF and provide support to government and other agencies' consideration of cumulative effects.

Area-Based Analysis

The Oil and Gas Commission is currently implementing area-based analysis. This initiative is well aligned with the provincial CEF; however, it is specifically focused to support oil and gas authorizations and decisions as set out the *Oil and Gas Activities Act*.

The Cumulative Effects Framework differs in key ways.

- It draws from existing objectives in a variety of statutes and policy documents.
- It proposes forward-looking assessments that consider potential impacts of foreseeable future activities across all natural resource sectors.
- It involves interagency collaboration and seeks to use the outcomes of the assessments to support decision-making across all sectors – at both the operational level (e.g., projects and transactions) and strategic level (e.g., supporting processes for resource planning and objective setting).

Liquefied Natural Gas Environmental Stewardship Initiative

The Liquefied Natural Gas Environmental Stewardship Initiative (LNG ESI) is a collaborative initiative between government, First Nations and the LNG industry to develop trusted environmental information that will support resource management decision-making in northern BC.

LNG ESI's focus is on four key components:

- ecosystem assessment and monitoring
- ecosystem restoration and enhancement
- ecosystem research and knowledge exchange, and
- stewardship education and training.

Emerging agreements between government and First Nations are enabling the collaborative selection of values and associated indicators for cumulative effects assessment. Values will align with treaty and Aboriginal rights and interests, and will also support collaborative research and data acquisition (including monitoring) for the assessment of these values. These agreements and the associated funding are making it possible to gather the necessary information to support CE assessments for First Nations' values where it may otherwise have not been possible.

All of the LNG ESI elements are being undertaken in a manner that is consistent with the flexibility provided in the provincial CEF. In this way, the ESI is assisting in the delivery of the CEF by increasing FN involvement.

Forest and Range Evaluation Program (FREP)

The Forest and Range Evaluation Program was established to provide monitoring and evaluation to support implementation of the results-based *Forest and Range Practices Act*. The specific objectives of FREP are to:

1. Assess the impacts of forest and range development on the 11 FRPA resource values to determine if on-the-ground results are sustainable
2. Identify resource value status, trends and causal factors, and
3. Identify opportunities for continued improvement of practices, policies and legislation.

Multi-Resource Value Assessment (MRVA)

Multiple resource value assessments (Version 1) show the results of stand and landscape-level monitoring carried out under the Forest and Range Evaluation Program (FREP). MRVA 2 reports that are currently under development are expanding to also report the results of monitoring carried out under other programs for FRPA values.

Natural Resource Permitting Project (NRPP)

The Natural Resource Permitting Project is a sector-wide long-term transformation initiative that will result in changes to the way resource development decisions are made on the land base in B.C. The NRPP integrates data, legislation, people, processes and systems across the six natural resource ministries, agencies, boards and commissions to provide better, easier access to information, data and online services. The development of value procedures and assessment results is a key aspect of the CEF being developed in partnership with the NRPP.

Land Use Planning

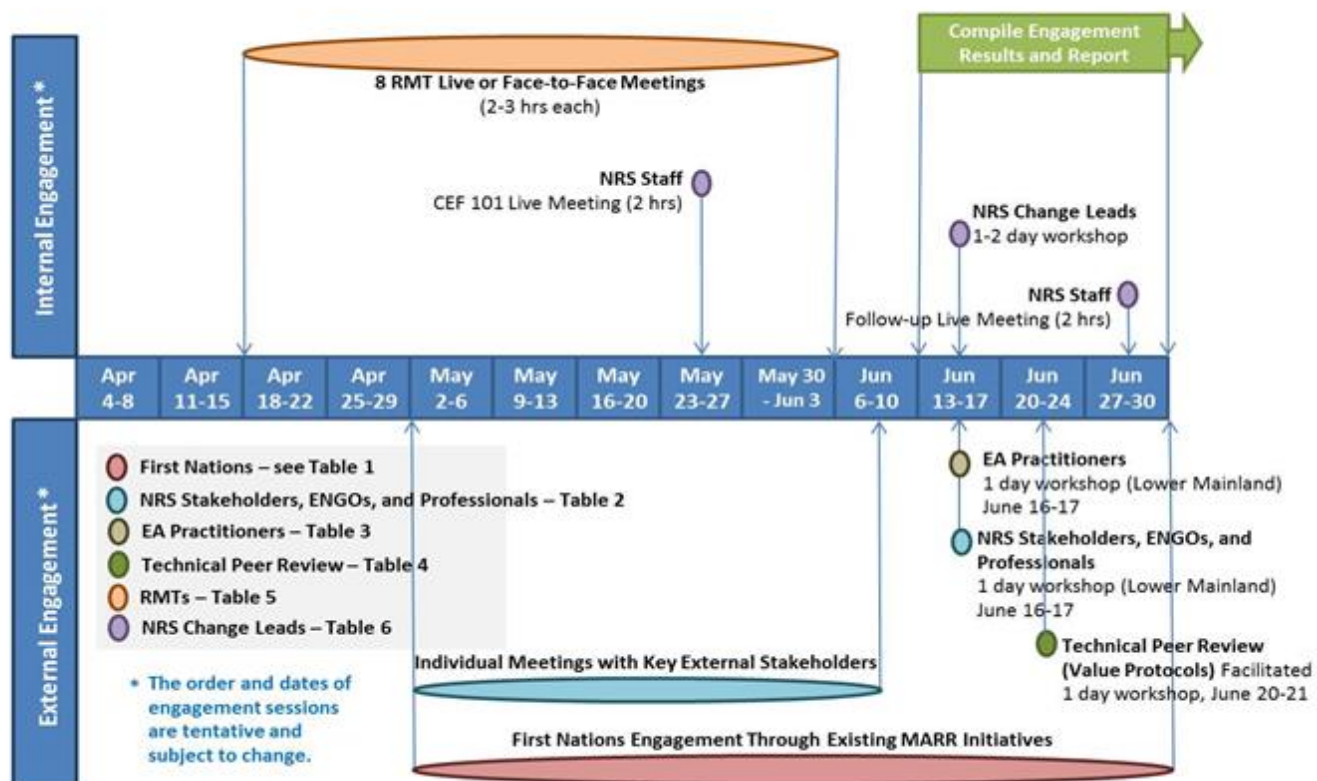
Land Use Planning and CE assessment are separate but intricately linked initiatives. The CEF is built on the foundation of values and objectives identified through existing land use plans in BC and will provide an important mechanism for assessing the condition of values relative to objectives that were identified through land use planning. CE assessment may provide information and recommendations for geographic areas and values that government will consider when setting priorities for further strategic or tactical planning, to identify solutions to identified risks and to inform required trade-off decisions.

Appendix 3. Engagement Timelines and Planned Activities

Note: order, dates and location are tentative and subject to change.

Assessing and Managing Cumulative Effects in British Columbia

CEF Phase 2 Engagement Plan - Timeline Apr-Jun 2016



Version – 12 May 2016