Towards the Development of Cumulative Effects Management Procedures for Defined Cumulative Effects Values

(CE Management Procedures)

DRAFT WORKING DOCUMENT

April 2016

Executive Summary

This discussion paper on the development of cumulative effects (CE) management procedures builds on broad direction for CE management in the draft provincial CE policy, which is undergoing concurrent review. The procedures outline a proposed vision and approach for using CE assessment results to develop CE management responses.

Engagement on the draft provincial CE policy and these procedures will contribute to finalization of:

1. ***Provincial CE Policy***
    - Defines the overall goals and broad direction for CE assessment and management, including intended outcomes and key principles for CE management classes – Standard, Enhanced and Intensive.
    - Status: Phase 2 engagement on the draft provincial CE policy is being undertaken in May thru June 2016. The policy is anticipated to be finalized in spring 2016.
2. ***Provincial CE Management Procedures***
    - Builds on the CE management elements of the CE policy.
    - Provides consistent and coordinated guidance for implementing the CE management policy across the natural resource sector.
    - Status: This discussion paper is part of Phase 2 engagement on the draft CE policy, to be undertaken in February and early March. The final provincial CE management procedures are anticipated to be finalized in spring 2016.
3. ***Operational Guidance by Sector***
    - Information bulletins of operational policy statements will support government agencies and proponents to implement the provincial CE policy and CE management procedures within the context of specific legislation, policies and operating cultures.
    - Status: Under development.

The procedures provide guidance for consistent and coordinated CE management responses across the natural resource sector, which means they are intentionally designed to:

1. ensure individual projects/activities consider, as appropriate, cumulative effects and the associated risk to objectives for CE values
2. provide flexibility, recognizing the different operating cultures
3. avoid or minimize negative impacts to values through CE mitigation efforts
4. realize synergistic benefits from CE mitigation efforts, where feasible.

The procedures provide guidance on CE management responses within each of the three CE management classes identified in the provincial CE policy – Standard, Enhanced and Intensive. The intended outcomes and key principles for each CE management class form the basis for these procedures.

CE Management Class	Intended Outcome	Key Principles
Standard	Maintain the value in good condition while supporting streamlined decision-making.	• Existing regulatory and practice requirements apply. • No new CE mitigation requirements.
Enhanced	Ensure the regulatory/policy trigger is not exceeded.	• Consistent CE mitigation activities across the natural resource sector to ***slow or halt the negative trend*** in condition of a given CE value. • Proactive management to address near-term trends.
Intensive	Restore conditions to below the regulatory/ policy trigger.	Consistent CE mitigation activities across the natural resource sector to result in a ***net-positive trend*** in condition of a given CE value.

The province's Environmental Mitigation Policy's mitigation hierarchy is applied to develop appropriate management responses to the extent dictated by each management class. Within Enhanced and Intensive classes, CE management is aimed at improving consistency and coordination of mitigation efforts across the natural resource sector proactively by proponents prior to submission of a plan or application, as well as at three inter-related levels of CE decision-making.

1. **Operational** – CE management responses with respect to a single application/plan/decision, including best management practices or recommended permit conditions.
2. **Tactical** - processes to support improved consistency and coordination across the natural resource sector (NRS) in relation to CE management within the flexibility enabled through the existing legal/policy framework. Tactical CE management responses affect more than one application/plan/decision.
3. **Strategic** – CE management responses to clarify or rebalance government direction, for example, new or revised policy objectives, land use designations, regulatory and statutory change, government-to-government agreements, etc.

The procedures are applied to natural resource decisions when proposed activities are anticipated to have a negative impact on the condition of a CE value and are intended to support development and implementation of:

1. Proposed CE mitigation plans for activities in Enhanced and/or Intensive CE management classes by the respective proponents, and review of such plans by provincial staff and statutory decision-makers.
2. Tactical and/or strategic CE management responses undertaken by the Province, including those involving partnerships with other levels of government, First Nations and stakeholders.

General guidance is proposed for all three CE management classes. For Enhanced and Intensive classes, more detailed guiding principles are supported by examples of CE management responses, some of which are currently being used to varying degrees, and key considerations in the form of questions, to support:

- proponents to pro-actively address CE by addressing these questions which will be considered through the decision-making process
- regulatory staff and subject matter experts in support of: proponents in their response to these questions; and decision-makers in their consideration of proponents' responses to these questions as part of their decision rationale
- decision-makers to improve documentation in their decision rationales as to how they have considered CE
- staff who will use the answers to the questions as a baseline for implementation and compliance/enforcement monitoring.

Suggested review questions to support engagement on these procedures include:

- Is the definition of *consistent and coordinated CE management responses* clear and appropriate?
- Are the intended outcomes and key principles for each management class clear and appropriate?
- Is the proposed general guidance sufficiently clear?
- Are the proposed detailed principles and considerations for Enhanced and Intensive CE management classes sufficiently clear and the level of detail appropriate?
- Are there additional examples of CE management that could be highlighted?
- Are there additional key policy considerations or other challenges to implementing the procedures?
- What ongoing work can help address policy considerations/challenges?
- What should be the priorities for resolving policy considerations/challenges?
- Are there additional key terms that need to be defined to support implementation of the procedures?

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PART 1. Introduction

1.0 Document Structure

Information contained in this document is categorized into three parts:

Part 1: Introduction to and application of the proposed procedures
Part 2: Implementation – guidance and considerations for developing cumulative effects management responses
Part 3: Appendices – context and definitions

2.0 Overview of CE Management Products

Three key products are under development to guide CE management:

4. ***Provincial CE Policy***
   - Defines the overall goals and broad direction for CE assessment and management, including intended outcomes and key principles for CE management classes – Standard, Enhanced, Intensive.
   - Status: Phase 2 engagement on the draft provincial CE policy is being undertaken in May thru June 2016. The policy is anticipated to be finalized by summer 2016.
5. ***Provincial CE Management Procedures***
   - Builds on the CE management elements of the CE policy.
   - Provides consistent and coordinated guidance for implementing the CE management policy across the natural resource sector.
   - Status: This discussion paper is part of Phase 2 engagement on the draft CE policy, to be undertaken in May thru June. The final provincial CE management procedures are anticipated to be finalized in 2016.
6. ***Operational Guidance by Sector***
   - Information bulletins or operational policy statements will support government agencies and proponents to implement the provincial CE policy and CE management procedures within the context of specific legislation, policies and operating cultures.
   - Status: Under development.

3.0 Purpose of Paper

This paper on the development of CE management procedures (the procedures) builds on broad direction for CE management in the draft provincial CE policy, which is undergoing review concurrently.

The paper outlines a proposed vision and approach for using CE assessment results to develop CE management responses when management classes are defined. As such it focuses on three elements in the overall draft CE management business process (Appendix 1):

- Revise operational and tactical-level CE management responses.
- Determine if such responses will likely result in an improving trend in condition for the value.
- If not, develop recommendations for strategic responses to clarify or rebalance government direction.

The approach overview in this paper is informed by current practices being implemented by BC's Oil and Gas Commission in their Area-Based Analysis approach to managing potential cumulative effects. Comments on this paper will support development of comprehensive provincial CE management procedures, which will address all aspects of CE management (Appendix 1).

4.0 General CE Management Approach

The procedures provide guidance for consistent and coordinated CE management responses across the natural resource sector, and are intentionally designed to:

1. ensure individual projects/activities consider, as appropriate, cumulative effects and the associated risk to objectives for CE values
2. provide flexibility, recognizing the different operating cultures
3. avoid or minimize negative impacts on CE mitigation efforts
4. realize synergistic benefits from CE mitigation efforts, where feasible.

4.1 CE Management Classes

The procedures provide guidance on CE management responses within each of the three CE management classes identified in the provincial CE policy – Standard, Enhanced and Intensive. CE management classes are assigned to individual CE assessment units for a given CE value based on the assessment of current condition and near-term trends for defined CE values relative to their respective enhanced management and

regulatory/policy triggers (Figure 4-1). The assigned CE management classes are made publicly available.

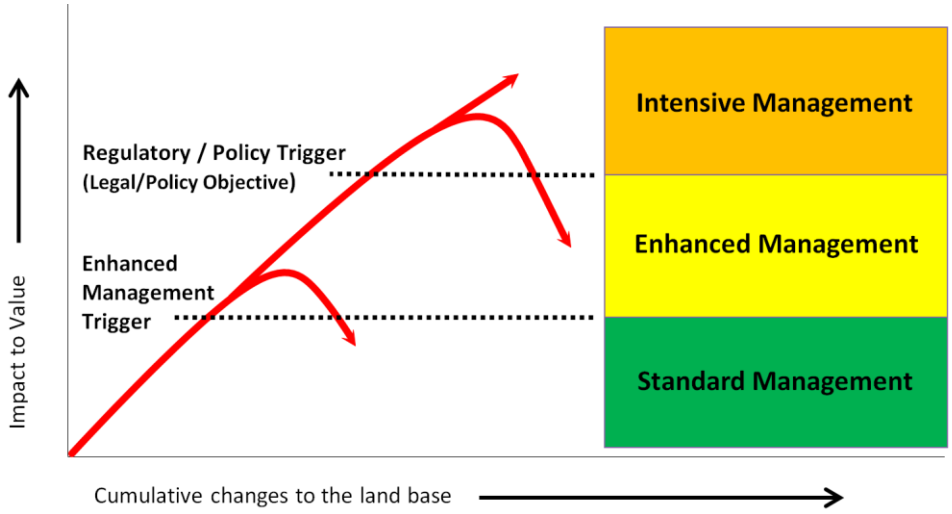


Figure 4-1 CE management classes.

The intended outcomes and key principles for each CE management class form the basis for these procedures (Table 4-1).

Table 4-1 Intended Outcomes and Key Principles by CE Management Class.

CE Management Class	Intended Outcome	Key Principles
Standard	Maintain the value in good condition while supporting streamlined decision-making.	• Existing regulatory and practice requirements apply. • No new CE mitigation requirements.
Enhanced	Ensure the regulatory/policy trigger is not exceeded.	• Consistent CE mitigation activities across the natural resource sector to ***slow or halt the negative trend*** in condition of a given CE value. • Proactive management to address near-term trends.
Intensive	Restore conditions to below the regulatory/policy trigger.	Consistent CE mitigation activities across the natural resource sector to result in a ***net-positive trend*** in condition of a given CE value.

4.2 Mitigation Hierarchy

The province's Environmental Mitigation Policy's mitigation hierarchy is applied to develop appropriate management responses to the extent dictated by each management class. Figure 4-2 shows the four components of the mitigation hierarchy. More details on the mitigation hierarchy are available in Section 6 of the province's Environmental Mitigation Policy: http://www.env.gov.bc.ca/emop/.

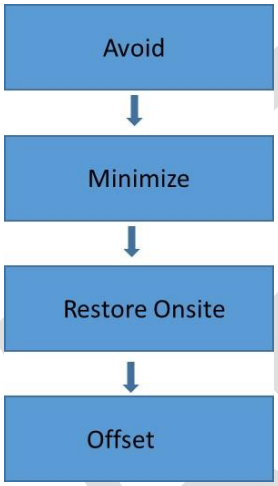


Figure 4-2 The mitigation hierarchy shows the order of priority in which mitigation measures should be considered.

4.3 CE Management Response Hierarchy

Within Enhanced and Intensive classes, CE management is aimed at improving consistency and coordination of mitigation efforts across the natural resource sector proactively by proponents prior to submission of a plan or application, as well as at three inter-related levels of CE decision-making (Figure 4-3).

CE management starts with proponents using CE assessment results and management guidance to proactively address CE.

Operational decision-making works within the existing legal/policy framework to manage CE with respect to a single application/plan/decision. These responses involve practice requirements for proponents such as best management practices or recommended permit conditions.

If negative impacts to a CE value cannot sufficiently be addressed at the operational level, then tactical-level responses are considered. Tactical-level responses are processes to support improved consistency and coordination across the natural

resource sector (NRS) within the flexibility enabled through the existing legal/policy framework. Tactical responses may affect more than one application/plan/decision.

If negative impacts to the CE value cannot sufficiently be addressed by operational and tactical-level responses, then strategic-level recommendations to senior government are developed to clarify or rebalance government direction. This may involve new or revised policy objectives, land use designations, regulatory and statutory change, government-to-government agreements, etc. Strategic-level recommendations are designed to improve subsequent CE management, including proactively by proponents as well as decision-making at the operational and/or tactical levels.

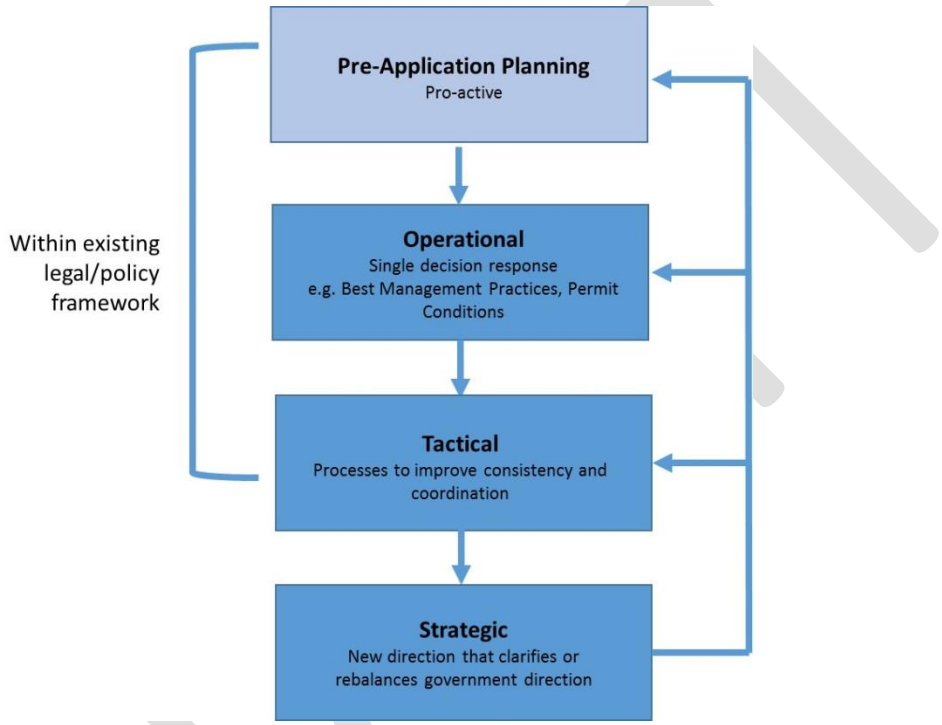


Figure 4-3 CE management response hierarchy.

5.0 Application of CE Management Procedures

Application of the procedures assumes:

- Government-endorsed CE assessment results for selected CE value are publicly available.
- CE assessment results have been validated, with a level of confidence assigned.
- As a result of the above, CE management classes have been assigned to individual assessment units for a given CE value based on the respective CE assessment units.

The procedures are applied to natural resource decisions when proposed activities are anticipated to have a negative impact on the condition of a CE value.

5.1 General Intent and Use

The procedures are intended to support development and implementation of:

1. proposed CE mitigation plans for activities in Enhanced and/or Intensive CE management classes by the respective proponents
2. tactical and/or strategic CE management responses undertaken by the Province, including those involving partnerships with other levels of government, First Nations and stakeholders.

As a result, the procedures will be used as guidance by a variety of internal and external audiences.

Proponents and qualified professionals	Information to consider in developing CE mitigation plans associated with permit applications, environmental assessments, forest stewardship plans, etc.
Provincial staff (for intake)	Information and guidance to consider when screening incoming applications.
Provincial staff (for technical review)	Information and guidance to consider when providing best scientific/technical information, advice and recommendations to proponents during pre-application planning or decision-makers considering operational, tactical and/or strategic-level CE management responses.
First Nations and stakeholders	Information to support consultation and referral processes.
Decision-makers	Information to support individual decisions which, taken together, must meet the intended outcomes for the respective CE management classes, including: • acceptance of proposed CE mitigation plans • development and implementation of tactical and/or strategic responses as required.
Provincial staff (for monitoring)	Information to support implementation and compliance/enforcement monitoring.

5.2 Relationship to Existing Legislation, Regulation and Policy

The procedures are not decision-making tools – they are *decision-support* tools. They do not create new legal requirements or supersede any statute. Rather, the procedures:

a. support existing legislation and policy
b. allow flexibility through guidance, and
c. propose consistent and coordinated application of existing legislation and policy to effectively mitigate negative impacts to CE values within the Enhanced CE management class, and to effectively restore the condition of CE values within the Intensive CE management class.

Where CE mitigation plans are included in permit or environmental assessment conditions, the commitments within those plans become enforceable.

PART 2. Implementation: Guidance and Considerations for Cumulative Effects Management

6.0 Pre-Application Planning

Table 6-1 General Approach to CE Management during Pre-application Planning.

Standard	Enhanced	Intensive
Make consistent information available to internal and external audiences.		
All CE management classes: • For each CE value, maps that define CE management classes, which apply across the natural resource sector, by CE assessment unit. • Detailed CE assessment information, including methodologies and assumptions. • Consistent and up-to-date consolidated disturbance layer. • Contact information for existing and in-process proponents within the operating area, where practicable. • Complementary best management practices, to the degree feasible, that can be applied across the natural resource sector.		

<table>
<tr><th>Standard</th><th>Enhanced</th><th>Intensive</th></tr>
<tr><td colspan="3">Proactively develop consistent and coordinated CE management responses</td></tr>
<tr><td rowspan="2">Proponents use the information to proactively address CE to the extent possible through regular application processes. No additional CE management requirements.</td><td>CE mitigation plan developed as part of proponent’s application/plan, which identifies consistent and coordinated CE mitigation measures that contribute to slowing or halting the negative trend for the CE value.</td><td>CE mitigation plan developed as part of proponent’s application/plan, which identifies consistent and coordinated CE mitigation measures that result in net-positive impacts on the CE value.</td></tr>
<tr><td colspan="2">CE mitigation plans are proposed to include:
Identification of CE values that will be impacted by the proposed activity.
Rationale for operating in an Enhanced or Intensive CE management class.
Detailed CE mitigation strategies and rationales, where level of effort and detail are scaled to the condition of the CE value and anticipated impact of proposed activities and, therefore, define an appropriate contribution to realizing the intended outcome for the respective CE management class.
Consideration of other resource development activities and factors (e.g., natural disturbances) that may impact identified CE values (positively or negatively).
Site-specific maps and commitments.
Coordination with other proponents in the project area to mitigate negative impacts to CE values. Level of effort reflects condition of the value and requirements to ensure consistent and coordinated CE management responses across the natural resource sector, including not unduly negatively impacting CE mitigation measures by other proponents.
Project monitoring plan.</td></tr>
</table>

7.0 Operational-level Responses

Table 7-1 General Approach to Operational Decision-making across the three CE Management Classes.

<table>
<tr><th>Standard</th><th>Enhanced</th><th>Intensive</th></tr>
<tr><td rowspan="2">Current practice
• Regulatory requirements
• Policy
• Best management practices
• Professional reliance

No new CE management-specific requirements.</td><td>Proponents are expected to follow mitigation commitments, and conditions may be attached to approved permits and authorizations.</td><td>• Proponents are expected to follow mitigation commitments, and conditions may be attached to approved permits and authorizations to reverse observed trends in the condition of values.
• Statutory decision maker may consider the acceptability of the impacts and other trade-offs</td></tr>
<tr><td colspan="2">Phased implementation
1. Base case: at the discretion of the Statutory Decision Maker, the mitigation plan is not formally included in permit conditions.
2. If implementation is inadequate, consider:
• use of incentives
• incorporation of mitigation plan into permit conditions.</td></tr>
</table>

Table 7-2 outlines more detailed CE management guidance that applies to both Enhanced and Intensive CE management classes. The guiding principles are supported by examples of CE management responses, some of which are currently being used to varying degrees. Considerations, in the form of questions, are presented to support:

- proponents to proactively address CE by addressing these questions which will be considered through the decision-making process
- regulatory staff and subject matter experts in support of: proponents in their response to these questions; and decision-makers in their consideration of proponents' responses to these questions as part of their decision rationale
- decision-makers to improve documentation in their decision rationales as to how they have considered CE
- staff who will use the answers to the questions as a baseline for implementation and compliance/enforcement monitoring.

Table 7-2 Detailed Operational CE Management Guidance for Enhanced and Intensive CE Management Classes.

Principles	Examples of CE Management Responses	Considerations
Avoid further negative impacts on CE values in order to: • slow or halt the trend in Enhanced management class. • reverse the trend, resulting in a net-positive impact, in Intensive management class. Expectations for consistency and	• Clarify site- or project-specific CE implications, e.g. ground-truthing CE assessment results at the site and assessment unit scale. • Infrastructure shared by proponents with overlapping tenures/operations. • Utilize existing disturbances where appropriate. • Adjust timing or means of proposed activities to avoid negative impacts on CE values.	• Does the proposed project/plan negatively impact a given CE value? If so, how? • How does proposed site- or project-specific information inform the condition of the CE value(s) relative to their CE assessment unit? • Is there evidence to support a change in CE management category for the CE assessment unit(s) in question? Has the proponent demonstrated sufficient effort to communicate and collaborate with other proponents and operators in the area to avoid negative impacts to CE values? ○ Are efforts and outcomes consistent with expectations for the applicable CE management class? If not, is a tactical level

Principles	Examples of CE Management Responses	Considerations
coordinated proponent responses are increased in Enhanced relative to Standard and highest in Intensive.		response required? ○ Will use of existing disturbances undermine mitigation or restoration efforts? If so, to what degree? What is the significance? What beneficial use will the proposed activities provide in the short and longer terms? Is a tactical-level response required?
If complete avoidance is not feasible, proposals/plans to include ***mitigation of negative impacts*** to CE values in order to slow or reverse the trend of the CE value through, as appropriate: • Minimizing the negative impact • Restoration on-site • Restoration off-site, using a like-for-like approach to CE values where feasible.	• Partially utilize existing disturbances. • Incremental investments to speed up recovery, e.g., replanting at higher stocking densities where forest health issues are a concern. • Requirements for monitoring the condition and trend of the CE value. • Requirements for referral to internal government or external subject matter experts for direction on CE mitigation strategies for the value. Where supported by legislation or policy, ensure contributions to an offset fund are designed to support CE management, e.g.,: • under the *Environmental Management Act* to support cross-sector collaboration on air	As per avoidance, plus: Is the proposed mitigation appropriate given: • the scope, scale and duration of the proposed activities within the footprint and CE assessment unit? • the degree to which the proposed activities will negatively impact condition and trend of the CE value? • the need for consistent and complementary mitigation across the natural resource sector within the respective assessment unit(s)? • the anticipated effectiveness of proposed mitigation to contribute to slowing or reversing the trend of the CE value(s)? Are tactical responses or strategic-level

Principles	Examples of CE Management Responses	Considerations
	and water quality. • BC Hydro's Fish and Wildlife Compensation programs. • Project-specific compensation funds as conditions of an Environmental Assessment Certificate.	recommendations required to ensure consistent, coordinated and effective mitigation across the natural resource sector in relation to a given CE value?
If necessary, ***do not proceed with the activity*** as proposed and/or at the current time.	• Invite resubmission subject to meeting specific conditions to improve CE management. • Determine if potential impacts are acceptable.	• What is the level of confidence in the proposed mitigation or restoration activities? Within what timeframes? • Is there demonstrated beneficial use of the resource relative to negative impacts on the CE value(s)? Within what timeframes? • Are tactical-level responses required to address underlying issues? Are strategic-level recommendations required? What are the anticipated timeframes for completing tactical or strategic-level CE management responses?

8.0 Tactical-level Responses

If negative impacts to a CE value cannot sufficiently be mitigated at the operational level, then tactical-level responses are considered, which are processes to support improved consistency and coordination across the natural resource sector within the flexibility enabled through the existing legal/policy framework. Table 8-1 outlines the general approach to CE management at the tactical level across the three management classes. While the types of tactical CE management responses are similar for both Enhanced and Intensive CE management classes, the intensity and extent are guided by the respective intended outcome.

Table 8-1 General Approach to Tactical Decision-Making across the three CE Management Classes.

Standard	Enhanced	Intensive
Monitor near-term trends to determine if the schedule for subsequent CE assessments needs to be reconsidered.	Four types of tactical CE management responses may be considered when operational approaches are deemed inadequate: • Improved data and information • Integrated resource management • Integrated decision-making • Monitoring.	As per Enhanced, but tactical CE management responses are designed to support restoration to realize a net-positive impact on CE values, plus: • Create a restoration "bank" or financial offsetting scheme to ensure efficient deployment of third party restoration activities.

Table 8-2 outlines more detailed CE management guidance for tactical decision-making that apply to both Enhanced and Intensive CE management classes. The guiding principles are supported by examples of CE management responses, some of which are currently being employed to varying degrees. Tactical CE management responses are generally identified by government, often in partnership with First Nations and stakeholders. Therefore, considerations in the form of questions are presented to support:

- stakeholders, First Nations, regulatory staff and subject matter experts in the provision of advice and/or recommendations to decision-makers
- decision-makers to approve and implement tactical CE management responses
- staff who will use the answers to the questions as a baseline for implementation and compliance/enforcement monitoring.

Table 8-2 Detailed Tactical-level CE Management Guidance for Enhanced and Intensive CE Management Classes.

General Principles	**Examples of CE Management Responses**	**Considerations**
Improve data and information where confidence in CE assessments is moderate or cautious.	Adaptive management upon completion of inventories and/or CE monitoring. Inventories and CE monitoring may be undertaken by proponent(s), First Nations, third parties and/or government(s).	Is it realistic to improve the data? Within a reasonable timeframe relevant to the decision(s)? Will investments in improved data significantly reduce uncertainty about CE? Will improved data significantly influence decision-making across the natural resource sector? Are strategic recommendations on data collection and management required to more fully address CE?

General Principles	Examples of CE Management Responses	Considerations
Integrated resource management: Processes and structures where improved CE management can be at least partially achieved through improved communication and information-sharing.	• Formal plans, such as access management or watershed plans to identify landscape level CE mitigation strategies to achieve objectives (government's direction) for values. • Proponents share plans, which are compiled into one map or web-based tool to support First Nations, other proponents and the public understand the extent of proposed activities, efforts to align use of infrastructure, etc. • Workshops, training and information-sharing forums explicitly designed to support consistent and coordinated management responses across the natural resource sector for specific CE values. May be internal, external or a combination. • Where feasible, use regulatory or policy tools that coordinate CE management, e.g., special use permit for roads to retain flexibility for future shared use. • Where supported by legislation or policy or through voluntary participation, creation of trusts or offset funds to support collaborative problem-solving and specific mitigation/restoration projects. • Development of consistent CE mitigation measures to be considered by proponents.	• To what degree are lack of communication and common understanding key barriers? • Are there sufficient incentives and/or requirements for key parties to participate? • Can partnerships and resources be made available to support the process and outcomes? • Can the key underlying issues be addressed within the existing legal/policy framework? If not, are strategic CE recommendations required?

General Principles	Examples of CE Management Responses	Considerations

Integrated decision-making:
 	
Decision-making and information-sharing mechanisms designed to improve CE management.
	• Designate a single decision-maker where multiple decisions will be:
	  ○ made in a geographic area
	  ○ adjacent to administrative boundaries
	  ○ as part of a large project that requires several types of authorizations, including for investigative work.
	• Share permit conditions between SDMs to ensure they are complementary.
	• Bundling referrals with the explicit intention of considering CE across numerous proposals.
	• Creation of protocols and tools within referral processes that are designed to support consistent and coordinated information to SDMs across natural resource agencies (e.g., linkages between Forest, Lands and Natural Resource Operations and Oil Gas Commission referral staff).
	• Forums for inter-agency, government-to-government or cross-sectoral/multi-party dialogue on tactical responses or development of recommendations for strategic-level CE management
		• Is the flexibility that exists within the current legal/policy framework being used to its fullest extent to manage CE across the natural resource sector?
		• Are there barriers to fully utilizing the existing flexibility?
		• Are strategic CE management recommendations required to:
		- support fully addressing CE within the current legal/policy framework
		- change the legal/policy framework to better support integrated decision-making so as to manage CE?

	recommendations. • Memorandums of Understanding to enable greater coordination.	

General Principles	Examples of CE Management Responses	Considerations
Monitoring: Ensure that consistent and coordinated management responses are implemented as part of an overall monitoring program.	Enhanced CE Management Class: Audit approach to assess degree of consistency and coordination across the natural resource sector in the implementation of CE mitigation plans.	• Did the project/plans meet their expected management of CE through implementation of mitigation plans? • What barriers to CE management were experienced? What efforts were made to address the barriers and to what degree were they effective? • What has been learned that can support CE management within Enhanced CE management classes at the authorization, tactical and strategic-levels?
	Intensive CE Management Class: • Compliance and enforcement monitoring to ensure restoration plans are being implemented and having their intended effect. • Track incursions or other impacts on restored areas to determine their effectiveness in contributing to changing trends in condition of CE values.	

9.0 Strategic-level Responses

If negative impacts to a CE value cannot sufficiently be mitigated at the operational and tactical levels, then strategic-level recommendations are developed for consideration by senior government. Table 9-1 outlines the general approach to CE management at the strategic level that may apply to one or more CE management classes.

Table 9-1 General Approach to Strategic-level CE Management.

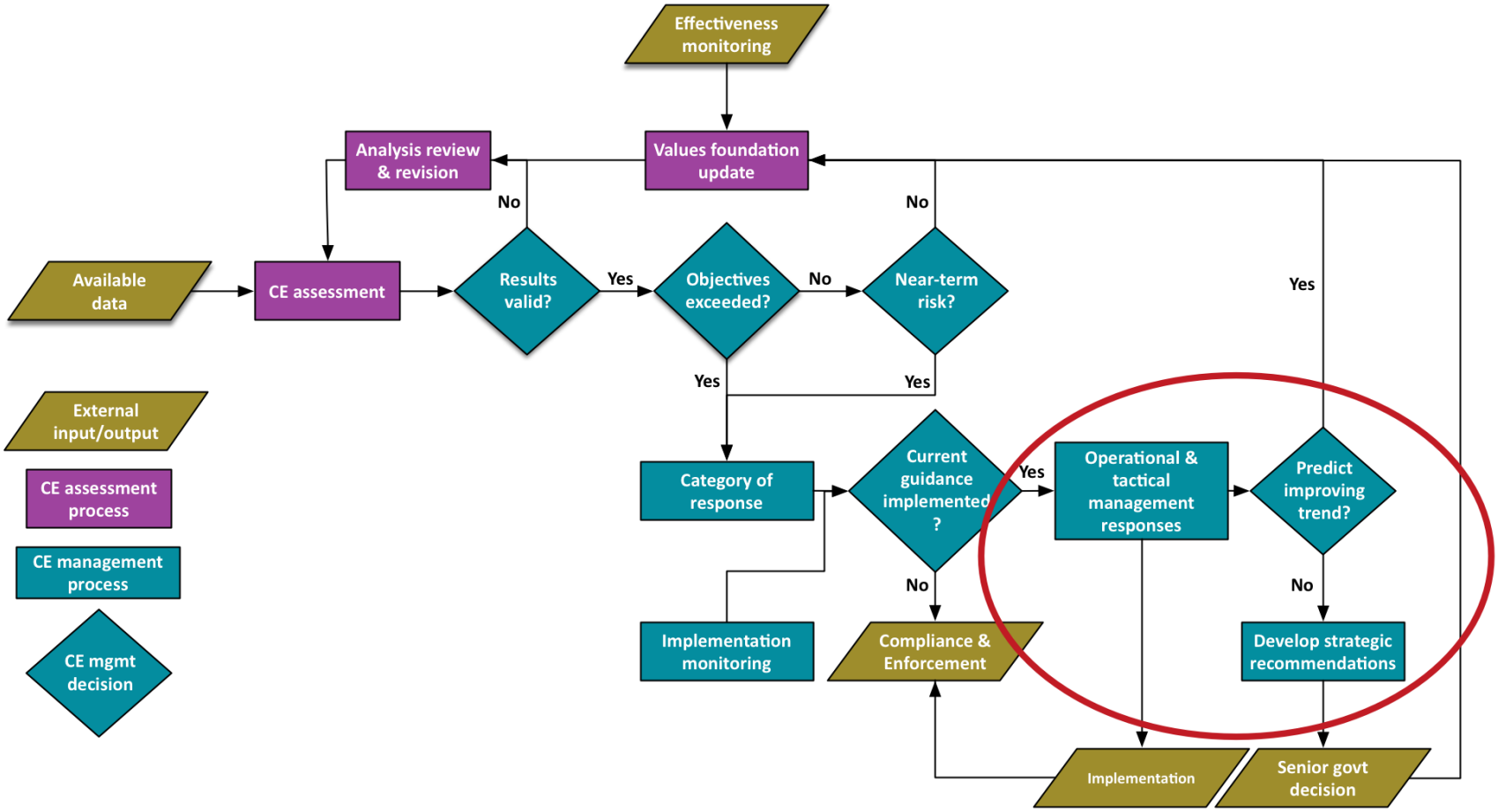
General Principles	Examples of CE Management Responses	Considerations

Government direction requires clarification or rebalancing when current requirements and guidance for CE mitigation are unlikely to fully mitigate negative trends in CE values.
 	
Strategic-level CE guidance is designed to improve subsequent CE management at the pre-application planning stage as well as operational and/or tactical decision-making.
	• New or revised legal or policy objectives and CE triggers
	• Land use designations
	• Regulatory and statutory changes
	• Government-to-government agreements
	• Memorandums of Understanding to enable greater coordination
	• Develop or revise strategic land/resource plans
	• Develop new guidelines or practice requirements.
		• Has the flexibility that exists within the current legal/policy framework been fully utilized in efforts to date to address CE?
		• If not, what are the barriers and what is required to address them?
		• If yes:
		  ○ Have the underlying issues been clearly defined?
		  ○ Would a change in government direction likely:
		  ▪ result in a significant positive impact on efforts to meet the intended outcomes for the CE management class?
		  ▪ be developed in a timely manner relative to the issues

General Principles	Examples of CE Management Responses	Considerations
	Intensive CE Management Class: • Establish direction to support allocation to highest-priority activities for an area. • More restrictive land use designations. • Provide recommendations for strategic government actions that ensure activities that cannot be mitigated are avoided or fully restored.	needing to be addressed? ▪ warrant the investments needed to pursue it? • What process would be required to: ○ develop options ○ analyze the potential impacts from the options ○ support transparency through internal and external engagement ○ secure the needed decisions?

Appendix 1: CE Management Business Process

The following is the overall draft CE management business process that highlights the three elements addressed in the Discussion Paper on Procedures for Developing CE Management Responses.



Appendix 2: Definitions

Terms not defined within this document are defined by common dictionary meaning. Definition of terms in this appendix are consistent with those in the provincial CE policy and Environmental Mitigation Policy.

Avoid – to fully avert any potential impact on one or more CE values resulting from a project or activity.

Best management practices – 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)

Consistent and coordinated cumulative effects management responses – responses that can be applied across the natural resource sector and that are intentionally designed to:

1. ensure individual projects/activities consider, as appropriate, cumulative effects and the associated risk to objectives for CE values
2. provide flexibility, recognizing the different operating cultures
3. avoid or minimize negative impacts on CE mitigation efforts
4. realize synergistic benefits from CE mitigation efforts, where feasible.

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

Cumulative effects mitigation plan – the proponent's commitment to mitigation and monitoring including the specific measures that will be carried out, which are designed to:

- slow or halt the negative trend for CE values in Enhanced CE management class, and/or
- reverse the trend and result in a net-positive impact on CE values in Intensive CE management class.

Cumulative effects management – the identification of consistent and coordinated *management responses* that are designed to ensure the intended outcome for the respective CE management class is met.

Cumulative effects management class – the level of CE management required and is assigned based on the outcomes of a CE assessment, including assessment of current condition and near-term trend for the respective CE value.

Cumulative effects value – a selected set of values that are periodically assessed and reported as part of the Cumulative Effects Framework.

Current condition – the results of a government-endorsed CE assessment that compares the current state or condition of CE values in relation to their management triggers.

Environmental Mitigation Policy – the Environmental Mitigation Policy and Procedures (2014) provides the expectations and guidance for mitigating impacts on environmental values and associated components. It provides 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.

Implementation monitoring – the assessment of whether CE management guidance was implemented, including with the intended level of consistency and coordination, as planned or guided.

Management triggers – defined levels of condition that trigger a change in management response. Within the CE management policy there are two defined triggers:

- **Regulatory/policy trigger** is the condition of a CE 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** is the condition of a CE value (or component or indicator of a value) that triggers a change in management response from standard management to enhanced management.

Minimize – to *partially* avoid or reduce the level of impacts on one or more CE values resulting from a project or activity.

Mitigation hierarchy – the order of priority for selection of mitigation measures.

Mitigation measure – a tangible action taken to avoid, minimize, restore on-site or offset designed to slow or reduce the trend of a CE values.

Near-term trends – the estimated trend in condition of CE 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 CE values.

Non-proponent actions – mitigation measures that may be used to reduce impacts to CE values, but where the proponent is not taking direct responsibility either by providing funds for implementation or implementing themselves.

Offset – to counteract, or make up for, an impact on a CE valued that cannot be adequately addressed through other mitigation measures in the hierarchy.

Off-site – outside of the area of the permit/authorization.

On-site – within the area of the permit/authorization.

Proponent – for purposes of these procedures, a person or organization who proposes to undertake a project or activity.

Restoration – the process of assisting the recovery of a CE value that has been degraded, damaged, or destroyed.[1] It is an intentional activity that initiates or accelerates the recovery of a CE value with respect to its health, integrity and sustainability. Restoration involves returning the respective CE value to a sustainable trajectory and current condition below its associated regulatory/policy trigger.

Restoration measure – a tangible action taken to avoid, minimize, restore on-site, or offset designed to produce a net-positive impact on the CE value and, therefore, contribute to restoring condition to below the respective regulatory/policy trigger.

[1] Society for Ecological Restoration International Science & Policy Working Group. 2004. The SER international primer on ecological restoration. Version 2, October 2004. Retrieved from: http://www.ser.org/pdf/primer3.pdf.