

Action Plan and Progress Assessment (APPA) for the implementation of audit recommendations from the OAG- Prepared for the Select Standing Committee of Public Accounts
Attention: Mike Bernier, Chair and Rick Glumac, Deputy Chair of the Select Standing Committee on Public Accounts

Managing the cumulative effects of natural resource development in British Columbia – Released 03/15

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PAC Meeting Plan¹ [03/06/15]

1st APPA Update [30/11/16]

2nd APPA Update [02/11/17]

3rd APPA Update [02/26/19]

4th APPA Update [02/26/20]

5th APPA Update [02/25/21]

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Rec. # Accepted? Yes / No ²	OAG Recommendations	Actions Planned & Target Date(s) ³	Assessment of Progress to date ⁴ and Actions Taken ⁵ (APPA update)
1 Yes	Assign the province's natural resource ministries and agencies clear roles and responsibilities for managing the cumulative effects of development activities on the land base.	<p><u>Published Response:</u></p> <p>The creation of the Ministry of Forests, Lands and Natural Resource Operations and the Natural Resources Board (Deputy Ministers from each natural resource sector agency and the Deputy Commissioner from the OGC), which oversees the full range of government's natural resource regulatory activities, has allowed government to better align its policies and initiatives to address issues such as cumulative effects. Government has established inter-agency committees and teams at the regional and provincial levels to support this work. Model terms of references, to support and direct interagency teams specifically on roles and responsibilities related to cumulative effects of development activities, will be completed in Fall 2015.</p> <p>Target Date: Fall 2015</p>	<p>Progress Assessment: Fully or substantially implemented</p> <p>Actions Taken & Discussion:</p> <p>The Interim Cumulative Effects Framework (CEF) Policy was completed and published in October 2016. The Interim Policy identifies specific roles and responsibilities for the Natural Resources Board, Natural Resource Sector Assistant Deputy Ministers, and regional cumulative effects management committees regarding CEF implementation and application in decision-making. These cross sector committees have been formed in most regions across the province with work underway in the remaining regions to confirm membership.</p>

¹ The audited organization will be required to present their initial action plan at this meeting (i.e. First three columns completed for each OAG recommendation included in the audit report)

² For each recommendation, the audited organization should state whether or not they have accepted the recommendation and plan to implement it fully by typing either "Yes" or "No" under the number of the recommendation.

³ Target date is the date that audited organization expects to have "fully or substantially implemented" the recommendation. If several actions are planned to implement one recommendation, indicate target dates for each if they are different.

⁴ The Select Standing Committee on Public Accounts (PAC) will request that the audited organization provide a yearly update (i.e. completed "Assessment of Progress and Actions Taken" column) until all recommendations are fully implemented or otherwise addressed to the satisfaction of the PAC. This is for the APPA update.

⁵ This action plan and the subsequent updates have not been audited by the OAG. However, at a future date that Office may undertake work to determine whether the entity has implemented the recommendations. The results of that work will be reported in a separate report prepared by the OAG.

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2 Yes	Introduce tools such as legislation and policy that will enable all of the province's natural resource sector ministries and agencies to coordinate cumulative effects management across all the sectors	<p><u>Published Response:</u></p> <p>Policy for consideration of cumulative effects in natural resource decisions will be completed by fall 2015. By April 2016, a comprehensive policy and procedures manual will be completed; as well as an assessment of, and recommendations for, any potential legislative changes. Government, through the Natural Resource Permitting Project, is also developing the systems to ensure that cumulative effects information will be easily accessible to proponents early on in the permitting intake process, as well as to decision-makers.</p> <p>Target Date: Fall 2015; April 2016</p>	<p>Progress Assessment: Fully or substantially implemented</p> <p>Actions Taken & Discussion:</p> <p>Interim CEF policy completed and approved by the DMCNR (October 2016).</p> <p>Guidance letter sent to all NRS statutory decision-makers from the DMCNR to communicate CEF Interim Policy approval and what that means for statutory decision-makers (February 2017).</p> <p>The Chief Forester issued expectations to consider cumulative effects as Forest Stewardship Plans are renewed by licensees; supported by the Letters of Expectations from Resource District Managers.</p> <p>Roles & Responsibilities for CEF Implementation have been further defined in the internal document "Roles and Responsibilities for Implementing the Cumulative Effects Framework" (May 2017).</p> <p>Cross agency committees including the CEF Strategic Leadership Team and Regional Cumulative Effects Assessment and Management Committees have been established as part of policy to coordinate consideration of cumulative effects management across government's natural resource sector agencies.</p> <p>Phased implementation will continue to be monitored to evaluate recommendations for legislative changes.</p> <p>Approved cumulative effect assessment results are being made available in the BC Data catalogue and through ArcGIS webmaps as reports are published.</p> <p>Assessment of cumulative effects for many major project proposals is already enabled in the Environmental Assessment Act. A communication bulletin was issued to support integration of regional-scale cumulative effects assessment into existing project-scale cumulative effects assessment required as a part of the Environmental Assessment Act. This is currently being updated to reflect the <i>Environmental Assessment Act 2018</i>.</p> <p>In addition, Operational guidance specific to individual business areas is under development. Guidance on the application of CE information in <i>Mines Act</i> and <i>Mineral Tenure Act</i> referrals responses and decision making is close to publication. Workshops and engagement with decision makers is ongoing to support development and implementation of guidance to other sector-based decisions.</p>

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<p>3 Yes</p>	<p>Provide its decision-makers with instruction and training on how to assess and manage cumulative effects when authorizing natural resource use.</p>	<p><u>Published Response:</u> A detailed training and extension plan is being completed. Training will start with select staff as part of finalizing the policy for the consideration of cumulative effect assessments in natural resource decisions. A full training package will be implemented throughout 2015 to support province-wide implementation of the Cumulative Effects Framework (April 2016). Target Date: Spring 2016</p>	<p>Progress Assessment: Partially implemented Actions Taken & Discussion: Guidance letter sent to all NRS statutory decision-makers from the DMCNR to communicate CEF Interim Policy approval and what that means for statutory decision-makers (February 2017). A number of decision makers have already considered the available cumulative effect assessments to support a variety of decision contexts. Insights from these early applications have been documented and shared through existing forums and case studies. Case studies have been published on the external facing CEF website, with more to come in the next year. Delegated decision makers at the Environmental Assessment Office (EAO) have access to guidance on cumulative effects assessments in the Guideline For The Selection Of Valued Components and Assessment of Potential Effects (2013). In addition, a communication bulletin was issued to support integration of regional-scale cumulative effects assessment into existing project-scale cumulative effects assessment required as a part of the Environmental Assessment Act. This is currently being updated to reflect the <i>Environmental Assessment Act 2018</i>. Training and extension is ongoing as assessment results/reports are released in different regions. For example, the NE Region held a half day workshop with FLNRORD staff and decision makers on the Grizzly Bear current condition report after it was released, similar workshops are anticipated for other regions as reports come out. Additionally a province-wide webinar for NR Ministry staff on CEF is planned for this year once CE reports are available in all regions. Operational guidance specific to individual business areas is under development. Guidance on the application of CE information in <i>Mines Act</i> and <i>Mineral Tenure Act</i> referrals responses and decision making is close to publication. A training webinar with Mines staff is planned to roll out this guidance. Workshops and engagement with decision makers is ongoing to support development and implementation of guidance to other sector-based decisions. Guidance has been developed to assist government staff and decision makers use the results of the grizzly bear assessment in a range of operational to strategic decision making and will be released in shortly. Development of similar guidance for other values is underway with the goal of releasing guidance for each value concurrent with the release of CE Current Condition reports. FLNR North East Region has developed regional guidance pursuant to the CEF Interim Policy for considering CE in decision-making, and an internal community of practice to provide support to government decision makers. Provincial CEF staff and regions will continue to communicate on successes and ways to build on effective guidance to decision-makers.</p>
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4 Yes	Consider cumulative effects when authorizing natural resource development, and document the rationale for its decisions.	<p><u>Published Response:</u></p> <p>Cumulative effects are considered in authorization decisions, both with and without formal cumulative effects assessments. The consideration depends on the regulatory and policy context for the decision, as set by regulatory requirements. Further, land use plans, other land objectives, and best management practice standards already account for much of the management of cumulative effects in the context of natural resource development authorizations.</p> <p>At the time of publication of the Auditor General’s report a policy document to improve consistency of these considerations is being finalized and a comprehensive policy and procedures manual will be completed by April 2016.</p> <p>Target Date: April 2016</p>	<p>Progress Assessment: Fully or substantially implemented</p> <p>Actions Taken & Discussion:</p> <p>Improved consideration of cumulative effects enabled by:</p> <p>CEF Interim policy and supporting Guidance Letter to statutory decision-makers.</p> <p>Area-based Analysis Tool developed by the Oil and Gas Commission and in use to support the consideration of cumulative effects and the potential impacts of oil and gas development since 2014.</p> <p>Ministry of Forests, Lands Natural Resource Operations and Rural Development (FLNRORD) is actively considering specific CE assessments where available in making authorization and other types of statutory and strategic decisions. Examples include Timber Supply Review, Forest Stewardship Plans, First Nations consultation and strategic engagement and Land Act authorizations.</p> <p>Ministers consider cumulative effects in their decision making whether to issue an Environmental Assessment Certificate, required for many major project proposals.</p> <p>Operational guidance specific to individual business areas is under development. Guidance on the application of CE information in <i>Mines Act</i> and <i>Mineral Tenure Act</i> referrals responses and decision making is close to publication. Workshops and engagement with decision makers is ongoing to support development and implementation of guidance to other sector-based decisions .</p> <p>Guidance has been developed to assist government staff and decision makers use the results of the grizzly bear assesement in a range of operational to strategic decision making and will be released in shortly. Development of similar guidance for other values is underway with the goal of releasing guidance for each value concurrent with the release of CE Current Condition reports.</p> <p>FLNRORD North East Region has developed regional guidance pursuant to the CEF Interim Policy for considering CE in decision-making, and an internal community of practice to support government decision makers. Provincial CEF staff and regions will continue to communicate on successes and ways to build on effective guidance to decision-makers.</p>

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5 Yes	Establish and/or update, as the foundation for cumulative effects management, values that are important for the province to sustain, and the acceptable conditions for those values	<p><u>Published Response:</u></p> <p>An initial set of values have been selected as part of the Phase 1 Cumulative Effects Framework Implementation Plan. They were selected based on their relevance throughout the province, their importance to First Nations' interests and rights, the availability of data to support development of assessment methods, and their establishment in existing legal or policy objectives. The first suite of provincial assessments for forest biodiversity (old forest and seral stage distribution), aquatic ecosystems, grizzly bear and moose are scheduled for completion by summer to mid-fall 2015.</p> <p>Acceptable conditions for these values are defined by existing objectives through legislation, land use plans, and policy, not defined through a cumulative effects assessment.</p> <p>Target Date: Summer to mid-fall 2015.</p>	<p>Progress Assessment: Fully or substantially implemented</p> <p>Actions Taken & Discussion:</p> <p>Criteria for value identification defined in Interim CEF Policy and five core provincial values actioned (Old Forest, Aquatic Ecosystems, Grizzly Bear, Moose and Forest Biodiversity). Protocols have been approved (by ADM level committee) for all values. Assessment results have been produced for all five values and are being used to develop current condition reports.</p> <p>Regional values such as Elk, Northern Goshawk and Bighorn sheep have also been identified and assessed by some regions, informed by government to government agreements with First Nations and Land Use Plans.</p> <p>In the immediate term, the focus for CEF implementation is on reporting for all CEF core values and working with decision-makers and planners to ensure CEF outputs are being applied to improve stewardship of resource values.</p>

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<p>6 Yes</p>	<p>Monitor the condition of values and make that information available to decision-makers.</p>	<p><u>Published Response:</u> Monitoring condition and tracking condition of a value is a key principle of the Cumulative Effects Framework. Assessments of condition will be regularly updated and reviewed by regional interagency management committees to consider any emerging risks. Target Date: Ongoing</p>	<p>Progress Assessment: Partially implemented Actions Taken & Discussion: In addition to monitoring value condition through the CEF assessments, monitoring is an important ongoing aspect of many programs including the Forest and Range Evaluation Program (FREP). In March 2018 the Cumulative Effects Program and Forest and Range Evaluation Program were brought together within the Resource Planning and Assessment Branch (RPAB). These programs now sit as part of a combined Cumulative Effects and Integrated Monitoring section within RPAB and Resource Stewardship Division in FLNRORD. Over 100 FREP extension documents have already been produced. 36 FREP Multiple Resource Value Assessment Reports have already been published. Integrated Monitoring and Assessment Reports, a collation of available FREP, CE and other monitoring results from across the natural resource agencies are also underway or published for a number of TSAs and First Nation territories across the province. Integrated Monitoring and Assessment reports have been completed and published for the Wet’suwet’en Hereditary Territory, Peace Natural Resource District and the Merritt TSA. Further, reports are in development for Quesnel Natural Resource District, and the South Island Natural Resource District. The target audience for all of these documents include resource management practitioners and decision makers. Outreach to forest licensees by FREP provincially and by CE in the Cariboo, Merritt, and Elk Valley assessment areas has been provided in making data fully available to assist in their resource management decision making. For cumulative effects assessments, regional validation of provincial value assessment results is underway or complete, and Current Condition reports are being developed to report out on those results. The current condition report for grizzly bear in the NE is available, and current condition reports for grizzly bear in all other regions of the province are in approval or drafting. Current condition reports for moose and old growth are underway in several regions. Watershed assessment (Aquatic ecosystem) current condition reports are available for the Thomson Okanagan and some parts of the Kootenay Region, and in development in other regions. Forest biodiversity current condition reporting is underway for the Cariboo region, with other regions expected to get underway in 2021/22. Cumulative Effects Assessment and Management reports are currently publicly available for the Howe Sound, Cariboo Region, Merritt, and Elk Valley Cumulative Effects pilot areas, these reports have been provided to decision makers and stakeholders in the area. CEF and FREP staff are working towards on-line reporting of all CE and FREP values over time. The CEF and FREP programs are increasingly working to partner with Indigenous partners (FREP) and align with the work of collaborative stewardship forums (CSFs). Regional modifications of provincial assessment protocols may be taken into account based on collaboration or engagement with First Nations and stakeholders.</p>
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7 Yes	Establish how assessments resulting from the Cumulative Effects Framework will be used to inform and support natural resource development decisions by ministries in all resource sectors.	<p><u>Published Response:</u></p> <p>As part of comprehensive policy and procedures being developed, a cross-sector government committee will review the cumulative effects assessment results and may develop recommendations that support:</p> <ul style="list-style-type: none"> Operational-level decisions: (e.g., potential permit conditions that are consistently considered across the natural resource sector to mitigate risks to values, consistent consideration of assessment results for coordinated operational plans, site-specific assessment of condition of value and proposed mitigation). Strategic-level decisions: (e.g., government to government agreements; resource plans; special designation or objectives; priorities for research, inventory, or monitoring) Impact assessment of Aboriginal and Treaty Rights: (e.g., current and potential future condition of the values as a factor in the assessment within the consultation and accommodation process or agreements) <p>Target Date: Fall 2015</p>	<p>Progress Assessment: Partially implemented</p> <p>Actions Taken & Discussion:</p> <p>Interim CEF policy completed. Roles and responsibilities for regional, cross-sector cumulative effects management committees are identified in the Interim policy.</p> <p>A communication bulletin was issued to support integration of regional-scale cumulative effects assessment into existing project-scale cumulative effects assessment required as a part of the Environmental Assessment Act. This is currently being updated to reflect the <i>Environmental Assessment Act 2018</i>.</p> <p>Operational guidance specific to individual business areas is in development in collaboration with leads from each business area. Guidance on the application of CE information in <i>Mines Act</i> and <i>Mineral Tenure Act</i> referrals responses and decision making is close to publication. Workshops and engagement with decision makers is ongoing to support development and implementation of guidance to other sector-based decisions.</p> <p>Guidance has been developed to assist government staff and decision makers use the results of the grizzly bear assessment in a range of operational to strategic decision making and will be released in shortly. Development of similar guidance for other values is underway. FLNR North East Region has developed regional guidance pursuant to the CEF Interim Policy for considering CE in decision-making, and an internal community of practice to support decision makers has been established.</p> <p>CEF protocols and assessments are being used to support work by the Environmental Stewardship Initiative tables in the North Area. CEF assessments will also be used to support strategic level decision making at Modernized Land Use Planning tables.</p> <p>A CEF Strategic Plan is being developed over the next year to identify priority areas of focus to ensure successful delivery of CE assessment and incorporation of those results in decision making.</p>
8 Yes	Annually report to the Legislative Assembly on progress in implementing the Cumulative Effects Framework, and how risks are being managed to ensure its successful implementation	<p><u>Published Response:</u></p> <p>The ministry is already reporting to the Environment and Land Use Committee on a biannual basis.</p> <p>Target Date: Ongoing</p>	<p>Progress Assessment: Fully or substantially implemented</p> <p>Actions Taken & Discussion:</p> <p>Progress reports provided to Environment and Land Use Cabinet Committee (last report, April 2016). Future reports will also be provided to DMCNR as part of evaluation of Interim CEF Policy.</p>

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9 Yes	Assess options for accelerating full implementation of the Cumulative Effects Framework, and submit a proposal to Cabinet for decision.	<p><u>Published Response:</u> The ministry will complete an options analysis to accelerate implementation and value assessments and submit proposal to Cabinet in fall 2015.</p> <p>Target Date: Fall 2015</p>	<p>Progress Assessment: Fully or substantially implemented</p> <p>Actions Taken & Discussion: Assessment of options completed and submitted to Executive (April 2016).</p>

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