



LEGISLATIVE ASSEMBLY
of BRITISH COLUMBIA

Second Session, 42nd Parliament

OFFICIAL REPORT
OF DEBATES
(HANSARD)

Thursday, November 18, 2021
Afternoon Sitting
Issue No. 133

THE HONOURABLE RAJ CHOUHAN, SPEAKER

ISSN 1499-2175

PROVINCE OF BRITISH COLUMBIA

(Entered Confederation July 20, 1871)

LIEUTENANT-GOVERNOR

Her Honour the Honourable Janet Austin, OBC

SECOND SESSION, 42ND PARLIAMENT

SPEAKER OF THE LEGISLATIVE ASSEMBLY

Honourable Raj Chouhan

EXECUTIVE COUNCIL

Premier and President of the Executive Council	Hon. John Horgan
Deputy Premier and Minister of Public Safety and Solicitor General	Hon. Mike Farnworth
Minister of Advanced Education and Skills Training	Hon. Anne Kang
Minister of Agriculture, Food and Fisheries	Hon. Lana Popham
Attorney General and Minister Responsible for Housing	Hon. David Eby, QC
Minister of Children and Family Development	Hon. Mitzi Dean
Minister of State for Child Care	Hon. Katrina Chen
Minister of Citizens' Services	Hon. Lisa Beare
Minister of Education	Hon. Jennifer Whiteside
Minister of Energy, Mines and Low Carbon Innovation	Hon. Bruce Ralston, QC
Minister of Environment and Climate Change Strategy	Hon. George Heyman
Minister of Finance	Hon. Selina Robinson
Minister of Forests, Lands, Natural Resource Operations and Rural Development	Hon. Katrine Conroy
Minister of State for Lands and Natural Resource Operations	Hon. Nathan Cullen
Minister of Health and Minister Responsible for Francophone Affairs	Hon. Adrian Dix
Minister of Indigenous Relations and Reconciliation	Hon. Murray Rankin, QC
Minister of Jobs, Economic Recovery and Innovation	Hon. Ravi Kahlon
Minister of State for Trade	Hon. George Chow
Minister of Labour	Hon. Harry Bains
Minister of Mental Health and Addictions	Hon. Sheila Malcolmson
Minister of Municipal Affairs	Hon. Josie Osborne
Minister of Social Development and Poverty Reduction	Hon. Nicholas Simons
Minister of Tourism, Arts, Culture and Sport	Hon. Melanie Mark
Minister of Transportation and Infrastructure	Hon. Rob Fleming
Minister of State for Infrastructure	Hon. Bowinn Ma

LEGISLATIVE ASSEMBLY

Leader of the Official Opposition	Shirley Bond
Leader of the Third Party	Sonia Furstenuau
Deputy Speaker	Spencer Chandra Herbert
Assistant Deputy Speaker	Norm Letnick
Deputy Chair, Committee of the Whole	Ronna-Rae Leonard
Clerk of the Legislative Assembly	Kate Ryan-Lloyd
Law Clerk and Parliamentary Counsel	Seunghee Suzie Seo
Clerk Assistant, Parliamentary Services	Artour Sogomonian
Clerk of Committees	Jennifer Arril
Clerk Assistant, Committees and Interparliamentary Relations	Susan Sourial
Senior Research Analyst	Karan Riarh
Sergeant-at-Arms	Ray Robitaille

ALPHABETICAL LIST OF MEMBERS

Alexis, Pam (BC NDP) Abbotsford-Mission
 Anderson, Brittany (BC NDP) Nelson-Creston
 Ashton, Dan (BC Liberal Party) Pentiction
 Babchuk, Michele (BC NDP) North Island
 Bailey, Brenda (BC NDP) Vancouver-False Creek
 Bains, Hon. Harry (BC NDP) Surrey-Newton
 Banman, Bruce (BC Liberal Party) Abbotsford South
 Beare, Hon. Lisa (BC NDP) Maple Ridge-Pitt Meadows
 Begg, Garry (BC NDP) Surrey-Guildford
 Bernier, Mike (BC Liberal Party) Peace River South
 Bond, Shirley (BC Liberal Party) Prince George-Valemount
 Brar, Jagrup (BC NDP) Surrey-Fleetwood
 Cadieux, Stephanie (BC Liberal Party) Surrey South
 Chandra Herbert, Spencer (BC NDP) Vancouver-West End
 Chant, Susie (BC NDP) North Vancouver-Seymour
 Chen, Hon. Katrina (BC NDP) Burnaby-Lougheed
 Chouhan, Hon. Raj (BC NDP) Burnaby-Edmonds
 Chow, Hon. George (BC NDP) Vancouver-Fraserview
 Clovechok, Doug (BC Liberal Party) Columbia River-Revelstoke
 Conroy, Hon. Katrine (BC NDP) Kootenay West
 Coulter, Dan (BC NDP) Chilliwack
 Cullen, Hon. Nathan (BC NDP) Stikine
 Davies, Dan (BC Liberal Party) Peace River North
 de Jong, Michael, QC (BC Liberal Party) Abbotsford West
 Dean, Hon. Mitzi (BC NDP) Esquimalt-Metchosin
 D'Eith, Bob (BC NDP) Maple Ridge-Mission
 Dix, Hon. Adrian (BC NDP) Vancouver-Kingsway
 Doerkson, Lorne (BC Liberal Party) Cariboo-Chilcotin
 Donnelly, Fin (BC NDP) Coquitlam-Burke Mountain
 Dykeman, Megan (BC NDP) Langley East
 Eby, Hon. David, QC (BC NDP) Vancouver-Point Grey
 Elmore, Mable (BC NDP) Vancouver-Kensington
 Farnworth, Hon. Mike (BC NDP) Port Coquitlam
 Fleming, Hon. Rob (BC NDP) Victoria-Swan Lake
 Furstenaу, Sonia (BC Green Party) Cowichan Valley
 Glumac, Rick (BC NDP) Port Moody-Coquitlam
 Greene, Kelly (BC NDP) Richmond-Steveston
 Halford, Trevor (BC Liberal Party) Surrey-White Rock
 Heyman, Hon. George (BC NDP) Vancouver-Fairview
 Horgan, Hon. John (BC NDP) Langford-Juan de Fuca
 Kahlon, Hon. Ravi (BC NDP) Delta North
 Kang, Hon. Anne (BC NDP) Burnaby-Deer Lake
 Kirkpatrick, Karin (BC Liberal Party) West Vancouver-Capilano
 Kylo, Greg (BC Liberal Party) Shuswap
 Lee, Michael (BC Liberal Party) Vancouver-Langara
 Leonard, Ronna-Rae (BC NDP) Courtenay-Comox
 Letnick, Norm (BC Liberal Party) Kelowna-Lake Country
 Lore, Grace (BC NDP) Victoria-Beacon Hill
 Ma, Hon. Bowinn (BC NDP) North Vancouver-Lonsdale
 Malcolmson, Hon. Sheila (BC NDP) Nanaimo
 Mark, Hon. Melanie (BC NDP) Vancouver-Mount Pleasant
 Mercier, Andrew (BC NDP) Langley
 Merrifield, Renee (BC Liberal Party) Kelowna-Mission
 Milobar, Peter (BC Liberal Party) Kamloops-North Thompson
 Morris, Mike (BC Liberal Party) Prince George-Mackenzie
 Oakes, Coralee (BC Liberal Party) Cariboo North
 Olsen, Adam (BC Green Party) Saanich North and the Islands
 Osborne, Hon. Josie (BC NDP) Mid Island-Pacific Rim
 Paddon, Kelli (BC NDP) Chilliwack-Kent
 Paton, Ian (BC Liberal Party) Delta South
 Popham, Hon. Lana (BC NDP) Saanich South
 Ralston, Hon. Bruce, QC (BC NDP) Surrey-Whalley
 Rankin, Hon. Murray, QC (BC NDP) Oak Bay-Gordon Head
 Rice, Jennifer (BC NDP) North Coast
 Robinson, Hon. Selina (BC NDP) Coquitlam-Maillardville
 Ross, Ellis (BC Liberal Party) Skeena
 Routledge, Janet (BC NDP) Burnaby North
 Routley, Doug (BC NDP) Nanaimo-North Cowichan
 Russell, Roly (BC NDP) Boundary-Similkameen
 Rustad, John (BC Liberal Party) Nechako Lakes
 Sandhu, Harwinder (BC NDP) Vernon-Monashee
 Sharma, Niki (BC NDP) Vancouver-Hastings
 Shypitka, Tom (BC Liberal Party) Kootenay East
 Simons, Hon. Nicholas (BC NDP) Powell River-Sunshine Coast
 Sims, Jinny (BC NDP) Surrey-Panorama
 Singh, Aman (BC NDP) Richmond-Queensborough
 Singh, Rachna (BC NDP) Surrey-Green Timbers
 Starchuk, Mike (BC NDP) Surrey-Cloverdale
 Stewart, Ben (BC Liberal Party) Kelowna West
 Stone, Todd (BC Liberal Party) Kamloops-South Thompson
 Sturdy, Jordan (BC Liberal Party) West Vancouver-Sea to Sky
 Tegart, Jackie (BC Liberal Party) Fraser-Nicola
 Walker, Adam (BC NDP) Parksville-Qualicum
 Wat, Teresa (BC Liberal Party) Richmond North Centre
 Whiteside, Hon. Jennifer (BC NDP) New Westminster
 Wilkinson, Andrew, QC (BC Liberal Party) Vancouver-Quilchena
 Yao, Henry (BC NDP) Richmond South Centre

LIST OF MEMBERS BY RIDING

Abbotsford-Mission Pam Alexis
 Abbotsford South Bruce Banman
 Abbotsford West Michael de Jong, QC
 Boundary-Similkameen Roly Russell
 Burnaby-Deer Lake Hon. Anne Kang
 Burnaby-Edmonds Hon. Raj Chouhan
 Burnaby-Lougheed Hon. Katrina Chen
 Burnaby North Janet Routledge
 Cariboo-Chilcotin Lorne Doerkson
 Cariboo North Coralee Oakes
 Chilliwack Dan Coulter
 Chilliwack-Kent Kelli Paddon
 Columbia River-Revelstoke Doug Clovechok
 Coquitlam-Burke Mountain Fin Donnelly
 Coquitlam-Maillardville Hon. Selina Robinson
 Courtenay-Comox Ronna-Rae Leonard
 Cowichan Valley Sonia Furstenaу
 Delta North Hon. Ravi Kahlon
 Delta South Ian Paton
 Esquimalt-Metchosin Hon. Mitzi Dean
 Fraser-Nicola Jackie Tegart
 Kamloops-North Thompson Peter Milobar
 Kamloops-South Thompson Todd Stone
 Kelowna-Lake Country Norm Letnick
 Kelowna-Mission Renee Merrifield
 Kelowna West Ben Stewart
 Kootenay East Tom Shypitka
 Kootenay West Hon. Katrine Conroy
 Langford-Juan de Fuca Hon. John Horgan
 Langley Andrew Mercier
 Langley East Megan Dykeman
 Maple Ridge-Mission Bob D'Eith
 Maple Ridge-Pitt Meadows Hon. Lisa Beare
 Mid Island-Pacific Rim Hon. Josie Osborne
 Nanaimo Hon. Sheila Malcolmson
 Nanaimo-North Cowichan Doug Routley
 Nechako Lakes John Rustad
 Nelson-Creston Brittany Anderson
 New Westminster Hon. Jennifer Whiteside
 North Coast Jennifer Rice
 North Island Michele Babchuk
 North Vancouver-Lonsdale Hon. Bownin Ma
 North Vancouver-Seymour Susie Chant
 Oak Bay-Gordon Head Hon. Murray Rankin, QC
 Parksville-Qualicum Adam Walker
 Peace River North Dan Davies
 Peace River South Mike Bernier
 Pentiction Dan Ashton
 Port Coquitlam Hon. Mike Farnworth
 Port Moody-Coquitlam Rick Glumac
 Powell River-Sunshine Coast Hon. Nicholas Simons
 Prince George-Mackenzie Mike Morris
 Prince George-Valemount Shirley Bond
 Richmond North Centre Teresa Wat
 Richmond-Queensborough Aman Singh
 Richmond South Centre Henry Yao
 Richmond-Steveston Kelly Greene
 Saanich North and the Islands Adam Olsen
 Saanich South Hon. Lana Popham
 Shuswap Greg Kylo
 Skeena Ellis Ross
 Stikine Hon. Nathan Cullen
 Surrey-Cloverdale Mike Starchuk
 Surrey-Fleetwood Jagrup Brar
 Surrey-Green Timbers Rachna Singh
 Surrey-Guildford Garry Begg
 Surrey-Newton Hon. Harry Bains
 Surrey-Panorama Jinny Sims
 Surrey South Stephanie Cadieux
 Surrey-Whalley Hon. Bruce Ralston, QC
 Surrey-White Rock Trevor Halford
 Vancouver-Fairview Hon. George Heyman
 Vancouver-False Creek Brenda Bailey
 Vancouver-Fraserview Hon. George Chow
 Vancouver-Hastings Niki Sharma
 Vancouver-Kensington Mable Elmore
 Vancouver-Kingsway Hon. Adrian Dix
 Vancouver-Langara Michael Lee
 Vancouver-Mount Pleasant Hon. Melanie Mark
 Vancouver-Point Grey Hon. David Eby, QC
 Vancouver-Quilchena Andrew Wilkinson, QC
 Vancouver-West End Spencer Chandra Herbert
 Vernon-Monashee Harwinder Sandhu
 Victoria-Beacon Hill Grace Lore
 Victoria-Swan Lake Hon. Rob Fleming
 West Vancouver-Capilano Karin Kirkpatrick
 West Vancouver-Sea to Sky Jordan Sturdy

CONTENTS

Thursday, November 18, 2021
Afternoon Sitting

Page

Routine Business

Introductions by Members.....	4161
Standing Order 35	4161
Response to severe weather events	
P. Milobar	
P. Alexis	
S. Furstenuau	
K. Paddon	
S. Bond	
H. Sandhu	
J. Sturdy	
M. Dykeman	
M. de Jong	
Hon. L. Popham	
J. Tegart	
A. Olsen	
Hon. M. Farnworth	

Orders of the Day

Committee of the Whole House.....	4171
Bill 23 — Forests Statutes Amendment Act, 2021 (<i>continued</i>)	
J. Rustad	
Hon. K. Conroy	
L. Doerkson	
C. Oakes	
I. Paton	
A. Olsen	

Proceedings in the Douglas Fir Room

Committee of the Whole House.....	4185
Bill 22 — Freedom of Information and Protection of Privacy Amendment Act, 2021 (<i>continued</i>)	
T. Stone	
Hon. L. Beare	
B. Banman	
S. Furstenuau	

THURSDAY, NOVEMBER 18, 2021

The House met at 1:04 p.m.

[Mr. Speaker in the chair.]

Routine Business

Introductions by Members

M. Dykeman: I have the honour today of introducing and welcoming to the Legislature an intern, right up there: Ty Huston from KPU. He is with my office for a little bit, and I have the privilege of hosting him here today. In February, he's off to my alma mater of Macquarie University to study international studies.

I was wondering if the House could please make him feel very welcome.

[1:05 p.m.]

Standing Order 35

RESPONSE TO SEVERE WEATHER EVENTS

P. Milobar: I move:

[That, pursuant to Standing Order 35, the House do now adjourn for the purpose of discussing a matter of definite and urgent public importance — specifically, the response of the Government of British Columbia to the emergency flooding and landslide situation that has unfolded across our province.]

Mr. Speaker: Continue.

P. Milobar: Thank you.

As the member who put forward the submission to hold this emergency discussion, I want to set the stage for why it's so important and the types of issues that require canvassing at this point in time.

Over the past few days, we've observed a number of failures on the part of this government, which has tried to absolve itself, once again, by using terms like "unprecedented" to describe this event. The Premier, the Solicitor General and other ministers have tried to convince British Columbians that the magnitude of this event could not have been predicted. However, there were, indeed, warnings.

On Friday, CTV Vancouver quoted an Environment Canada weather statement, which read: "A series of moisture-laden systems associated with an atmospheric river from the Pacific will begin arriving Saturday evening and bring heavy rain to the south coast." Sounds like a pretty accurate and ominous prediction to me.

Washington state clearly took the situation seriously. On Sunday, November 14, only two kilometres from the Sumas Prairie, Whatcom County issued an emergency proclamation due to flooding as a result of national weather service forecasts. By 3:40 that day, a flood warning for

the Nooksack River was issued by the National Weather Service division in Seattle.

By Monday, November 15, you could hear the flood sirens from Sumas and Abbotsford, two kilometres away. At 11:31 that morning, the National Weather Service division in Seattle highlighted record levels on the Nooksack River. By 3:30 that day, the river had reached flood stage. Governor Jay Inslee then issued a severe weather emergency proclamation.

Keeping an eye on what was happening in Washington state should have been critical to the B.C. government. They should have known the danger that could follow if the Nooksack River overflowed. And do you know why? Because they were warned about that as well. The city of Abbotsford issued a report a year ago outlining this very concern.

Unfortunately, that's not the only report this government has chosen to ignore. We know there was a climate change risk assessment report that this government commissioned and received in 2019. That report warned of this very thing. It was also ignored by this government. We know that the report was clear about the dangers and risks we face in British Columbia, but we don't have any indication this government has taken any action of that report.

Speaking of the lack of action, and given the multiple emergencies of this past year, one has to wonder why B.C. has never used the Alert Ready system. After all, when we look at other jurisdictions.... Since 2019, these alerts have been issued 80 times in Alberta, 101 times in Saskatchewan and 202 times in Ontario. That's just in the last two years.

Here in B.C., the system wasn't used after the forest fires of 2018. Nor during this summer's wildfire season, where we saw fire destroy Monte Lake and nearly the entire village of Lytton, which also tragically claimed two lives. Nor during the deadly heat dome. That event tragically took 600 lives in British Columbia, 600 people who were mainly frail and elderly residents. And now, in the midst of absolutely devastating flooding and slides and other damage, it hasn't been used yet again.

We are in a situation here in British Columbia where not only does this government pretend it has been warned about impending disasters; it doesn't even take action on prevention, on reducing the impacts of these events on communities. It hasn't taken action to employ the very warning systems that, during an emergency, can stave off additional complications and damages.

[1:10 p.m.]

British Columbians are losing faith in this government's ability to handle a crisis and to have their backs when the worst happens. On so many fronts these days, this government seems to want to take a "government knows best" approach. However, when it comes to disasters, this government is nowhere to be found, preferring to leave residents and communities to fend for themselves.

In short, this government hasn't been doing enough,

and it must do more. It has to stop blaming others and start taking responsibility to help residents in the throes of a disaster. It's my hope, through this emergency debate, we'll get to the bottom of why that is and how we can fix it.

P. Alexis: I would first like to acknowledge that I'm speaking to you from the traditional territories of the Łəkʷəŋjɪnəŋ people, the Songhees and the Esquimalt First Nations.

In a year and a half that has seen the people of this great province face so much — a pandemic, a heat dome, swarms of devastating wildfires and more — we now see that Mother Nature was not quite done with us yet. In the midst of all the chaos and loss we've seen as a result of the catastrophic flooding in the Fraser Valley, I was moved by the speed and passion in which so many answered the call to yet again help.

I consider myself lucky to stand with my colleagues here, where I know I'm a stone's throw from ministers and their staff, all who will hear me out and understand what's happening right now in the valley and the help that we need. That's not who I want to talk about today.

Today I want to talk about the people that we serve. I say "we" specifically, because the courage and generosity we have seen on display luckily have no respect for our constituency boundaries. We see it from neighbour to neighbour. The people of Abbotsford and Mission once again proved their generosity and commitment to community and volunteerism.

I spoke with the Abbotsford mayor yesterday. He's stunned at the offers of help pouring in. The Abbotsford switchboards are getting jammed with 2,000 calls a day by people wanting to give of themselves for their fellow man. This morning at 7:30, the mayor, at the press conference, announced that he had set up, on the city website, a place to donate. There are so many.... There's just an outpouring of generosity.

Yesterday I had a call from a large-scale veterinarian who was wanting to volunteer to help. I connected him with the right people.

We see it in the Hope Pizza Place, owned by Rupinder and Dewan Davesar, who went above and beyond to help, firing up the restaurant's one gas oven amid a power outage. They baked pies, and with the aid of local volunteers, delivered them for free, in the rain, to the occupants of cars stranded, thanks to the mudslides.

We see it in our farmers helping their fellow farmers. As the Sumas Prairie region of Abbotsford was ordered to evacuate, farmers and neighbours joined together, using motorboats, canoes, dinghies and jet skis to move dozens of trapped cows, one by one, to the safety of higher land. I shared one of the stories on Facebook. The poster had talked about how emotional she was to see each trailer come, carrying the single cow or calf that had been just

through an incredible ordeal — just unbelievable and remarkable endeavours.

We've seen it city to city — 300 volunteers, many from the Chilliwack-Abbotsford border, working all night to make a sandbag wall protecting a pumphouse from taking on additional water. This crucial work bought just enough time so additional people could be rescued — 184 of them that night alone. So many volunteers showed up that crews were overwhelmed.

In Surrey, dozens of volunteers came together at the Gurdwara Dukh Nivaran Sahib to prepare and cook over 3,000 meals on Tuesday. These meals were flown out to Hope on Wednesday by a helicopter that was rented, thanks to countless generous donations.

I want to add that we know many of these stories because people shared them on social media. There they spread like mercury. For all the misinformation and self-promotion and out-and-out nonsense these sites often host, this was a testament to their true power, a power that can still be used for good.

Finally, I must acknowledge and thank our first responders, our volunteers and our municipal and federal partners who have gone above and beyond in service to their communities. This is an absolute crisis, one whose true impact is still unknown and one from which we will spend years recovering.

[1:15 p.m.]

I can't say enough about how well everyone worked together, a true spirit of cooperation. In fact, yesterday the mayor of Abbotsford assured citizens that he had, indeed, everything the community needed from the province.

All these stories and examples serve as a reminder that when the chips are down, people, at their core, are still good. I don't know how you can be any manner of a public servant and not hold on to that belief, but it's still so gratifying to see it confirmed.

I can't wait to get back to Mission tonight and meet in Abbotsford tomorrow with community leaders and stakeholders and continue getting them the help that they need. More than that, I can't wait to speak with the people on the ground to hear what they've been through and to do my part to help.

No matter how bleak or catastrophic a situation may appear, it does not entirely own or rob us of our shared humanity. It cannot take away our freedom to respond and our power to take action.

I'm proud to stand here with those who took action decisively and quickly in service to their province. There is no higher calling, no greater duty.

S. Furstenu: It really is impossible to capture how devastating these floods are. We will all be coming to grips with the loss and grief over the months and years to come.

But let's be clear. This emergency is a climate emergency. In his book *A Good War*, Seth Klein talks about what an actual emergency response to the climate emergency

would be. There are four key markers, he argues: spend what it takes to win, create new economic institutions to get the job done, shift from voluntary and incentive-based policies to mandatory measures, and tell the truth about the severity of the crisis and communicate a sense of urgency about the measures that are needed to combat it.

I will argue that No. 4, telling the truth, is absolutely essential for the other three to occur. On this, we have failed.

In this Legislature, climate change is talked about as if a suite of policy tools will be all that's needed to mitigate and prepare for what's coming.

In this Legislature, 83 MLAs stood up over and over again in 2019 to support legislation that provided a \$6 billion incentive package to LNG Canada to increase our methane and greenhouse gas emissions.

In this Legislature, both the government and opposition parties permitted Site C, which will wipe out some of our best agricultural land in this province and the capacity to provide food for up to one million people. This project also undermined what we should be doing, which is to create local clean energy production in our communities so that we might have a level of local energy security in the face of these worsening and increasingly disruptive storms.

In this Legislature, the truth about climate change is being ignored when we ignore the impacts of clearcut logging — the loss of biodiversity and the extirpation of species — and the need to treat the land with the respect it needs if we want it to help us survive these very not natural disasters. These disasters have been literally fuelled by our collective inability to act as though climate change is an emergency.

The truth is that our world is going to continue to change at an accelerating rate. It's either going to be at a pace that we attempt to control — because we rapidly transition our economy so that our neighbourhoods, communities and, most importantly, our natural systems all require a fraction of the energy we use now; and that we are no longer knowingly wasteful; and that we are able to endure these storms that will keep coming regardless because we have put every decision, every policy and every piece of legislation through the lens of the climate emergency — or our world is going to change because the storms, droughts, fires, heatwaves become more frequent and more powerful, which they will.

Infrastructure will continue to fail, supply chains will continue to falter, and our resilience will continue to erode because we just aren't able to generate the political will for the transformation that needs to happen.

If we truly believe that we are in a climate emergency, then we don't need amendments to forestry legislation in here. We need an absolute transformation about how we think about forests and how we must manage them, because we are in an emergency.

Do we want more forestry jobs? Then no more clearcuts. Only selective logging and Indigenous-led restoration, in

every part of this province, of the ecosystems to restore biodiversity, carbon capture, water capture, habitat and the web of life that should exist in all forests. That's decades of jobs that will make all of our communities more resilient and stronger.

[1:20 p.m.]

As humans, we have yet to truly rise to the truth and reality of climate change, but in emergencies, we rise to our very best selves. There will be endless stories of generosity, sacrifice, compassion and kindness from this disaster. We are truly designed to operate in community in connection with each other.

If we are to be truthful about climate change, then we need to orient our thinking and our behaviour in all ways towards that collective, community-oriented, compassionate and cooperative mindset. We must let go of the story that we are in competition with each other and embrace the truth that we need each other, that we need to see our communities as being only as strong as the people who are struggling the most.

Climate action has to be about a reorientation of how we see ourselves in society, not as individuals in competition but as people connected to each other in countless ways and connected to the natural world around us. It shows up in these emergencies. So let's not let it go in between.

K. Paddon: I'm always honoured to rise and speak about the amazing communities of Chilliwack and Kent.

I'm privileged to be able to serve on the traditional, unceded territories of the Stó:lō people, including the Tselxwéyeq, the Pilalt and the Tait tribes, and I'm grateful to work for the communities there.

Today, as I rise, it is under different circumstances, as we're all aware of the past days and the water and the landslides that have hit the Fraser Valley, as well as the difficulties around the province. When I left my home on Sunday to come serve here with my colleagues, there was no way for anyone to know that the storm and ensuing emergency would physically cut me off from my family, my kids, my home. Since Sunday, we have seen the devastation from the storm, flooding and landslides. We've seen people stuck, cut off and scared, animals lost and trapped, livelihoods threatened and destroyed, fear, worry and anxiety.

Although I hear the rain is falling in the Fraser Valley and we are still in the midst of this, I'm hearing progress. Thanks to all the work that was so quickly done, there are now routes for my family and my community to travel into town, and the incredible amount of work that has been done on the No. 7 Highway means that supplies and essential travel from Vancouver can reach our Chilliwack and Kent communities once again.

We saw the Canadian air force helicopters and Search and Rescue rescue those stranded on Highway 7 as well. We saw people from the Chilliwack area rush to the aid in the sandbagging and protection of Barrowtown pumps

because they know how critical it is to our neighbours and to us. An entire road was built to help. The sandbags? They wouldn't have been there if not for the path on Highway 7.

My office has been reaching out to as many people and organizations as possible to check in to see what people need, to make sure that people are safe. It's important that we all check in with each other, because maybe the person you're connecting with needs something. Or maybe they don't, but they probably know someone who does. That's the thing about Chilliwack and Kent: we support each other, and we look out for each other.

The regular official channels are working hard, this government is working hard, and the amount and intensity of the work being done — across ministries, across regions, across municipalities — is staggering and inspiring. Great work is happening in official spaces, but it's also happening in between the official spaces. As leaders serving our communities in real time, we're texting each other to collaborate at all levels — mayors, chairs, councillors, Members of Parliament — and I'm grateful for my partners that help me serve my neighbours. There are no lines, no barriers to us working with our communities. It's relationships and a commitment to serve.

I have had many opportunities to rise in this chamber and share about great things being done by good people in my community. Despite the ongoing situation and reality, I want to do the same today. We have some really incredible neighbours, and I'd like to take some time to share with this House, as well as with the people back at home, just some of the stories I've been hearing about who we are in Chilliwack and Kent, and thank as many as I can in this short time.

Thank you to Squiala First Nation for opening the roads so that residents of Cultus Lake could get home and could get supplies. Thank you to Seabird Island for supporting the staging area necessary to work on a blocked highway. Thank you to the Chilliwack Chamber of Commerce and the Chilliwack Economic Partners Corp. for all you're doing to organize volunteers, services and resources for those who need it most.

[1:25 p.m.]

Thank you to Molson Coors Fraser Valley Brewery for the donation of 100 tonnes of grain to feed animals that are being hosted on various farms around the community. Thank you to the farming community for rallying around each other to house livestock, including at Heritage Park. Thank you to people from around Chilliwack and Kent who donated feed for the animals in those big barns.

Thank you to the people of Agassiz and Harrison who stepped forward and still are helpfully bringing food, supplies and offering shelter. More than 275 people, including 50 kids, received warm, dry clothes, mental health support and shelter in the Agricultural Hall in Agassiz.

Facebook, which is often a place where we get a lot of negativity, is doing some amazing things in my community. People are openly sharing where others can find

necessities, encouraging each other to shop responsibly. People are opening their homes to strangers. People are offering to assist others who are at risk. They're finding volunteers. Thank you to Camp Squeah in Hope, as well, for hosting our minor hockey players as they came off a gold-medal win from Kelowna.

There are so many, and there is not enough time. I just want the people of Chilliwack-Kent to know that although I can't be with them right now, I'll continue to work here with the ministers and with the ministry staff. I'll continue making sure that their voices are heard, that the work is done quickly and that Chilliwack-Kent is represented here.

S. Bond: As extreme weather events once again take a serious toll on people and property, it is our responsibility, as elected officials, to stand up and get people the help they so desperately need right now. There are British Columbians everywhere stepping up to help friends, neighbours and complete strangers in these trying times. From volunteers sandbagging the Barrowtown pump station, to generous supporters in gurdwaras feeding stranded drivers, to emergency responders putting in long hours, we thank them.

Each and every one of you — along with the countless people evacuated, or those facing floodwaters and serious damage — deserves the government to step up. The questions and concerns the opposition is raising should by no means undermine the courageous work and expertise on the ground by staff working around the clock, including right now. But after a summer of wildfires, which saw an entire town destroyed just 141 days ago, and a devastating heat dome that took the lives of nearly 600 British Columbians, people have lost trust in this government's ability to show leadership or properly communicate and warn people of impending disasters.

Why has the government consistently failed to learn from past mistakes? Why has this become a pattern, time and time again, with the NDP? Why was the Alert Ready system once again not used in a time of crisis to warn British Columbians of impending dangers? As noted by our House Leader, since 2019 there have been hundreds of emergency alerts used. Yet in British Columbia, not once has the Alert Ready system been used. People should be able to rely on government to clearly communicate in times of crisis. That is simply not happening here.

When scientists warned government of the coming heat dome, why weren't vulnerable British Columbians warned, with the Alert Ready system, of the severity of the coming temperatures? When meteorologists warned government of the atmospheric river, and officials in Washington state and Alberta warned citizens of the coming flood and landslide risks, why was the government missing in action, content in their belief that Twitter was the best way for British Columbians to get information?

We all know it's simply not good enough. Nor was the minister's pledge to have the Alert Ready system ready for

next spring. There has been broad, governmental, systemic failure, and the demand for reviews and inquiries into this government's constant failures is starting to pile up.

British Columbians need to have full confidence that their government will communicate the risks as extreme weather events become more common in the coming years. The NDP waited until a regularly scheduled cabinet meeting on Wednesday to discuss whether declaring a provincial state of emergency was necessary. We can say that that's at least a slight improvement from the weeks of pressure — from the opposition, the media and a petition — that was required to get the NDP government to declare a state of emergency to help combat wildfires.

[1:30 p.m.]

On behalf of everyone who is shocked, terrified, by the events of this week, the heat dome this summer or the wildfires that raged until not that long ago, I am asking this government to step up, show some leadership and commit to doing better, because British Columbians deserve better.

I do want to recognize that we appreciate the fact that the government agreed to this important emergency debate. I certainly look forward to hearing from ministers that are engaged in this process.

We have three recommendations that we hope the government will similarly agree to. One, we ask the government to initiate an all-party working group to review the provincial government's response to emergencies and discuss ways to improve government communications, disaster preparedness and emergency response protocols.

That is important, because government would benefit from the expertise and lived experience of members from across the House who live across the province. While our previous offers to work across party lines on vital issues like the opioid crisis and reconciliation have been rejected, now, if ever, is the time for the NDP to finally show leadership to collaborate with all parties. British Columbians deserve that and so much more.

Secondly, as of tomorrow, we ask the government to begin to hold regular public briefings to outline specific details relating to disaster coordination, emergency response and recovery. This would allow the media and all British Columbians to access expert officials and receive up-to-date information. Why is that important? Because we believe British Columbians deserve timely, accurate, detailed information.

Finally, we ask that the government immediately expedite the actions and procedures to ensure that the Alert Ready system is activated and ready for use. Next spring simply isn't good enough.

Together, let's work to get British Columbians the help they need now and work to restore public confidence going forward.

H. Sandhu: Before I start my remarks, I would like to extend my thoughts to everyone affected by recent ex-

treme weather events — people who are currently evacuated, farmers who have lost their livelihoods. I also want to share my support for all my colleagues in this House from all sides whose ridings are deeply affected. I appreciate them for their ongoing efforts and tireless work to support their constituents.

I have hundreds of relatives, friends and immediate family members — including my sister, her family and my in-laws — who live in the Fraser Valley, and some are deeply affected by these floods. I have been constantly in touch with my family and friends for the last few days, to check in and to hear their concerns. I was talking to my sister and some other family members and friends. They all told me that they are doing okay, staying calm and have full appreciation and trust in all levels of government and the emergency management team efforts.

My sister told me three days ago that they showed her three children the efforts of support, cleanup and mitigations that were being made by our governments, contractors and volunteers. She said that the reason for them to do so was to teach her kids to be grateful and to count on their blessings for the systems we have in place. She said that gratitude, reassurance and calmness is so important when people, and especially children, are going through such crisis.

Every single person I've been talking to is so grateful and understanding. We even have friends whose farms are washed away, yet they are still so grateful for the efforts that have been put in place. They also felt so relieved to hear about our government's recent relief funding announcement.

People who were stranded in Hope who came back also shared with me and my other colleagues that they're so grateful for the supports they had received, including the essential supplies and food that was being delivered to them by helicopters.

However, they have expressed their thoughts and said that they do not want anyone to politicize this devastation to cause fearmongering, as these tactics never help people who suffer. It only adds to anxiety and panic-buying. Those are their words.

I have also been in touch with my staff at my office — my constituents — and reached out to our local leaders to check in about the effects in the Interior and the supply chain issue. I was notified that the supply chain is being restored through Alberta and other routes that are being opened.

[1:35 p.m.]

I was also so amazed to hear from local community members and leaders yesterday that they're doing good, they're appreciative and they want us to continue to focus in the areas that are deeply affected.

We all know that the years 2020 and 2021 brought us so many challenges. It's been a very tough time for everyone, but the people of British Columbia have proven repeatedly how resilient, strong, caring and dedicated they are.

Many Sikh temples from around the province are cooking and bringing meals for people. People lend their boats and equipment to help rescue citizens and livestock. Search and rescue teams have been working around the clock in challenging conditions. EMBC staff have been working tirelessly. They, too, had a few tough months. First it was fires and now this situation.

We often get too caught up in finding fault and trying to criticize and forget to thank people working at all fronts. Therefore, I would like to thank our EMBC team members and everyone involved from all government levels, the Canadian Armed Forces, equipment operators and volunteers.

I've seen my colleagues, MLAs from the affected areas, working around the clock. Some worked all night — yes, all night — to support people, and they still show up the next day to continue their work.

I want to say to all of you that your work is not being unnoticed, and we are here to support you in any way we can.

I would like to conclude my remarks by saying thank you, everyone, for coming together, for supporting one another and for showing your support and resiliency. We will get through this again. As they say, what doesn't break you will make you stronger. My life has taught me this lesson, and it was proven.

Take care and thank you.

J. Sturdy: Over the last few days, our province has seen incredible devastation. We experienced a historic rainfall event that has caused widespread flooding, mudslides and debris flows in many part of the province, while washing away infrastructure that is so critical to connecting our communities.

During these terrible events, we've seen communities inundated, people requiring evacuation, devastating impacts to agriculture and, worst of all, a loss of human life on the Duffey Lake Road, just north of my home in Pemberton. My heart goes out to the family and friends of that individual.

Before I begin discussing what we think needs to happen going forward, I do need to commend and acknowledge the actions of our first responders, local officials and everyone who gave their best to those in need.

British Columbians are resilient and will come out of this stronger and more united than ever, but only if we better plan for the future and work harder to anticipate these events. The need to repair critical infrastructure will require a detailed plan and rapid execution. It will require strong and decisive action from government. The steps it takes to repair infrastructure and rebuild communities and support those in need will be closely watched, not just in British Columbia but throughout our country.

All major routes connecting the Lower Mainland to the rest of the province have been affected. We've seen sections of the Coquihalla Highway and Highway 1 sim-

ply vanish, along with significant damage to major rail infrastructure. This is, for good reason, deeply concerning to British Columbians.

Shelves in food stores across the province are being emptied. To ensure supplies reach communities in need, this government will need to ensure our transportation corridors are operational as soon as possible.

In the past, this government's lack of leadership has been as glaring as this government has been unapologetic. The lack of forewarning and action during the heat dome and the Lytton fire highlighted a broad and systemic government failure. Far too many lives were tragically lost. Hundreds are still waiting for appropriate supports months later.

So far, this government's anticipation and response to this week's events have been all too familiar. As we look to the future and the long road to recovery, all available resources must be deployed to ensure this process is not unduly delayed.

[1:40 p.m.]

Government must act swiftly and reach out to all contractors that are in a position to mobilize, not just pick and choose from those with preferential status. Troublingly, we understand that many road builders have yet to be contacted to understand equipment inventory and mobilization potential.

I really hope, for the sake of British Columbians, that this time around delay is minimized and that government takes the swift action needed to rebuild the critical infrastructure that citizens, communities and businesses rely on.

Fires and the heat dome demonstrate that there is good reason for distrust in the minds of British Columbians. Repairs of this damaged infrastructure will likely take months, and knowing that, this government has a responsibility to all British Columbians to be prepared and have a detailed plan on how that recovery will look, going forward.

According to data from University of Calgary professor of economics Trevor Tombe, it's estimated that between \$300 million and \$350 million is traded between British Columbia and the rest of Canada per day by rail or road. That's roughly \$2 billion to \$2½ billion a week. So I cannot stress enough how critical it is that the road and rail corridors be re-established with all dispatch.

Going forward, I hope that this government will learn from its mistakes and better plan for the recovery. It must work harder to anticipate these types of events, as our neighbours have; warn communities in advance; work to mitigate impacts; limit the damage to infrastructure where possible; and ensure that we are better prepared for events of this magnitude when, not if, they take place again in the future.

Most of all, this government must work to prove to British Columbians that they have their backs, that they have a plan, that they'll work on behalf of British Columbians

and that British Columbians will feel taken care of during this response, during the recovery and into the future.

M. Dykeman: I'm really honoured to have the opportunity to stand here today and to talk about the challenges faced but also the important good-news stories that have taken place within my community of Langley East, and to thank the government for such a coordinated response.

I'm recalling the night that the floods had really started to impact the Fraser Valley. My community has quite a bit of farming within it.

As a new MLA.... I know that there was mention of being engaged in the process. I think that MLAs are probably some of the most engaged people in the process. We're the ones that know our communities and reach out. What I was really struck by was the support from the ministries and how, when I called my community to identify where there were challenges still being faced, the support was there, within the ministries, to come together.

I had the opportunity to spend the evening on the phone with Mayor Jack Froese and MP John Aldag. I had the opportunity to speak with farmers like David Davis from Davistead Farms. His family has farmed the historic Hudson's Bay farm for over 100 years. He helped to identify all the other farms that it would be good to check in with. I was able to relay that back, as an MLA, to the government — able to just go back to ministers and say: "These are the challenges in our community."

David Davis — his father Hugh remembers, actually, when Sumas was a lake, having been there for so long. He remembers the 1948 floods and all the challenges that have happened. One thing that kept coming back to me was how coordinated the communities were in getting ditches ready, getting streets cleaned and trees cut back to ensure that passages were still safe. They talked about how they knew that there would be the support from the government, because people like our Minister of Agriculture were there to ensure that farmers knew what they needed to draw on.

As we speak, right now, for instance, ministers are speaking to affected mayors. These are important things. It's really easy to sort of sit back and say: "Okay, well, I think this isn't working." But I think it's really important to listen to people who are on the ground, who know how it's working.

[1:45 p.m.]

One of the things, too, that I was really struck by was that right now, there are over 20 emergency support services reception centres open. That's an incredible, amazing coordinated effort in such a short period of time. This didn't just happen by magic. This happened by a government that's been committed to building capacity, building a plan.

You have this coordinated effort by provincial and local governments. B.C. Housing, for example, is directly involved with getting people sheltered in Chilliwack, Hope,

Abbotsford, Coquitlam, Kelowna, Kamloops and Princeton and getting people out of Merritt. They're working tirelessly to ensure that those emergency beds are available to people. These are more examples of the government coming together. I know that in my community, when I called back and spoke to people who work in the social services areas, they were clear. They have a coordinated effort. They feel that they're able to manage the needs of people in these difficult times.

One thing that I did want to take a moment for — I see I have about a minute left — is to just highlight some of the really good news stories in my community. The Langley Farmers Institute set up immediately a page to try to identify.... It's easy to identify people that have an association, but it's harder to identify those smaller farmers. So the Farmers Institute, which I previously was president of, came together immediately and set up a page where you could come if you had something and also post if you needed something.

We had farmers like Tanya Shields Meade, who came in and said she could take horses, cattle, sheep and goats. We had Marie Elizabeth Branbit, who talked about having room for other livestock. Thunderbird equestrian centre took in horses. We had people come forward with offers of grain.

But the most important thing was that as the MLA, working with the ministry, I was able to identify where those smaller groups were that maybe weren't on the radar. That's the role of a government that works together. It's to fill in the gaps and make sure we have the resources there. I can say that as the MLA for Langley East, I was proud to be able to work with such an understanding, committed and empathetic government through this.

Nobody wants to see a disaster like this happen, but what I can say is that our community sure has felt supported.

M. de Jong: Look, I'm glad we're having this debate, that we're taking this hour to assess the situation. I don't actually know how many people are watching. The people most directly impacted are a little busy right now. But if they are watching, and when they watch, I expect that as happy as they'll be to have heard the expressions of pride about people coming together and the stories of heroism — which are, as always in these circumstances, remarkable and worthy of recognition — they're really looking for two things today. They're looking for information, and they're looking for answers. Because we're not through this yet. The water is rising again on Sumas Prairie.

So when this parliament adjourns its business and says, "Let's devote ourselves to considering this, for only an hour...." We're now down to ten minutes left, and we haven't heard from a member of the executive council — not one — who are charged statutorily with providing the direction and who are the best placed to provide some of the answers and the information that people require.

[1:50 p.m.]

Whether folks want to accept this or not, there is, in at least one part of this province, the part I and the members for Abbotsford South and Abbotsford-Mission call home, an abiding feeling that someone dropped the ball because they didn't get the information or the notice that would have allowed them to take the steps necessary not to entirely prevent but to alleviate the extent of the tragedy. Their neighbours on the other side of an international border had an extra 48 hours.

These families, these farmers who care so deeply about their animals — their cows, their chickens, their pigs.... That 48 hours wouldn't have prevented, entirely, the mortality of their herds and their flocks, but boy, it would have made a difference, and they didn't get it. They're going to want to know why.

People are already talking about, those that have been around.... One of the other members talked about 1948. In 1948, the dike in the Fraser River burst. But in those circumstances, in the absence of technology, herds were relocated. The notice was given, and herds were relocated to the Abbotsford airport and saved. That didn't happen. And although people are preoccupied today with cleaning up the mess and dealing with, potentially, further trauma, based on what we're hearing now, they will want answers.

They would like the government and members of the executive council to tell them today what steps are being taken to requisition the food and the water that they need to care for their livestock and their flocks. They haven't heard that. They haven't heard a thing. "Thank you; we're proud," doesn't help when you've got to feed your animals.

This is the opportunity to demonstrate and provide that information to the people who have been devastated by this event. I'd never heard the term "atmospheric river." It sure doesn't sound good. We now know it wasn't good.

I am desperately hopeful that we will hear from a member of the government, the cabinet, and that they will actually provide some information that is useful and some answers for why the ball was dropped.

Mr. Speaker: Members, keep an eye on the clock. Our debate hour will expire at 2:05.

Hon. L. Popham: I'm happy to join this debate. Unfortunately, I wasn't here for the entire thing because we were on an emergency call with mayors of the southern province, one of two calls with mayors that we're having today — the second, for more northern mayors, later this afternoon. I had to leave the meeting early, but I let them know that this was an important debate and that they could contact me to continue to get the information I was giving to them on that call.

These have been an extremely difficult few days, a disaster that is continuing to unfold for the farming community in the Fraser Valley. We also see areas in other parts of British Columbia suffering due to the incredible

amount of water that has come onto us over the last few days.

We were just talking to a mayor up in the Cowichan Valley who was letting us know that farmers are suffering up there. We had some incredible offers of support from other mayors, like the community of Bulkley-Nechako wondering when would be the time to send supplies.

I can tell you, from the Ministry of Agriculture, we are continuing to assess what is needed by working with all commodity associations, individually with farmers. There is not one moment in our day that we're not connected to the communities that are affected and to the farmers that are still undergoing such a crisis. We know the water levels are rising again, and it's an extremely stressful time.

[1:55 p.m.]

We have seen that in some areas, as the water receded over the past day, their access into barns is becoming available. We know that we need to get food and water to barns. Some trucks were able to get through to some difficult routes, to some poultry barns. And over the day — well, since yesterday — we've been managing a plan to airlift feed and water to dairy barns. Some of the city's waterlines have come back on, and tests are being done to see if the dairy barns are able to get that water. If not, then we do have a plan in place to airlift containers and then to continue using helicopters to charge those containers as needed.

We know the next step is getting feed to those particular barns. We have secured feed. We know many areas that are willing to send us feed right now, including feed that was secured at the Port of Vancouver that was on its way to China. It looks like we may be able to reverse that and get it back into the Fraser Valley. The outpouring of support across the nation is incredible. Everybody is pulling together.

It's my request.... I have a request in this chamber, and I know that it's easy to be partisan here. But what we need is information. We don't want people to slip through the cracks. We have direct lines to the ministry that are available. We have my own social media. I've asked people to directly message me so we can get back to them, and we're doing that immediately.

We also have an emergency management number: 1-800-663-3456. It's for folks that are looking to either donate or that need help. We are gathering information. I ask my colleagues across the way to please continue to give us information. That's the best way we can move forward with the plan.

When I've called many farmers, over the last few days, I asked them: "What do you need?" We know it's water. We know it's feed. We know it's access. But really, they don't know what they need for the future, because this situation is still unfolding. So as we assess the damage, as the emergency begins to subside, we will be with farmers to help them rebuild. The province, the federal government, ministers across Canada — everyone has pledged that we will

help these farmers get back up on their feet. Our job won't be done until they do.

I stand here. It's an emotional day, but I also feel that our farming communities are resilient. They will be able to rebuild, but it won't be without help from every single one of us in this chamber.

J. Tegart: I appreciate the opportunity to speak in this debate today to outline some of the experiences of my constituents and to highlight the immediate supports they need so desperately from government.

My riding is like ground zero. An incredible heatwave setting the highest temperature across North America culminating in a fire that burned the community of Lytton to the ground. Wildfires in every corner of the riding this last summer and now floods that have the entire community of Merritt evacuated and every major highway leading into the Interior closed, with an uncertain number of possible losses of lives. People scattered and stranded between highway washouts. Communities hosting hundreds as supplies become limited.

I find that I, unfortunately, have the experience needed to speak to this motion today. So 141 days ago the lives of the people of Lytton were changed forever when a wildfire ripped through their community. People escaped with only the clothes on their back. Two residents perished in the fire. As devastating as fire is, you can put it out. What we're finding is that that was the easy part. It is the recovery, the support, the rebuild that has been the biggest challenge to date.

The lack of government support and leadership, waiting for action, the need for support for local leaders, the displaced people who have moved numerous times, including those who were in Merritt during the flood and have had to move again. The desperate requests for planning and for information-sharing and transparency. Just 141 days — a community gutted by fire, and now those who were in Merritt are evacuated once again. You wonder how much people can take.

[2:00 p.m.]

Now my heart breaks for the people of Merritt and for the thousands of British Columbians currently displaced by catastrophic floods this past weekend. My greatest concern, as the water recedes, is that this government's response to this event will follow the same pattern that people in my riding have seen in the last six months. All the right things are said in the moment but little action as time goes on.

I hope I'm wrong. Please prove me wrong. But my experience makes me question the ability and commitment to deliver. For weeks and months, my constituents have sat in motels, slept on couches, waiting for a plan and a timeline from this government on when they'll see the supports promised to them. They want to know what steps are being taken to restore their communities and allow

them to return home and within what sorts of timelines they can expect to see these promises carried out.

Now not only do these questions persist in the minds of the people of Lytton; they persist in the minds of thousands of other British Columbians who have lost their jobs, their homes, their farms and their communities to this second major disaster in six months.

There must be fundamental changes to how we respond to emergencies, how we communicate to those impacted and how we support people in their greatest need. This is not something that can happen through drawn-out government deliberations behind closed doors. We cannot tell people to hold tight or wait and see. The government must learn from the mistakes of the past and improve our provincial response and recovery and deliver the supports and actions that British Columbians deserve.

I, again, ask the government to give serious consideration to the three points made by the opposition leader: an all-party working committee, public briefings in a timely way to everyone in British Columbia who is interested in knowing what is happening and, again, expediting the Alert Ready system. Thank you very much for the opportunity to speak today.

A. Olsen: I appreciate the opportunity, with what little time we have left, to just make a couple of comments. I've been listening to this debate with interest.

I heard a member here say that what doesn't break you makes you stronger. I would have to say, from what I've heard from my constituents and people across British Columbia, that that's just simply not the case. Many people are feeling very broken right now in communities in the north, south, east and west. We're not feeling stronger after what we've gone through in COVID-19. We're not feeling stronger with what we've gone through with respect to the heat dome and the fires and now the floods.

We need some reassurance, as the members have been talking about, that the emergency response is learning from one disaster, unnatural disaster, to the next. They need to know and be confident that the government understands that the decisions we make in these chambers have very real implications on the life and well-being of the citizens, the flora and the fauna in this province.

They want to know that if we are going to be making decisions to invest in fossil fuel extraction, we have a plan to deal with the impending climate impacts of those decisions. They want to know that if we are going to continue clearcutting the mountainsides of this beautiful province, we have a contingency plan for the landslides that are inevitably going to follow.

Everything that I've seen is that people don't feel stronger from the process that this government has rolled out. It's like government after government after government has been rolling the dice, hoping that it will be the next government that confronts the particular challenge that this government today is facing.

[2:05 p.m.]

We need to stop rolling the dice. We need to start putting in place the real mechanisms that are going to help British Columbians be resilient through the climate crisis, the climate emergency that we're going to face. That includes making sure that British Columbians know the information. They need to know it when they need to know it, and they need to know where they need to go and when they need to go there. They need to be able to be prepared well in advance of an evacuation, not just mere seconds before they need to evacuate.

The challenge that is in front of this jurisdiction, in this House — this democratically elected chamber and every chamber across this country and, indeed, the House of Commons — is not a small challenge. It is a massive challenge.

But it will not be embraced and we will not achieve it if we are not honest about the situation that we are in. That is why I'm asking that this government start with an honesty about the climate crisis that we are confronted with.

HÍSWKE SIÁM. Thank you.

Mr. Speaker: Members, as per the Standing Order 35, although it only grants one hour of debate....

Hon. M. Farnworth: Hon. Speaker, I noticed that when the member sat down, there was still, I think, a minute and 34 seconds on the clock, on the time. I would take that minute and 34 seconds on the clock, if there is....

Mr. Speaker: We can ask the House.

Leave granted.

Interjections.

Hon. M. Farnworth: Someone said nay? Okay.

Mr. Speaker: Yeah, please proceed. Just be short.

Hon. M. Farnworth: I will be very short.

I want to thank the comments made by both sides of the House in this important debate on the catastrophic weather events that we have had over the last number of days. I have heard, carefully, comments that opposition members have made. I can inform, because I do know that there was some question as to where executive council members were. I can tell you that I was on the phone with mayors, who have been showing leadership in their communities in dealing with these events — the kind of leadership that all of us need to show in this House.

There were questions to me around supply chains into the North and the central and on the Island. They were relieved to know that those supply chains were open. They wanted to know what they could do, which is to amplify

the message to the private sector what government is doing, which is those supply chains are in place and that people do not need to hoard and that people are working as hard as they can to get supplies to them.

More importantly — more importantly — whenever there is an event like this, we must learn from those lessons. We know that climate change is real. We understand that there are more and more events like this. That's why government has been proactive in taking significant work underway.

The member has raised three important points. Well, she well knows that we have said that we are bringing in an Alert Ready system.

Most importantly, the fundamental way in which we deal with emergencies in this province does have to change. That's why we're doing this significant rewrite of the Emergency Program Act so that we are able to deal with these significantly better in the House. That takes all of us, and that's what every one of us in this chamber needs to do.

Mr. Speaker: That ends the debate.
Kamloops–South Thompson.

T. Stone: Happily, there was unanimous consent to extend the debate beyond the hour that is usually provided for by the standing order.

Mr. Speaker: No. No, Member.

T. Stone: I would seek the same consideration to participate in this debate as well.

Mr. Speaker: Members, Standing Order 35 is very clear. Extension of time is not going to be allowed, so we regret to advise the member: that ends the debate now.
Member.

[2:10 p.m.]

T. Stone: I'm seeking leave to participate in this debate.

Leave not granted.

Orders of the Day

Hon. M. Farnworth: In this chamber, we call Committee of the Whole on Bill 23, Forests Statutes Amendment Act.

In the Douglas Fir Room, committee on Bill 22, FIPPA act, continues.

Committee of the Whole House

BILL 23 — FORESTS STATUTES AMENDMENT ACT, 2021 (continued)

The House in Committee of the Whole (Section B) on Bill 23; S. Chandra Herbert in the chair.

The committee met at 2:12 p.m.

The Chair: Thank you, Members. We're going to take a short recess as we prepare for the committee stage of Bill 23. The House is in recess for five minutes.

The committee recessed from 2:12 p.m. to 2:19 p.m.

[S. Chandra Herbert in the chair.]

On clause 33 (continued).

The Chair: Let's draw this committee into session again, now that everybody is here and all well-met.

We are on clause 33, which won't be a surprise to anyone.

J. Rustad: I believe, before lunch and the emergency debate, we were talking about private land and that portion of the landscape planning. I'm just wondering, in terms of landscape plan, established by an order, takes effect....

[2:20 p.m.]

I noticed here under subsection 2.21(4), it says: "A forest landscape plan does not apply in relation to a woodlot licence." I'm just wondering what that means. Does that mean woodlot licences would be excluded from forest landscape plans? Is that what that is suggesting?

Hon. K. Conroy: Yes.

J. Rustad: I'm very tempted to ask why, because it's a one-word question.

That's good to know in terms of woodlot licences being excluded. It is a little curious, of course, because there could be, obviously, restrictions. We'll get to talking about some of the components that would potentially be in a landscape plan. But obviously, having holes in the middle of a landscape plan that could be — whether it's part of fire mitigation or other types of activities....

So I will ask the minister why, but from a perspective of: as these plans develop and obviously could impact the areas around a woodlot licence, why would woodlot licences not be considered as part of the planning process?

Hon. K. Conroy: Woodlot owners have their own plan-

ning processes. I think the member probably knows, having his own woodlot. They have their own process, so there's no need to include them in the landscape planning process. Most are quite small.

J. Rustad: I have to ask another question, though, around that, because woodlot licences aren't the only licence that has plans. Community forests have plans. Woodlot tenures have plans. Tree farm licences have plans. Those, if I'm correct, are included in landscape planning. So I'm just wondering why the difference in how a woodlot is managed versus other area-based tenures.

Hon. K. Conroy: Woodlot licences, First Nations woodlot licences, community forest agreements under 800 hectares on the coast and 1,200 hectares in the Interior operate under woodlot licence plans due to their small size. That's why they're not included in this legislation.

[2:25 p.m.]

J. Rustad: That's good to know in terms of that, for my own personal perspective but also, I'm sure, for woodlot licence owners around the province. Obviously, when there is a shift in plans and a shift in process, that can create a tremendous amount of angst and additional work. So thank you for that clarification.

I'm just going to make sure that this question isn't going to be asked in a different spot, although I think it will be. I think when we get to it, a little bit later, I'll be curious, just in terms of the overlap between existing plans and the forest landscape plan, just in terms of the transition.

Obviously, if this is going to be a ten-year period, there's going to be lots of time where people will want to be renewing, whether it's forest stewardship plans or other types of plans, on their various licences. So there will be, obviously, an overlap, and you might end up with a period where a forest landscape plan is being worked on, but at the same time, a stewardship plan might have to be submitted six months before the landscape plan may come into place, in which case the work wouldn't be required, because you'd have this new plan over top.

If this question needs to be asked at a different spot, let me know, but because we were just talking about the other area-based tenures, it made me ask, maybe, one of the questions about how the licences will be notified of pending landscape plans, how you'll deal with that transition so that you don't end up forcing or causing this tremendous amount of work to be done once and then have to be updated into a new operational plan.

Like I say, if that comes later, I can re-ask the question later, but if you want to deal with it now, that's fine.

Hon. K. Conroy: Yes, the member is right. This is further along in clause 33. It is under 2.48, and it's getting into the forest operations plan, so we can have those discussions when we get to that.

J. Rustad: I suspect, especially with my colleague from Saanich North and the Islands and also my colleague from Cariboo-Chilcotin, that we may be jumping around a little bit in section 33, but I will do my best to try to walk through, as opposed to jumping back and forth, as we go with those questions. I appreciate the minister letting me know about where we should be asking that question.

[2:30 p.m.]

As we go through.... Okay. The other area-based tenures are part of that. I asked this question back under the definitions, when we started talking about an area, the landscape area. I asked about the size and structure of landscape plans, but I want to ask that question again, just before we go into the preparation of the forest landscape plan and the components that go into it.

Before I start asking questions about that, just to be clear in my mind, a landscape plan for tree farm licences would be a separate landscape plan. Is that correct? Or will landscape plans go across multiple tenures, potentially, depending on, I guess, some sort of process that perhaps the minister could outline? And is the area of those landscape plans something that is a negotiation factor with First Nations, or is that something that's brought to First Nations and asked for agreement on?

Hon. K. Conroy: The intent is to have the forest landscape plan align with the tree farm licence area or the timber supply area. And the issues the member raised around working with Indigenous nations is further on in clause 33.

J. Rustad: Thanks for that clarity from the minister. It's good to know because that'll help to bring some continuity, in terms of management, particularly on things like tree farm licences.

As we go into the next requirements, which is the preparation of the forest landscape plan, there are objectives that are laid out in that plan. The role of the chief forester historically, if I am correct, has been.... When they do a timber supply review, there are a number of objectives that are provided from the minister's office to the independent office of the chief forester outlining the priorities in terms of the minister making a determination for a cut.

What I'm wondering is: are those the same priorities? Will those go through now to making the decisions on a forest landscape plan? Or will there be variations between those priorities that may go into the development of a timber supply review versus the development of a forest landscape plan?

[2:35 p.m.]

Hon. K. Conroy: Just so the member recognizes, the timber supply review is under the Forest Act and not under FRPA, and when preparing the forest landscape plan, there are five objectives that people must consider.

It's on No. 2.22. I can list them for the member:

“(a) supporting the production and supply of timber in the forest landscape area; (b) supporting the protection and conservation of the environment; (c) managing the values placed on forest ecosystems by Indigenous peoples; (d) managing the values placed on forest ecosystems by local communities; (e) preventing, mitigating and adapting to impacts caused by significant disturbances to forests and forest health, including wildfire, insects, disease and drought.”

J. Rustad: The purpose for asking the previous question is because you may end up with a conflict in terms of priorities that may be lined out under doing a timber supply review versus a forest landscape plan in terms of the priority and the weighting of those priorities.

In some cases, for example, there may be a heavier emphasis on supporting a production and supply of timber within an area because of a pest infestation or for other values or other components that the minister may direct the chief forester on.

That's why I'm curious. It's because, as those TSRs come up, those timber supply reviews — I should be careful not to use acronyms, I suppose — they may come up aligned with development of a forest landscape plan, or they may come up separate at different times. You may end up with changing priorities between how a plan is developed and the underlying information that makes the assumptions around a TSR — timber supply review; sorry.

That's why I'm wondering how those two are aligned. I know that one is in a different act to this act, but the two both provide the same type of direction, such as supporting production and supply of timber in the forest landscape area. That is directly from the timber supply review, or very similar to the timber supply review direction as it is to a landscape plan.

This is why I'm wondering how those two are coordinated and whether or not there's consideration of alignment or how potential conflict may be resolved between the two directives.

Hon. K. Conroy: The forest landscape planning framework and timber supply review are related in iterative forest management processes. The timber supply review process provides an annual allowable cut for a given landscape area. The forest landscape plan provides direction associated with where, when and how harvesting in the same area could occur.

The outcomes of the forest landscape plan help to inform future timber supply processes and will directly inform future annual allowable cut determinations.

[2:40 p.m.]

J. Rustad: Where I see some potential conflict — I guess maybe it's just confusion on my part — is where you have an objective of supporting the production and supply of timber in a forest landscape area. But where you have that direction that comes in the timber supply review in an area, and then further down in the landscape area, in sup-

porting the protection and conservation of the environment, you may end up in a situation where have a timber supply review that does not take into consideration the direction or potential restrictions that could come under a landscape plan.

Under a landscape plan, you could end up netting out area.... At least, if you're not going to be netting out area, that would be good to know. But you could end up netting out area that has already been accounted for as part of a timber supply. In other words, you will end up with an overall cut that could be at a higher level for a landscape plan than what the landscape plan ends up allowing, because of the netted-out area.

There is potential for some challenges or some issues associated with that. Because landscape plans are in for ten years and TSRs are done and updated, I guess, every five years, there is a chance for some adjustments as that goes, but there is that potential issue. That is why I'm asking about the priorities and how these sorts of things work together as they get developed.

Hon. K. Conroy: Just a correction to what the member said. The timber supply review legislation is legislated to be done every ten years, but it can be done sooner for sustainability reasons. What the forest landscape plan does is it defines the forest management regime for that area and becomes current practice, which is then reflected in future timber supply reviews.

J. Rustad: Has there been any consideration given to aligning the timing of doing TSRs, timber supply reviews, as well as forest landscape plans, since both have ten-year windows?

Hon. K. Conroy: Potentially.

J. Rustad: Potentially. In other words, it could potentially align, and there might be some adjustments, but it might not align. Okay, that's fine.

[2:45 p.m.]

The first value, value (a), is "supporting the production and supply of timber in the forest landscape area." One of the things.... It's a small portion, but it's a critical portion when it comes to timber coming out of a supply area, and that is salvage.

In salvage logging, when you have beetle infestations or you have development or other types of things that isolate pockets of wood that would not normally be large enough to be able to be considered to go after, whether it's timber sales or forest companies or others, salvage comes in and is able to harvest that wood and capture some value and bring that into the supply. It's an important piece, especially given the amount of infestation and the amount of challenges that we have, particularly in the Interior.

I'm just wondering what provisions have been thought about as part of landscape planning to be able to make sure

that there are opportunities for those who are engaged in salvage harvesting to be able to access fibre within a plan like this without having to go through the larger process of operational plans and other types of access.

Hon. K. Conroy: There is nothing that precludes salvage harvesting from happening how it does today.

J. Rustad: The reason I'm asking about this, particularly in terms of a forest landscape plan, is there are actually challenges today with salvage harvesting. There are places in the province — I can give examples in my own riding — where you have these very small, isolated little pockets of timber that are 60-percent-plus dead that are isolated, from a geographic perspective, from roads and other components around it and that get applied for.

Salvage loggers go through the process to make the application for it, only for it to be turned down because a First Nation may decide that that might be something they're considering doing or harvesting themselves in the future. Because of that, I'm wondering.

With the engagement that you're going to be having on landscape plans with First Nations in terms of how these plans are developed, it's going to be important to be able to identify things like salvage logging as an activity within a landscape unit that doesn't necessarily end up getting blocked because of another interest, particularly a First Nation interest. There's an opportunity here, through the engagement with First Nations in developing the landscape plan, to make sure that that is a consideration as part of the plans so that there can be this salvage logging going through without being blocked because of other potential interests.

That's why I'm asking about salvage logging and whether or not there's an opportunity within landscape planning to, I guess, bring that in as a consideration as part of the discussions with First Nations.

[2:50 p.m.]

Hon. K. Conroy: As the member knows, any permitting application needs to be consulted on with First Nations. That duty to consult stays the same. That is not changing.

With respect to forest landscape plans, it could be an opportunity for discussions around salvage harvesting.

J. Rustad: I don't want to move that as an amendment for consideration. I am happy to hear that there is an opportunity there, because it is a pretty big frustration. Small operators, just mom-and-pop guys, are going out there and trying to identify a little bit of wood here and there that they might be able to go after. That does a great value to the forest sector, because it brings that wood in.

It's also a difficult, lengthy process. After going through that process, it is pretty disappointing to find that it gets blocked at a First Nation consultation level because there

may be an interest by a First Nation to go after it. We've got a stand that is 60-percent-plus dead. Who knows when that opportunity may arise?

[2:55 p.m.]

If, as part of these discussions.... Developing the landscape plan is, obviously, a very detailed engagement between First Nations and the chief forester's office to talk about how the landscape will be managed. This is an important little piece. It's not so much important in terms of the larger operators, but it's a very important little piece for the small operating individuals who would like to try to continue with their efforts to identify those small pieces of wood. That's why I'm happy to hear the minister say there's an opportunity around that.

I guess I want to ask the question. How can we make sure? Is there a way to be able to make sure that that consideration will actually be put on the table, as part of the discussions between the chief forester's office and First Nations, to try to alleviate some of those potential issues that have arisen in the past?

Hon. K. Conroy: As per section 2.22(d), where it says, "managing the values placed on forest ecosystems by local communities...." That would come into this situation that the member is referring to. So if it is raised as a community value, it has to be part of the discussion that could lead to a decision.

J. Rustad: When we're looking at managing the values placed on the ecosystem by local communities.... Of course, these are individuals. It's not necessarily a community. A community, I'm assuming, means mayor and council or an organized structure, perhaps even a regional district.

These would be interests that are brought forward by individuals. I'm not quite sure how those interests come to the table here. So perhaps if the minister could elaborate on how an individual interest, such as small-scale salvage, would be able to be raised into this.

Hon. K. Conroy: If an individual salvage operator had an interest in this, they could either go to their local community and have those discussions with the community, when these issues are being raised, or go to the office of the chief forester and raise them there.

J. Rustad: That's interesting to know. I haven't read in here or anywhere where there's that opportunity for individuals to go to the chief forester's office.

It makes me wonder. There are, obviously, a lot of individuals that have a lot of different interests on the land base, whether it be hunting interests or fishing or whatever it may be. I am pretty sure the chief forester's office wouldn't want all of those individuals coming in to provide the input.

Maybe I should ask the question of the minister. Is that

the intention of this process — to be able to allow a wide variety of individuals to be able to come to the chief forester's office with their particular interests?

[3:00 p.m.]

[N. Letnick in the chair.]

Hon. K. Conroy: The intent is to make the draft forest landscape plans publicly available for comment, and those comments would come to the office of the chief forester.

J. Rustad: I know some of these things can sound tedious as we go through them, but they're very important for the individuals, obviously, that are undertaking that work, which is why I feel compelled to ask about that.

Maybe if the minister could then just confirm. The plans will be made, the plans will be engaged between the First Nation and the chief forester, given the priorities that have been laid out here, and then once those plans are made, then there is an opportunity for an individual to come in and express their concern or interest or desire for consideration as part of the plan. Is that what I've just heard the minister say?

Hon. K. Conroy: That's the intent.

J. Rustad: We're talking about managing the values placed on the forest ecosystem by local communities. A way an individual or a group could go around that process to be able to have input into the design phase, as opposed to having input into the commentary after a design is made, would be to actually go through a First Nation or a community?

Hon. K. Conroy: The intent is that the public would respect the government-to-government discussions with Indigenous nations. Again, this is about reconciliation.

J. Rustad: I understand the intent there, and First Nations, of course, being independent, will make their decisions as to what the values are that they want to bring forward. They may or may not seek input from other individuals. That, of course, would be their prerogative in terms of being able to do this engagement.

At a community level, mayors and councils, of course, are open to public input, people coming in, expressing their perspectives or views or what they would like to have a community bring forward in a plan like this.

[3:05 p.m.]

Is the minister suggesting the way forward for individuals such as small-scale salvage or other interests is to have an engagement with their community to try to make it a priority for the community in terms of their input to this initial process of the values for designing a forest landscape plan?

Hon. K. Conroy: Yes.

The Chair: Don't we like those easy answers? Member.

J. Rustad: Thank you, hon. Chair, I was just trying to be nice to the individuals who serve us so well in this Legislature, as I jumped up. My apologies for that. I also didn't want to pass up on the opportunity to continue the debate on clause 33.

Having lived through part of landscape-level planning, landscape management plans that happened in the '90s and early 2000s, there's obviously a lot of interest by a lot of individuals on the landscape in terms of the values that go into those plans. I can see very clearly that there will be a similar level of interest that will come into forest landscape plans, even though the forest landscape plan is over top of these other plans that are still there as part of it. There may be individuals such as small-scale salvage or others that have a keen interest in wanting to be able to engage.

As the minister said, one avenue for them is going to be going to the municipal level, the community-level government, which means that you may end up seeing a situation where community-level governments are holding public meetings, public consultation, having this process of gathering information. I think communities that have a keen interest in their community and the surrounding areas may very well want to do that. Certainly at a regional district level, they may hear that. That is a fair bit of time and a fair bit of expense associated with the process that would be undertaken.

Is the ministry contemplating any opportunity to be able to provide resources to communities, whether that be professional advice or whether that be financial resources, to give them the opportunity to be able to have that engagement, to be able to bring more informed information forward in terms of what the community priorities would be?

Hon. K. Conroy: Unlike what happens under the current legislation, communities and the public will have an opportunity for input. Communities that I've talked to are looking forward to this. They're quite passionate about it and believe in the opportunity to do that as part of their work. Our staff will always be available for providing input and consultation.

J. Rustad: I need to ask the question again. I'm happy to hear that staff potentially could be made available to be able to help, because not all communities are able to have the resources to be able to have forestry experts, ecology experts or habitat experts at their disposal as they put forward what their priorities are within an area.

Certainly, as I mentioned, this is a fair bit of expense. I'm just wondering whether this is an expense that has to be borne by the community or whether the ministry

would consider providing resources to communities so that they would not have to incur this expense and that the taxpayers would not have to incur this expense.

Hon. K. Conroy: No, that's not a piece of the legislation. What we have said is that we would offer that support. We would offer the input from staff. We would offer that expertise to help those communities.

I've heard loud and clear from communities that they definitely would appreciate this. I've heard from communities that have been very frustrated over past legislation that hasn't allowed them to have input into what's happening in their own backyard.

J. Rustad: I don't think we'll bother debating, at this point, whether they've had input or not. There have obviously been opportunities for community input, whether it's forest stewardship plans or other types of plans in the past.

[3:10 p.m.]

That isn't what we're here to debate, in terms of this bill, although, apparently, maybe it is. Maybe there are all kinds of things we could put into the debate on this bill and in this section, although I'm trying my hardest not to stray too far from what we're here to discuss.

It is significant input. I'm thinking about, whether it's a small community like Granisle that really struggles with any kind of resources.... They have a community forest. There is going to be a landscape plan around that. It's a small community of 390, plus or minus, individuals. They're going to want to be able to provide input. They don't have the professionals and the resources. They will draw, certainly, on the ministry's resources, but they may want to have a consultant to be able to help so that they can make sure they're providing informed information into a process....

I take the process very seriously. I'm sure the minister and the chief forester take this process very seriously as well.

Communities are going to want to be able to provide that. Communities like Vanderhoof, which, fortunately, has got one councillor who has got a very extensive forestry background. Many communities won't have that, in terms of what the potential... They have to be able to understand the ramifications of the input they're bringing in and to be able to make informed recommendations.

Ultimately, this is about their future. This is about.... Whether it's the protection of their community from a fire perspective, which we'll get into in terms of some of those priorities, or whether it is the protection of the community from a jobs perspective and being able to support the local mill.... They're going to want to be able to have that opportunity to provide that advice.

Since it's one of the key pieces — one of the five pieces that comes into the components that are a critical part of deciding on landscape plans — that is going to guide

the chief forester's office, I think it is not unreasonable for communities to be able to ask for some resources to be able to support them. My hope is that when the minister makes a request through the budgeting process, there is a consideration for grants of some kind to communities.

I'll just maybe add that we will talk.... I want to ask the question about grants and support for First Nations to be able to engage in this process. I think that support will likely be there for First Nations.

Is there going to be that consideration to be able to provide those resources so that there is an equal opportunity for communities to be able to put the information forward to the chief forester?

Hon. K. Conroy: We're not asking for detailed professional input from communities. We're asking communities what values are placed on the forest ecosystem around their communities, what happens with the forests around them.

[3:15 p.m.]

Again, our staff is only too willing to provide that technical expertise, that support. Communities won't have to be hiring foresters. Our staff is there. Regional staff throughout the province are only too willing to help communities to move forward.

Once regulations are completed, we'll go through the budgetary process, if any further funding is required.

J. Rustad: We talked about regulations once before, and I just need some clarity from the minister. Could the minister describe, once again, when the regulations will be completed?

Hon. K. Conroy: We're hoping to have the regulations completed within the next year or two. The member well knows how government works. We always want it to move quicker than it normally does. I think the member is well aware of that.

J. Rustad: I believe that's what the minister had said before — that it could be over the next year or two.

I do fully understand how challenging it is for the bureaucracy to move these things through and the process. There is a lot on people's plates, particularly in that ministry that you have the honour of being part of. FLNRO covers off a lot of things. There are a lot of pieces on everybody's desks.

That comes back to the question we talked about earlier. As these plans come forward over a ten-year plan.... There are pilots that are happening right now. There is more that the minister talked about adding. That creates a question to me, which is: how do you move forward and complete, potentially, landscape plans before regulations are put in place, and how is that relationship between those two?

Hon. K. Conroy: Because the plans will take probably

two to three years to complete, they won't be fully completed before the regulations come into effect. We feel the regulations will come into effect first, as the work is ongoing. We will also ensure that there's alignment with the regulations when the forest landscape plans are completed.

J. Rustad: Thanks for that, from the minister.

Back to this issue for communities and the values that they bring forward. I'm happy to hear that there may be a consideration for resources for communities to be able to support.... Obviously, we just finished talking about the great work that is done in the bureaucracy but also how busy everybody is in the bureaucracy. It's tough sometimes to be able to get them to be able to provide all of the resources.

[3:20 p.m.]

There is also, in some communities, the desire for independent advice as opposed to advice that might be connected directly to a ministry or to the chief forester's office, for that matter, which may have an objective in mind.

To that end, as I say, there'll be opportunity for people, like small-scale salvage or recreation, snowmobilers, whatever it may be. Once a plan is developed, they'll be able to give some input — once a plan is developed between nation to nation, between the First Nation and the chief forester's office. But there is this avenue that you could see communities, potentially, advocating for various values that they want to see through this initial process that goes into the development of that plan.

Will the ministry be providing guidance to groups, such as small-scale salvage or other groups, about the various avenues or opportunities that they might have for influence and input into forest landscape planning?

Hon. K. Conroy: We will be communicating the awareness and opportunities around the planning process, so that will be available to any interested parties.

J. Rustad: Will that specifically include opportunities to engage at the community level for that input up front, or is that only going to include giving notification that after a plan is developed, they can give input?

It's an important piece, because obviously, people that are passionate about landscape and being involved with the landscape will want to be in right at the ground level in terms of having communities advocating for their interest, if they are aware that is one avenue that they could be choosing.

My concern is you will have some communities that are very engaged and want to go out and do that, and then there'll be other communities that may not know or may not engage, and then you'll get people coming and saying: "How come I didn't get the opportunity to be involved?"

There's a window here. I'm hopeful that.... My suggestion around this to the minister is that there will be an opportunity for the minister to be able to provide guid-

ance, provide notification, to stakeholders and people who are engaged or interested in forestry and forestry activity that they have these two opportunities to be able to influence what goes into a forest landscape plan.

[3:25 p.m.]

Hon. K. Conroy: We're well aware of people's passion when it comes to engaging on the management of our forests, and the intent is to give those opportunities at the start of the process and throughout the process. For instance, in the Lakes District, where we have a pilot project — the member might be well aware of this; it's up in his area — the community actually put out advertising asking people, if they wanted to be part of a working group, to come and discuss the community values as they relate to the forest around that pilot project, and it's been working well.

J. Rustad: I'm happy to hear that that's happening, and I know that the folks in the Lakes District and in Burns Lake are very engaged, very aware, because they've got two very large community forests, and they have, obviously, a lot of stakeholders and engagement. But there are other communities in the same district, such as Granisle, that may not be as engaged.

You may have communities, where Vanderhoof may be very, very engaged, and Fraser Lake isn't as engaged. There may be an inequity in terms of that level of engagement and community interest and how it influences particular landscape plans or the input that goes into landscape plans.

I'm particularly thinking you might end up in a situation where you've got communities that are at odds or differences between their values that they want to bring forward on the landscape. Some other parties may be more heavily into forestry; some may be more heavily into conservation values. I know those will be issues that the chief forester will have to deal with as the input comes in. It's not an enviable job, but congratulations on being thrown that hot potato.

Regardless of that, it is still.... People need to be made aware of this. The question that I had asked was whether or not there is going to be a process that the ministry goes through to be able to advise people that a forest landscape plan is about to commence, and a process about to commence, and where the opportunities for input are — whether that's through communities, where that might be working with First Nations, or whether that be after the process, in terms of comments added to a plan that might be in place.

[3:30 p.m.]

Hon. K. Conroy: Like any other processes that government is involved in, we're going to make sure people are aware that the forest landscape process has started and is underway. That's the intent of the legislation. That's

what we heard loud and clear from communities that they wanted to have happen.

J. Rustad: The minister keeps missing the point of the question. Will there be notification that goes out to individuals about the ways that they can engage, including being able to engage at a community level?

Hon. K. Conroy: If the member is asking if the ministry is going to reach out to every single person interested in the process around forest landscape planning.... I think that's a bit hard to ask.

What we will be doing is ensuring that the community has the notification, that they know that this process is happening. We will be well engaged with Indigenous nations. They will, of course, know. The process, the intent of the legislation, is to ensure that the affected communities, the people involved, will have the notification that they require.

J. Rustad: I'm not suggesting the minister go out and individually notify everybody of the opportunity. But there are organizations such as the snowmobile organizations, such as the wildlife organizations, such as the guide-outfitter organizations, such as the agricultural organizations, such as the recreational organizations, etc.

My ask of the minister is whether or not there will be notification that goes to these organizations and, potentially, notification, whether it's online or through other media outlets, to notify them of the multiple ways that they can engage in a landscape planning process.

Hon. K. Conroy: That is the intent of the legislation.

J. Rustad: There are many values that have been talked about under 2.22 that go into this and that are, obviously, very important values. But there are a number of values on the landscape that aren't listed as part of this, such as wildlife values, whether that's levels of ungulates, whether that's dealing with predators or other types of components.

I'm wondering why wildlife values are not mentioned here as a key component of forest landscape plans.

[3:35 p.m.]

Hon. K. Conroy: Wildlife is a key value that Indigenous nations hold, so that would be part of the process through that. It also comes into the values of many communities. It also comes into 2.22(b), "supporting the protection and conservation of the environment," which includes all of those issues, including wildlife.

J. Rustad: I appreciate that when talking about the environment and talking about the forests.... Obviously, that's talking about all components that are in forests.

The reason for asking specifically about wildlife and wildlife values is.... Obviously, there are a lot of pretty sig-

nificant issues to a lot of people in the province of British Columbia. So that's why I was just asking why that was excluded in terms of the list.

The minister has defined wildlife under environmental values. So that's fine. I won't bother pursuing that any further. But it is a little disappointing in terms of that.

There are other values, of course — values for recreation, values of hunting and fishing, guide-outfitting — in terms of tourism opportunities. Those are also key values that our forests provide for the use of the citizens of this province and visitors and others.

Values of water, as well, are linked to the environment. Particularly, there are a number of communities in your area of the province, as well as in the Okanagan and up in my area of the province, on the Island, that are very concerned about watersheds and activities that are happening on the watersheds and how that affects the potential water supply.

I'm just wondering why all those sorts of values have not been put in and structured as part of the values that are primarily considered by the chief forester.

Hon. K. Conroy: These are broad categories. They're all encompassed within the ecosystem, which is laid out in 2.22 and all of the five objectives.

J. Rustad: The act that this bill amends, particularly this section of the act, is the Forest and Range Practices Act. Range is a very important component, especially for the cattle industry. Whether it's cow-calf operations or others, range is a critical piece. I've heard from a lot of people in the forest sector or in the agriculture sector, in particular, that range always seems to be second fiddle to managing forests and managing forest values.

Particularly because it's called the Forest and Range Practices Act, there is a notable absence of the discussion of range as one of the values that goes into a landscape plan, whether that be species that are planted, whether that be areas that are going to be left, whether that be potential opportunities for expansion of agriculture within a forest value.

I'm curious as to why range has not been included as part of the list of priorities, as a relatively high priority, in the creation of landscape plans.

[3:40 p.m.]

Hon. K. Conroy: The ministry is committed to working directly with groups, such as the B.C. Cattlemen's Association, to ensure that effective and sustainable forest and range management practices are achieved in legislation, policy and on the ground. I've met with them a number of times. I've always enjoyed meeting with them — being a person that raises cattle myself. I've really enjoyed the discussions we had.

Forest landscape planning will support managing for

forage values and range tenure holder interests, as a landscape level, early in the planning process.

Mr. Chair, I request a short recess.

The Chair: The committee will recess for ten minutes.

The committee recessed from 3:42 p.m. to 3:55 p.m.

[N. Letnick in the chair.]

J. Rustad: Just before the break, we were talking about agriculture and range and forage. I'm happy to hear that the minister is well aware of those values and raises cattle as well. That's good. I might have to come talk to you about meat supply at some point.

Regardless of that, it is an important piece, I think, just as all the other values are. But because it's forest and range as part of the act, I actually think it would be valuable to have that mentioned, the forage component, in this section specifically. It sends a signal to cattlemen, to ranchers around the province, that that forest and range component will still be critical as part of the landscape planning process.

With that, I'd like to move an amendment to clause 33.

[CLAUSE 33, by adding the underlined text as shown:

2.22 (a) supporting the production and supply of timber and forage in the forest landscape area; .]

The Chair: We're going to recess for just a brief time to make sure the member for Nanaimo–North Cowichan receives a copy of the amendment, and when we come back, we'll invite the proposer of the amendment to speak to it.

The committee recessed from 4 p.m. to 4:06 p.m.

[S. Chandra Herbert in the chair.]

The Chair: All right, Members. The proposed amendment has been sent out to folks online and, I believe, is going out on email to everybody, if you don't have the hard copy. It should be there now.

On the amendment.

J. Rustad: The intention of moving this, of course, is that there is that important recognition of range values and forage. There are significant opportunities to change how we manage on the landscape, how we manage the underbrush, potentially eliminating the use of the glyphosate and spray to understand that forage and feed are an important component for the agriculture sector.

I don't have a lot more to add, as I've talked about that a fair bit at this point. But there are a few of my colleagues that would like to add a few comments because ranching

and the cattle sector are very important to them, and they just want to add their voice to this as well.

With that, I'll cede the floor to my colleague from Cariboo-Chilcotin.

L. Doerkson: Just a few moments to talk about the importance of adding these two very important words. In my riding of Cariboo-Chilcotin, there has been significant damage, of course, from fires. I don't think that's a surprise to anybody. But much of the rangeland, certainly in many areas throughout the Cariboo-Chilcotin, particularly in the South Cariboo, has been affected in a very negative way, either from guards that have been created from forest fire and, certainly, with respect to fire itself.

Those lands, many of them, have been left to their own device. I'm concerned about that, because that forage that was there once has now been contaminated with noxious weeds. Of course, there are areas.... And I will speak only for Cariboo-Chilcotin, because those are the only areas that I've actually seen. But I've seen areas where as far as the eye can see is paintbrush, for instance.

The problem, of course, with not planting in a very quick way after fires or after guards — and I'm sure it's of no surprise — is that these weeds can actually take place in the fall, after the fire season. Of course, there are issues with the grasses re-establishing themselves in the early spring.

Some of these areas.... Honestly when you look at them, it looks like they have absolutely been forgotten. And again, in these stands of paintbrush, even trees that may have been planted there are no longer there.

[4:10 p.m.]

Now, that's not in all cases, for certain, but this forage is very important. It's very important not just to the cattle industry, but it's important, of course, to wildlife in the area. It's important for very, very many reasons.

To add to the issue of these weeds when they take over an area, it's not just Crown lands they're affecting. Now we're seeing weeds that have been transferred to our riding through other supplies of hay and those types of things — weeds we haven't seen before that now, of course, also end up on the landscape in the Cariboo-Chilcotin. They're coming from other sources.

Again, I think it's really important that we have a very active, very aggressive program with respect to planting for these areas of forage, and that's why I think it's important that we add these two words in.

With respect to that infiltration of weeds, again, this is now showing up on people's private property — in their hay fields, alfalfa fields, etc. It's showing up just in the area in general. They have become quite ubiquitous throughout the Cariboo-Chilcotin, for certain. It's affecting not only Crown lands, but it's affecting the lands of private citizens as well.

For the sake of two words to be added to this bill, it is so important, I think, that we consider it for the cattle produ-

cers of this province. It is not just the cattle producers that rely on this forage but our trappers, of course, that use our range country as well — and backwoods users, in general. I think that for the sake of all of our wildlife, all of the habitat out there, we should consider this.

I guess I would ask the ministry and the minister to please consider adding these two simple words: “and forage.”

C. Oakes: It truly is an honour to rise and to join my colleagues from parts of the world that count so heavily on our agricultural sector and our incredible ranchers and farmers and people that produce food security for the entire province of British Columbia. On days like the last few days, we certainly understand and value the incredible efforts that they all make.

It is an ask that we are making to the government to please consider this very important addition, this amendment, to this piece of legislation. What I can offer to the minister.... We know that half of the ALR land is in Crown, and it's critically important that forage is a critical aspect.

I'll perhaps go back a few years. I grew up on a ranch, a 100 cow-calf operation. I remember my falls were spent on the community pasture, making sure that we had the opportunity to work with the community to ensure the value supporting our agricultural sector was intact.

As we look to modernizing the Forest and Range Practices Act, I think it's critically important that we consider the agricultural sector in this conversation and that we really look to the values we are hearing.

One of the things I've heard often through my office and through the constituents.... I want to recognize, actually, the work of the Ministry of Transportation these past couple months with these tremendous impacts we've had with landslides in our community as a result of the weather event in April.

We had some support from the Ministry of Transportation on some of the roads we're using that connect into the forest service roads — critically important as we talk about forest management and the critical importance of making sure we get the right seed planted when we're looking on the side roads and that specifically meet the needs of the agricultural sector. They know best. It is in their areas that it is critically important.

[4:15 p.m.]

We appreciated the fact that the Ministry of Transportation was open to those conversations and worked with the ranching community along French Road to address that specific issue that had come up.

As we are looking at updating, through Bill 23, the Forest and Range Practices Act, I think this is a time for us to actually embed “the forage” into this bill. It would make it easier for the ministry and cross-ministries to have the ease of access, of understanding the importance and the value of forage as a critical part of food security,

our economic future, supporting our ranchers, supporting our farmers and making sure that the values we all count on in our communities and right across the province are included.

When you look at that, although forage and associated plant communities is one of the 11 values identified under the Forest and Range Practices Act, it is included only to the extent of how range use, not forestry industry use, impacts the integrity of forage and associated plants. Forage is not currently included as an objective within the forest planning and practices regulation and, therefore, does not require protection or management through results or strategies within the forest stewardship plans.

We feel that by identifying that and accepting this amendment, it will go a long way to help to support that. The province must do more than mitigate the impacts to forage and range values from forest activities, leaving the management of forage as an implied responsibility with a non-prescriptive legislative framework within professional reliance as a foundation. There is more work that we feel can be done. Sustainable management of the forage resource is essential to achieve a robust and competitive ranching sector.

To the minister, please, we are asking on behalf of all of our cattlemen, our agricultural sector that so depend on forage, to please consider accepting this important amendment.

I. Paton: Thank you to the minister, who I'm glad understands what we're talking about with livestock and range land and grazing.

I want to begin by saying I know a bit about the agricultural land reserve, as my father by the same name was chairman of the ALR in the late '80s and early '90s. We used to talk about how valuable the ALR was not only in places like the Fraser Valley, the best parts of Vancouver Island and the Okanagan but just how important the agricultural land reserve.... Fifty percent of the ALR in this province is on Crown land, and much of that is grazing.

If we think of every television show or western movie we have ever watched, the romanticized shows about ranching and farming, it's all about beef cattle — up in the hills; up in the mountains; up in amongst the forest, grazing. What that does is it gives cows the ability to put on weight. Steers are able to eat that grass, put on weight throughout the summer months, and it also gives cows.... People wouldn't think of this, but grass is such an energy, high-protein product that cows need to create milk to feed those calves before they're weaned off, when they're up in the hills and on the mountainsides throughout the summer.

It is so important to listen to this amendment — that the Forest and Practices Act has to have the word “forage” in it to be effective.

I'd like to quote from the B.C. Cattlemen's Association: “While the Forest and Range Practices Act iden-

tifies range in its title, there is nothing in Bill 23 that would require the interests of range to be considered in the proposed changes. The oversight of range is contrary to the recommendations of the minister's own practices advisory council.”

I'd also like to go on and quote from the Cattlemen's Association: “Foundational to the success of the ranching sector is a secure supply of forage, yet the minister continues to ignore the need to sustainably manage the forage resource in favour of a random system whereby it is assumed the forage supply is adequate for the needs of the ranching sector and the wildlife requirements.”

I'd like to go on to talk about just how important it is to preserve our forests in a way after fire guards have been piled up and ditched up by ranchers and farmers, roads have been decommissioned, fire areas on cut blocks have to be regrown.

[4:20 p.m.]

It is so important in this province that we provide the seed and the fertilizer to go into these parts of our forests and Crown land areas where the forests are to replenish it with grass, not only for the ranching sector of this province but for the wildlife sector: the caribou, the moose, the deer, the elk that graze on that grassland that we need as part of the important forage in our forests in this province.

Carbon sequestration.... It's so important to get that forage, that grass, replanted in our burned-out areas, in our cutblocks, and give the opportunity for livestock, for ranching in this province to move forward and succeed. We cannot forget about the fact that the agricultural land reserve.... I know that our Minister of Agriculture is deeply concerned and believes in the agricultural land reserve. If that is so, we cannot forget that 50 percent of the ALR land in this province is on Crown land, and much of it is in our forests in British Columbia.

We've seen success over the years, even using forage replenishment on mining sites, on gas well sites that have been reclaimed, where livestock have been able to go in and to make use of planting of grass seed and new forage bases on sites such as mining sites and decommissioned well sites.

I just want to say that it's a simple amendment. It would very much make farmers and ranchers in this province happy. It would certainly make the B.C. Cattlemen's Association in this province happy. It's by simply adding, as my colleagues have said, the two words “timber” and “forage,” as is seen in this amendment.

Hon. K. Conroy: As I've said, I raise beef — purebred polled Herefords. I always enjoy the conversations we have with the B.C. Cattlemen's Association.

Just in response to some of the comments that have been made. To the member for Cariboo-Chilcotin: yes, there's been a lot of work done with the B.C. Cattlemen's Association. I want to give acknowledgment to Kevin Boon and the work they did during the wildfire season this

year, as well as the work that we've done afterwards with them, making sure that those guard areas are replanted, that they're reseeded, that the fences are rebuilt.

It was interesting. We've had some discussions on the type of seed we need that's going to last for a long time. It's interesting to me because my son is currently seeding the 50 acres that he bought off of us years ago and is now finally going to be farming it. He developed a type of seed that is actually utilizing old-fashioned seeds that were used years ago so that the grass that was growing would actually create much better forage for the cattle so they could raise the calves and produce better milk.

It was really interesting. He had a great conversation with Kevin Boon about this type of seed. So we are definitely working with the B.C. Cattlemen's Association and recognize how important that is.

Again, the values that the member for Cariboo North talked about, I deeply believe in them as well. I know how important our feed supply is, as well as beef, in this province.

To the member for Delta South, again, I support the values. I know that there's actually nothing in this bill that stops us from continuing to do all of the things that the member for Delta South mentioned. So we will keep doing that.

We've actually had a number of discussions with the B.C. Cattlemen's Association on this very issue. It's actually implicit in the act that "ranges" is throughout the act. So I do understand the values.

I really respect the intent of this amendment, and I think you've all said that these are just two simple words. It might seem like two simple words. However, there are much broader implications of these words.

This is also an area of interest to Indigenous nations. To make an amendment of this nature at this time when we are into the bill, debating it at committee stage, is not consistent with our commitment under the declaration on the rights of Indigenous peoples. For that reason, we will be voting no.

[4:25 p.m.]

J. Rustad: I appreciate the minister's comments. I do know she has a very heartfelt passion around agriculture and around ranching as part of this.

I fail to see.... I understand that the minister has just said, in terms of Indigenous issues associated with this — in terms of notifying them, I suppose — that something like this would happen in terms of adding forage as one of the values, although it's a bit of a stretch, from my perspective.

The minister describes the complexity of changing the language at this point. Well, in committee stage is where you do make changes. That's the place where this comes forward. That's the reason for debate in this Legislature. That's the reason for going through this line-by-line. It sometimes can be very tedious. So I would like to ask the

minister: what are those complexities, other than what she had mentioned in terms of Indigenous issues, that would prevent adding the words "and forage" into this act?

Hon. K. Conroy: With all due respect, it's not Indigenous issues. It is respecting the declaration on the rights of Indigenous peoples.

A. Olsen: I appreciate the opportunity. Is the minister, then, taking the position that no amendments will ever be passed in this House because they will have not achieved the test that she has set for this particular amendment: that consultation with Indigenous nations need occur?

Hon. K. Conroy: Thank you to the member for the question. Because of the consultation that we did with Indigenous nations prior to bringing this bill forward, we know that this is an area of interest to Indigenous nations. So for this time, with this bill and this amendment, we will not be moving forward with it in respect to the declaration on the rights of Indigenous peoples.

A. Olsen: I have a whole series of questions that come from a significant amount of documentation from Indigenous nations that have been very clear that the consultation on this entire bill is insufficient, yet the minister has put this bill on the table for debate. We are in committee at clause-by-clause stage of a bill for which there are — I know that the member from Nechako Lakes and other members have raised them — significant concerns with the consultation process of the minister's intention paper and significant concerns with the lack of consultation around this bill.

Yet here we are debating this bill. I can understand the government not accepting an amendment because they disagree with the amendment. I simply cannot understand an argument or a reason for not supporting the amendment because it hasn't been brought before Indigenous nations for consultation, when that's the criticism that many nations have of the entire bill. Perhaps the minister may want to take a few minutes to reflect on the reason to not accept an amendment.

Basically, what is being set up here in this debate is that the government could very easily use that exact excuse for every amendment that's put forward in this place, essentially frustrating the democratic process of this House. If, in fact, the minister is certain on that consultation with Indigenous nations, then we need to set this entire bill aside and have it go back to consultation because of the criticisms that have been made about the bill that's before us right now.

[4:30 p.m.]

Hon. K. Conroy: Beginning in fall of 2018, Indigenous rights and title holders from across the province have been engaged on proposed changes to FRPA through an extens-

ive schedule of in-person meetings, phone calls, workshops and webinars. Regular updates on proposed changes to FRPA have all been provided to all B.C. Indigenous nations via correspondence. Ministry staff continue, to date, to respond to any resulting requests for government-to-government discussions with those individual rights and title holders.

To date, nearly 100 meetings have been held with Indigenous nations and organizations, representing more than 90 communities from across the province, to understand their interests and listen to their perspectives on FRPA and related forest policy matters. Amendments enabling the implementation of decision-making agreements negotiated under section 7 of the Declaration Act and requirements of the chief forester to consult and cooperate with Indigenous peoples throughout forest landscape plan development and establishment have been included in response to concerns raised by rights and title holders through the consultation process.

Actually, there's been consultation with 204 Indigenous rights and title holders, which occurred in two phases. The first phase of consultation occurred between winter 2019 and spring 2020 and included, again, a series of regional workshops and provincial conferences.

Again, I'll remind.... Some people might not remember that the changes to this act started in 2019, prior to me being minister. There was considerable discussion and consultation, government to government, with the rights and title holders that occurred prior to us actually tabling the legislation here in the chamber.

A. Olsen: This government has a habit of standing up and listing things. The reality of it is.... Despite the exhaustive list that the minister has just outlined....

When this bill was put on the table, we heard from Indigenous leaders in this province that the consultation does not reflect the robustness that the minister would like us to believe happened. Immediately after this bill was put on the table, the criticisms from Indigenous leaders across the province rolled out.

That is one of the fundamental failings of this government. Their understanding of consultation and Indigenous leaders' definition of consultation is fundamentally different. We can hear these arguments actually be rolled out on both sides. One, we've done the consultation. So this bill has been put forward. Then, two, just in defence of not supporting this amendment....

Like I said, I can understand why a government would choose not to support an amendment. This simply is an unacceptable reason to.... If that is true, then, from my position, the government needs to set this bill aside and do the consultation that is expected by Indigenous leaders. I really think that we need to strongly reject this. The fact of the matter is that we are going to see this reason for not accepting amendments roll out over and over and over again.

I have an amendment. I can imagine that, well, the minister hasn't consulted on the specific language of it. So sorry. Not going to happen.

Basically, the democratic process that is laid out here in the committee stage of the debate.... This bill has gone significantly down the road to the point that we are at committee stage of the debate. We are simply going to be frustrated over and over and over again because of the government's definition of what consultation is, which is....

It's good enough for us to get it on the order paper and for us to debate it, but it's not good enough for us to consider amendments to the bill which may or may not be reasonable, depending on what side of the House and what your opinion is of it. But to use that as a reason to not accept an amendment.... I find it to be baffling, frankly. I really will be paying close attention over the coming weeks and months to ensure that it's not continuing to be used.

[4:35 p.m.]

The government has been criticized intensely for continuing to use 30-day, 60-day notification processes. Yet what do we find in this bill just a few sections away? We see the enshrining of a 60-day notification process. I intend on getting into that in detail when I have the opportunity to stand and talk about it. We have heard consistently the 30-day notification process for notifying Indigenous nations of the old-growth strategic deferrals — totally panned by Indigenous leaders.

To have this minister stand up and pretend like the government has achieved some level of consultation when I don't believe that it has.... Many Indigenous nation leaders have stood up and said: "No, it has not." I think it's a very problematic reason to not support this amendment.

Like I said, I think the government can find all sorts of reasons to not support it. This one, to me, is very problematic.

J. Rustad: I was hoping the minister may have an opportunity to respond to that. So maybe I'll put that in the form of a question. My colleague from Saanich North and the Islands makes some very, very good points.

I know how the consultation went on this particular issue with First Nations. They didn't see the bill. They didn't go out and consult for two years on the bill. They went out and consulted on the principles and the values and the components that were talked about on a very broad and very far-reaching level. As a matter of fact, I would very much doubt that the word "forage" even came up in that consultation or component.

I happen to agree with my colleague. I'm sorry to call it this, but it is a sham of democracy in this Legislature to use that as an excuse. There will never, ever be an amendment that will be able to go onto the floor.

If that's the honest reason that the minister would like to use to deny the idea of adding "forage" into this debate.... I suggest the minister should stand down this section and go out and do the consultation. Then she can be informed

when she comes back into the Legislature so that we can have a debate on it. Would the minister consider doing that?

Hon. K. Conroy: I think the member knows how unrealistic that is. We would not be bringing the bill back for months, if not sessions. In order to ensure.... We want to move ahead with the clauses in this act because they're critically important to Indigenous nations as well. That would be something we can't do.

Again, to both members' points, it is not the specific language that is in the amendment. It is the issue of.... Forage management was not included in the consultation that the ministry undertook in all of the times we did the consultation.

J. Rustad: It is actually a shame to hear that, because forest and range is such an important component. We are designing a plan over our landscape that includes forest and range.

To think now, as the minister just said — correct me if I'm wrong — that the idea of range and the idea of forage were not even considered as part of the consultation and part of the discussion about what are the values we're having on the landscape is actually quite disturbing. Those are values that are core and dear to the minister's heart, as she has said in here.

Perhaps the minister misspoke in saying that those words and those components didn't come up in the consultation. I have to admit that in the consultation components that I saw, that didn't come up as a topic. So if that didn't come up as a topic, perhaps it is an opportunity for the minister to be able to stand down the section.

After all, if it only takes 30 days to go out and do consultation with First Nations on something as massive and broad as the deferral of 2.6 million hectares and expect a result, surely the minister can spend a day or two, maybe the weekend, going out and just saying, "Hey, what do you think about range?" and see if she can get some feedback.

Once again, I'd ask the minister: either consider providing a different rationale as to why range would not be included in this or consider standing down and actually going out and maybe talking to First Nations about the value of range in our landscape and the importance it is for our agricultural sector.

Hon. K. Conroy: Again, as I've been saying, it is implicit throughout the act.

J. Rustad: I won't belabour this issue, obviously, because we've got a lot more things to go through in terms of the act, in terms of this act that goes on. It is very disappointing.

[4:40 p.m.]

I'll maybe finish off with one last question. Unfortu-

nately, it's not directly in the act. But because of the reason, the rationale, that the minister has given as to why range cannot be added to the act, and to the argument that my colleague from Saanich North and the Islands has made, under what circumstances could any possible amendment go forward if consultation has not happened with First Nations?

Hon. K. Conroy: I'm talking about the Forest Statutes Amendment Act, 2021, and only that act.

J. Rustad: I find that answer quite unacceptable. The minister has just said the reason for not being able to move forward with an amendment to the Forest Statutes Amendment Act, 2021, Bill 23, was because consultation has not happened with First Nations on the use of adding forage into this. The minister gave that rationale.

It is not unreasonable to ask the minister why that rationale is justifiable in the rejection of this amendment and how that would relate to any amendment that could be sought for, for any piece of legislation in this building.

The Chair: Seeing no further questions....

J. Rustad: The minister didn't answer the question.

The Chair: The minister has provided the answer as she prefers.

L. Doerkson: Just with respect to these words that we referred to as two simple words — and you suggested that they were complicated words — was there a reason that the ministry saw fit to omit the words in the first place? You said that there was consultation. Was there a reason for that?

Hon. K. Conroy: It's implicit in the act.

A. Olsen: I feel like I just need to make it clear that we have heard, over months, complaints from Indigenous leaders in this province that this ministry, the minister, has been putting Indigenous people in the middle of the conflict around forestry. Those are the claims of Indigenous leaders, respected Indigenous leaders in this province.

Shifting Indigenous people into the middle of the conflict. That's essentially what has happened here, in a legislative way, today. If there was confidence in true consultation on this bill with Indigenous people, then we should be able to debate amendments to this legislation. But because consultation for this government is exactly the same as it has been for decades — notify, wait and move on — the entire system and the entire process is fragile.

[Interruption.]

Someone's paying a fine. Can buy me lunch.

I feel it just needs to be on the record here in this House. It's on the record publicly in the media — frequently, in fact, in the last number of months — that Indigenous people and the rights and interests, but more importantly the rights, of Indigenous people are being put in the middle of the conflict around land and around forestry in this province. And now it's happened here in the Legislative Assembly.

[4:45 p.m.]

[The bells were rung.]

The Chair: Just to clarify for everybody, the division bells ringing are for Section A, so not for this chamber.

J. Rustad: I suggest we take a brief recess, because we're about to have a vote in this House as well. I don't know what the rules would be for votes in two Houses at the same time.

The Chair: We will wait so we don't do both at the same time. I appreciate that.

Interjection.

The Chair: We could, but if we go through the process, we will then have to ring the bell here at the same time as the other chamber. So the suggestion is so that members can vote where they want to vote....

There's been a proposal for a recess, and I will take that proposal. We will be recessed for approximately five minutes, at which point, we will resume the proceedings here.

The committee recessed from 4:46 p.m. to 4:53 p.m.

[S. Chandra Herbert in the chair.]

The Chair: We are here on Bill 23, on an amendment proposed on clause 33, moved by the member for Nechako Lakes.

[4:55 p.m. - 5:00 p.m.]

Amendment negatived on the following division:

YEAS — 22

Banman	Bernier	Cadieux
Clovechok	de Jong	Doerkson
Halford	Kirkpatrick	Kyllo
Letnick	Milobar	Morris
Oakes	Olsen	Paton
Rustad	Shypitka	Stone
Sturdy	Tegart	Wat
	Wilkinson	

NAYS — 43

Alexis	Babchuk	Bains
Beare	Begg	Brar
Chant	Chow	Conroy
Cullen	Dean	D'Eith
Dix	Donnelly	Dykeman
Eby	Elmore	Farnworth
Fleming	Greene	Heyman
Kahlon	Kang	Leonard
Lore	Ma	Malcolmson
Mercier	Osborne	Paddon
Popham	Robinson	Routledge
Routley	Sharma	Simons
Sims	A. Singh	R. Singh
Starchuk	Walker	Whiteside
	Yao	

The Chair: We'll just take a short recess while members go where they need to go, and we'll resume on clause 33 shortly. The House is in recess.

The committee recessed from 5:04 p.m. to 5:07 p.m.

[S. Chandra Herbert in the chair.]

A. Olsen: On clause 33, 2.22, I'm just wondering if the minister can talk about how the government will ensure that the objectives that are set out here in this part of the clause will be applied to ensure the health of the land.

Hon. K. Conroy: It's all laid out in 2.22, as the member said, in the objectives. They all refer to the land, not only to support the production and the supply of timber in the forest landscape area. In order to do that, you have to respect the land. Supporting the protection and the conservation of the environment is part of making sure that the land is first and foremost.

Managing the values placed on the forest ecosystem by Indigenous peoples, very specifically, is part of what happens with the land, as are the values on forest ecosystems by local communities. Again, the values are part of what a local community has.

Then preventing, mitigating and adapting to impacts caused by significant disturbances to forests and forest health, including wildfire, insects, disease and drought, which all impact the lands that the forests are part of.

All of those objectives very much pertain to how we ensure that we are taking care of the land.

[5:10 p.m.]

A. Olsen: How does this part of the clause mirror or compare to the objectives that the chief forester currently has — in determining the objectives that the chief forester currently has?

Hon. K. Conroy: We'd just like to clarify with the mem-

ber if the member is referring to the 11 values that are part of the existing forest stewardship planning regime.

A. Olsen: Well, I'm not necessarily referring to anything, though, specifically. What I'm referring to, or what I'm trying to canvass here, is that in this division, in clause 33, 2.22, in preparing a forest landscape plan, the chief forester has and must consider these objectives.

Presumably, the chief forester has a set of objectives that they must consider when making decisions currently. What I am wondering, and what I'm trying to understand, is how this would be different from the objectives that the chief forester currently has in making decisions about the landscape in the province?

[5:15 p.m.]

Hon. K. Conroy: Under the current regime, the chief forester doesn't consider a set of objectives. The objectives that exist are required by licensees to develop results and strategies.

A. Olsen: How would the minister characterize the consideration of the objective of managing the values placed on forest ecosystems by Indigenous people? How will the chief forester consider this? Can the minister please explain to us what this looks like in practice?

Hon. K. Conroy: Values placed on the forest ecosystem by Indigenous peoples will be identified in the government-to-government process.

A. Olsen: Is this list, (a) through (e), hierarchical?

Hon. K. Conroy: No.

A. Olsen: How will the chief forester evaluate and weigh each of these five points, objectives?

Hon. K. Conroy: In collaboration with the Indigenous nations.

A. Olsen: Only (c) is reflective of Indigenous peoples. What I'm wondering is: how will the chief forester consider all five of the objectives in this list, and how will the chief forester weigh those objectives that, arguably, are in conflict with each other?

When you read the list, there are conflicting values and objectives here. How will the chief forester weigh those?

[5:20 p.m.]

Hon. K. Conroy: They would be weighed differently, depending on the local issues, the local values, the values of the Indigenous nations, and that would be determined in those government-to-government discussions.

A. Olsen: Presumably, then, if I moved an amendment

to move (a) to the bottom of this list, then there would be no reason why the government wouldn't support that?

Hon. K. Conroy: They're not listed in hierarchical order, but in order to change any of the legislation as it is tabled, we would have to confer with legislative counsel.

Noting the hour, I move that the committee rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 5:22 p.m.

The House resumed; Mr. Speaker in the chair.

Committee of the Whole (Section B), having reported progress, was granted leave to sit again.

Committee of the Whole (Section A), having reported progress, was granted leave to sit again.

Hon. K. Conroy moved adjournment of the House.

Mr. Speaker: This House stands adjourned until 10 a.m. Monday, November 22.

The House adjourned at 5:23 p.m.

Proceedings in the Douglas Fir Room

Committee of the Whole House

BILL 22 — FREEDOM OF INFORMATION AND
PROTECTION OF PRIVACY
AMENDMENT ACT, 2021
(continued)

The House in Committee of the Whole (Section A) on Bill 22; R. Leonard in the chair.

The committee met at 2:18 p.m.

On clause 17 (continued).

T. Stone: I want to just explore the comment that the minister made just before we rose for lunch today. She made a comment in response to a question that I had asked with respect to the.... I'm paraphrasing. She can correct me if she wants to provide the exact wording, but it was along the lines of: "We have an excellent track record with privacy impact assessments, excellence in privacy impact assessments." Something along those lines.

With that comment on the record, I want to.... I think this really matters if we're going to talk about how things are managed here in British Columbia and challenges that

we see with how we manage data here when we have all the cards in our hands, and the concerns with moving that data out of British Columbia and what that does to the risk level in terms of the security and confidentiality of private information. This again relates to the speculation tax and the privacy impact assessments related to that.

Now, I'll just say this. I'm going to get technical here. The minister's staff, I'm sure, will want to connect with staff back in the ministry and take some good notes. Here's the general gist. Then I'll walk through the actual file numbers and so forth and follow with some questions.

First off, there were, as the minister knows well, multiple privacy impact assessments conducted related to the roll-out of the speculation tax. Now, due to multiple applications across departments, what's known as a common or integrated program application, a CIPA, was required.

[2:20 p.m.]

There were problems or gaps identified with the CIPA application ten days after the speculation and vacancy tax declarations began being sent in the mail to British Columbians in the designated areas. Chair, this means that the speculation and vacancy tax was rolling out. When it was rolling out, the ministry still didn't have the privacy assessment orders in place.

CIPA sign-off was delayed through the filing process for the speculation and vacancy tax, meaning the government may not have had proper authorizations and/or policies in place to be collecting speculation tax information. Furthermore, final sign-off on the PIA for the Maximus call centre was not complete until one month after the deadline for the speculation and vacancy tax filings.

Again, I'm happy to walk the minister through the timelines here.

On August 13, 2018, a property taxation branch analyst submits a privacy impact assessment concerning the use of Maximus Canada to operate a tier 1 level call centre for multiple programs and initiatives. There is a parallel common or integrated program or activity, that CIPA application, still being worked on at that time.

Cole Lance, an individual in the Ministry of Citizens' Services, is assigned to work on the privacy impact assessment, with the tracking No. FIN18049.

On September 5, 2018, after revisions, the Maximus privacy impact assessment is sent up for peer review. Cole Lance states that the CIPA must be signed before the privacy impact assessment — again, file No. FIN18049.

On November 16, 2018, the same analyst submits a privacy impact assessment update related to the Maximus call centre being tasked to serve the public regarding the speculation tax. It is given a different tracking number. This one is FIN18070.

Fast forward to November 28, 2018. The privacy impact assessment FIN18049 clears peer review but must wait until the CIPA clears peer review before there will be a sign-off.

On January 15, 2019, the government issues a news

release announcing that declaration letters for the speculation and vacancy tax will be mailed out between January 18 and February 28, 2019. The news release refers residents to the speculation and vacancy tax call centre at 1-833-554-2323 or 604-660-2421. That's on January 15.

On January 18, 2019, declarations begin to arrive in the mailboxes of B.C. residents. Pamphlets included with the declarations provide the same call centre number — that's 1-833-554-2323 — for recipients to “register your declaration.” That's on January 18, 2019.

On January 21, 2019, there was a final sign-off on the privacy impact assessment but with a different file number. This is FIN18061, regarding speculation and vacancy tax, operational phase 1. This was given by the ADM of the revenue division, Jordan Goss; the director of information security and privacy, Richard Barlow; and the executive director of the property taxation branch, Steven Emery.

On January 25, 2019, emails from another analyst indicate that privacy impact assessments FIN18049 and FIN18070 finished their peer review but have not been signed, as their corresponding CIPA assessments have not been completed. The email states, again: “Gaps were identified in the CIPA.” The same email states: “There is a lot of scrutiny being put on the new speculation and vacancy tax.”

Now we're into February. The declarations, again, just to remind you, were sent out to British Columbians in the areas that the tax applies on January 18, 2019. It's now February 11, 2019, and emails show that an additional privacy impact assessment is being drafted for another unit to answer calls for the speculation tax. Further changes are recommended to the original privacy impact assessment. That's FIN18049.

[2:25 p.m.]

On February 28, 2019, the majority of declaration notices have been sent out to their intended recipients.

On March 6, 2019, emails from Cole Lance indicate that the CIPA for FIN18049 is not yet complete. An email from Claire Lovell in the Ministry of Finance states: “This is our first CIPA, and it appears to express confusion about the process.”

On March 15, 2019, the government issues a news release stating that 80 percent of applications have been filed. Again, the declarations were sent out on January 18, 2019, and now, March 15, 80 percent of applications have been filed. The privacy impact assessment relating to this hasn't been approved.

March 31, 2019, the deadline for filing speculation and vacancy tax declarations.

On April 30, 2019, there's finally a sign-off on privacy impact assessment FIN18049. That's signed off by Cole Lance.

Then there are further sign-offs that take place up the food chain, resulting in final sign-offs on June 26, 2019; July 2, 2019; and July 31, 2019.

That's the timeline. This is a clear example of the gov-

ernment putting the cart before the horse when it comes to a privacy impact assessment in relation to the speculation and vacancy tax. Private information was collected from British Columbians relating to the speculation and vacancy tax prior to the privacy impact assessment being signed off.

My question to the minister would be this. Is this an example, what I've just walked through, of excellence on the part of the government and this ministry when it comes to the management of privacy impact assessments?

Hon. L. Beare: I just want to remind the Chair that we are on section 17 of the Freedom of Information and Protection of Privacy Amendment Act. Section 17 repeals.... This section that we're on right now, 17, is the proposed repeal of sections.... It aligns with section 21 of the bill, which reframes the current disclosure model from one that focuses on exceptions of storage and access inside of Canada to a proactive frame.

I'd be happy to answer any questions on section 17.

T. Stone: The question that I'm asking is directly related to this section, and it's directly related to comments that the minister made just before lunch. We were talking about the ending of data residency. That's what clause 17 is all about.

[2:30 p.m.]

A significant concern that British Columbians have expressed, a concern that members in the opposition have expressed and many others have expressed is around the security and the protection of privacy of the data that is currently stored here in Canada. Presumably, if this bill passes and becomes law, this data could potentially be moved outside of the country, to which jurisdiction we don't know.

It is entirely relevant, within the context of moving British Columbians' data outside of this country, potentially subject to foreign intelligence agencies and so forth, to be asking questions about privacy impact assessments, which are a critical component in what the ministry, and government generally, is allowed to do and not allowed to do with the data that it collects, the personal and private data that is collected from British Columbians.

[H. Yao in the chair.]

Again, the minister said before lunch that she stands by what she believes is an excellent record within this government in terms of how privacy impact assessments are managed. I have just walked through what we believe to be a pretty glaring example of the opposite of that. I find it a bit of a stretch for the minister to suggest that this isn't relevant to a discussion around security concerns that British Columbians have as a result of this government's desire to

move British Columbians' personal data outside of British Columbia — again, to foreign jurisdictions unknown.

I will ask this question. In the minister's view, is signing off on the collection of speculation tax data, as outlined in the example that I read into the record, after the data has already been collected an example of, as she puts it, excellence in privacy policy?

Hon. L. Beare: I'm happy to answer questions on section 17.

T. Stone: Respectfully, I'm going to continue to ask questions that are relevant to this bill and that are relevant to this section. If the minister wants to try and skirt around this and dippy-doodle her way through, that's her choice. But I am here on behalf of British Columbians who are concerned about this government's decision to move the private information, the confidential information, of British Columbians out of the country and what privacy and safety protocols will be wrapped around that information.

Again, I will ask the minister: is it the minister's view that signing off on the collection of data...? Don't even have to reference the speculation and vacancy tax example I just read into the record. But does the minister believe that signing off on the collection of personal data of British Columbians after the data has already been collected is an example of excellence in privacy policy?

She made that comment in a discussion on this exact clause before lunch. We haven't switched to a different clause. She was willing to talk about the excellence in privacy impact assessment policy prior to going for lunch. I had a great lunch. I hope she did, as well. We're still on the same clause. She was willing to talk about it then. I would expect that she would be willing to continue to address the very serious, the very focused and the very important questions that British Columbians have around security.

Again, in the minister's view, is signing off on the collection of data after that data has already been collected an example of excellence in privacy policy, as the minister suggested just before lunch today?

[2:35 p.m.]

Hon. L. Beare: Again, I will remind the member we are on section 17. I'm happy to answer.... The member asked about the strengths and protections and the concerns about protections. We've already heavily canvassed that in this bill, but happy to go through some of them again.

We, of course, want to make sure that people's personal information and privacy is protected here. There are a number of ways we're doing it through this bill. We canvassed them multiple times in this House. We're implementing mandatory breach reporting. We're extending privacy management programs to the entire public sector. We'll be putting a number of controls in place to ensure

that data is protected. With that, I'm happy to answer more questions on section 17.

T. Stone: With all due respect, and sincerely, I have sat in her chair. I'm on this side now. I have experienced both sides of this very important process.

The minister does not get to determine whether we have fully canvassed a topic or not. This is the opposition's time, on behalf of British Columbians, to ask focused questions about proposed legislation and the contents of that legislation and the impacts that that legislation may or may not have on our citizens. This is not for the minister to determine: "You've asked that question already. We're moving on." We move on when the opposition decides to move on.

Again, the reason that I'm asking this line of questions, the reason I read into the record the speculation and vacancy tax example.... Again, I've asked the minister if she agrees that that's an example of excellence in the privacy impact assessment process that she mentioned before lunch today. I have a pretty good sense as to why she doesn't want to directly answer that question. It doesn't mean I'm not going to continue to ask her.

[2:40 p.m.]

At the higher level here, the entire discussion on data residency that we have had to this point.... Not just today; we've been in section 17 for a while. It's kind of important — moving data outside of British Columbia to jurisdictions we don't know, and there are no regulations developed. We've canvassed this at length. I do acknowledge that.

But the entire underpinning of the minister's arguments, the minister's rationale, the minister's explanations for why data residency needs to change, why her government is making the decision to move British Columbians' data outside of the province — potentially subject to foreign intelligence agencies and the like.... The entire reason and rationale that she's used to underpin this massive policy change has been some variation of: "Don't worry about it. Our privacy impact assessment process is strong. We have nothing to worry about."

You cannot have it both ways. You cannot say that throughout the whole debate and then, when a member of the opposition gets up and is asking further focused questions to ensure that British Columbians really understand the current landscape related to privacy impact assessments here in British Columbia, in the context of....

These are challenges that have been experienced here in our own province. And as I said earlier, we hold all the cards here. We don't hold all the cards on the protection and the security of our data if it's not subject to British Columbia law, to Canadian law. We don't.

In the context of whether it's just generally or whether in the context of this speculation and vacancy tax example.... Again, I won't read the whole darn thing into the record. This government sent declarations out to British Columbians on January 18, 2019. Final approvals on a privacy

impact assessment — those final approvals were not in place until July 31, 2019. That's a heck of a lot of time that data was collected by the B.C. government, and then many months later a privacy impact assessment was actually signed off. That's not how it's supposed to work, and that, in my mind, wouldn't lend itself as a good example of excellence in privacy policy.

I will ask the minister again. This matters, whether the data is hosted and stored here and accessed from here on British Columbia servers or Canadian servers, or if they're on servers in the United States or some European country or somewhere in South America or wherever the heck government is looking at moving our data. Does the minister believe that collecting personal, confidential information of British Columbians prior to having a privacy impact assessment signed off and approved, not just by a few days but by months...? Does she believe that that is an example of excellence in privacy policy and excellence in the privacy impact assessment process?

[2:45 p.m.]

Hon. L. Beare: Absolutely, data residency is important, which is why I've answered all the member's questions till this point and am happily going to keep answering the member's questions. It's important that we have this debate here in this House, and I'm looking forward to the many hours of continued debate ahead of us.

We have made it very clear that we are amending our data residency provisions to enable our public bodies and our businesses here in British Columbia to use the tools and the modern digital services that people need and expect. It's something we've been hearing when we've been out for consultation. It's what we're hearing when we do our round table.

It's important to British Columbians, who have come to rely on services through COVID-19 and through our ministerial order, which currently eliminates the restrictions so that you can FaceTime with your doctor, so that you can use Google Classroom. You can access the services that we've come to count on during COVID-19.

We've made it clear, over all of our debate here, that we want to ensure that our legislation keeps pace with new technologies. We want to enhance protections and provide a level of service to people that they expect from their government. We've gone through those a number of times too. I will happily repeat those for the member.

It's important to say.... We have been listening to the public. We've listened to businesses. We've listened to organizations. We've had extensive consultation. We're hearing from organizations. We're hearing from universities, from health authorities and from tech companies, repeatedly, that our data residency rules are out of date. They're not allowing our public bodies to be competitive. They're not allowing our public bodies to provide the services that people need.

It's our role here in government to listen to those who've

been sharing with us and to adapt. That's why we have the legislation before us today.

Here in section 17.... We have the proposed repeal of sections within 21 of this bill, which reframes the current disclosure model.

I'm very happy to continue moving forward on this bill.

B. Banman: Mr. Chair, you'll have to pardon me if I'm not my normal collegial self. I've got a city that's underwater, I've got animals that are drowning, and I might just be a little bit more testy than I normally am.

This minister, before lunch, was more than happy to brag about the excellence of the government. Now she refuses to answer my colleague's question. I find that beyond disappointing.

She just now said that they listened. Well, I've got a letter here from the commissioner. It doesn't appear as if we listened to him.

We didn't put this particular bill in front of the special committee that's designed to look at this, which you, I believe, Mr. Chair, are a member of.

We didn't listen to British Columbians, 58.8 percent of whom said that privacy being stored inside Canada was important to them. So I'm not sure exactly who it was the minister was listening to.

When it comes to the speculation tax.... I go back. The declarations were gathered on January 19, 2019, yet the final sign-off wasn't until July 31, six months after the fact.

Now, if the minister wants to stand on the soapbox and say that is a declaration of excellence, there is something seriously wrong, in my opinion. It sure as heck doesn't demonstrate excellence on this side. I'm appalled that anyone would think that that is excellent.

[2:50 p.m.]

I think that my colleague deserves a straight answer. It's a simple yes or no. The minister is the one that opened this door before lunch. If the minister wants to use examples of this government's excellence, she needs to be able to stand there and back it up, rather than hide and deflect questions.

Again, I apologize if I'm not my usual collegiate self. It's clear that on major flagship programs, this government, when it comes to PIA, the process was clearly lacking. Lord help us all if this is a demonstration of excellence.

How can we trust, based on this, where the cart is way ahead of the horse...? How can anyone trust this government that other PIAs that they're required to file...? How can this minister expect anyone to trust them based on the fact that, earlier this lunch, she used that as a stellar example? Is this what British Columbians can expect?

Hon. L. Beare: First off, to the member, I, too, am from the Fraser Valley. I've grown up there my whole life myself, and I can only imagine the heartache and the difficulties that the member is going through.

We are all, in this House, very and deeply committed to supporting the member, his community and all of the members in this House who have been affected by the floods and the tragedies that we've had this week.

The member and I took a moment in the hall yesterday to actually talk about this for a few minutes. I think it's important to recognize that and just take a step back from this bill for a moment, because the member comes to this House every single day while his community is in distress right now. He gets to go home tonight, and he gets to go back to his community and do what he can to help.

I want the member to know that we — all of us here in this House, all of us here in government — are here to support both the member and every single member of his community.

My door is always open, Member. I know my colleague's doors are always open. As a member of the Fraser Valley myself, I just cannot tell you enough how much I want to give you my support, and I think we all share that sentiment.

I think it's important that we talk about, again, our reasonings behind the amendments that we have here before us today. We continue to talk about how British Columbian's expectations have changed over the pandemic, about how services and the need for services have changed.

For example.... I continue to use it because it's just such an easy-to-grasp example, and there are so many more examples of it. But your ability to FaceTime with your doctor or your ability to use Google Classrooms — this is what section 17 of this bill is doing. It's allowing us to continue to use those services.

It's allowing us to listen to the public bodies who have shared with us repeatedly, again and again, that our data-residency restrictions were out of date, that it wasn't allowing them to be competitive and that it wasn't allowing them to provide the services that we need to British Columbians.

I continue to listen to that. I listen to what the members are saying. I listen to all British Columbians, all the feedback.

[2:55 p.m.]

We come with a balanced approach when we do that. That's what we have before us in this legislation today — taking that feedback, taking that balanced approach and ensuring, as a government, that we are able to provide those services, which became so critically important during COVID and through other tragedies that may befall us too. That ability to be able to connect with modern technologies is vitally important.

We are committed to enhancing our privacy protections through this bill. We are committed to providing that level of security and protection of privacy that British Columbians expect of their government. I will continue to say that, because I think it's important for people to know that.

With that, I look forward to the continued debate with the member. My door is always open, Member.

B. Banman: I thank the minister for her heartfelt comments. It is difficult being here when my community is underwater. I don't know that I would be of any use to them if I was there other than moral support. I think I can probably perhaps do more here.

But I go back to if this government actually wanted to listen.... Now, I guess, more than ever, as I take a look at the tragedies that this province is under, there is a time for political jousting and the games that this House is known for. And then there's a time where now the public just wants some straight answers, and it's our job, as opposition, to ask those questions.

I guess my tolerance for sidestepping, today of all days, is a little less than it would normally be. If this government truly wanted to listen, when the amendment was placed back on the floor, when the Privacy Commissioner sent a seven-page scathing letter — which is unprecedented — there was an opportunity to take and put this back into a special committee to look at things. There is no burning panic to push this legislation through. When you combine that with what I see as a lack of willingness to answer a simple question, when the minister opened the door herself, I guess I just don't have the patience for it that I would on other days.

I do appreciate the minister's heartfelt response that her door would be open to help my community, but I think one of the ways that the minister can help the most right now is, instead of avoiding the questions, to just answer them.

British Columbians have some concern about their data being stored offshore. British Columbians have some concern when there's a six-month gap between asking for data and getting the final sign-offs for the data. It was the minister that used it as an example — that this was the excellence that was before us.

So I would appreciate a simple yes or no from the minister. Is this example that my colleague has brought forward with the speculation tax...? Is that what this government considers to be a symbol of excellence?

It is directly related to this. It may be an example that she's not comfortable with, and I can understand that. But is this what British Columbians can expect, moving forward?

[3:00 p.m.]

It's bad enough that this is going to be put into regulation — that we are going to enact sections of this bill which will have royal assent with no regulations. "Hey, you know what? Trust us. We'll get it right, down the road."

The minister opened the door. A simple yes or no: is this what we can expect, moving forward?

Hon. L. Beare: What the people of British Columbia can expect through section 17 and moving forward is a commitment from our government to protect their privacy, a commitment to continue to access the services that they've come to count on and that have served us so

well during the pandemic. It's kept families connected. It's allowed people to continue to access health care and to continue to access education.

We've listened, through a number of engagements, to businesses, to families, to public bodies, to the people of British Columbia. What we have before us today is a bill that is balanced in that approach. What we have before us in section 17 is the opportunity to continue to access those modern services that people absolutely need.

Our government is committed to that, and our government is committed to protecting their privacy.

The Chair: Members, we are on clause 17 of Bill 22.

Clause 17 proposes to repeal sections 30.1, 30.2, 30.4 and 30.5(1) of the Freedom of Information and Protection of Privacy Act.

Section 30.1 in the existing legislation addresses that "Storage and access must be in Canada."

Section 30.2 addresses the "Obligation to report foreign demand for disclosure."

Section 30.4 addresses the prohibition of unauthorized disclosure.

Section 30.5(1) provides a definition.

This is what is before the committee at this point. It's clause 17 of Bill 22. The questions must be relevant to these matters.

T. Stone: Thank you, Chair. I appreciate your intervention there. I appreciated the demonstration of humanity and goodwill.

We've all been hit hard with natural disasters of all types over the last couple of years. It's been hard on all of us. But we do have a job to do, and we're going to continue to do it. I'm going to continue to ask questions about privacy implications of data residency changes, which, as the Chair has just pointed out, is what section 17 is all about.

[3:05 p.m.]

Again, the entire underpinning of the minister's remarks in response to many questions that I personally have put forward in this debate, and on previous days, on clause 17, has been that she and her ministry and government generally have tremendous confidence that moving data outside of British Columbia, that ending the current data residency requirements, which is what clause 17 actually provides for — that British Columbians should not be worried at all about that because of the procedures and protocols that are in place that protect the confidentiality of that information, the security of that information.

One of those fundamental protections is the requirement for a privacy impact assessment, a PIA. It is one of the most fundamental aspects and rigorous requirements that must be in place for any public body — government and any public body in this province — to collect personal and confidential information of British Columbians. Very specific things have to be approved through that privacy

impact assessment on the collection and the use of that data, the storage of that data, the protection of that data.

The questions that we are framing up here are very much relevant to what clause 17 proposes to do, because if we have privacy and security concerns on how and where data is stored and managed today, which is here in British Columbia, it is entirely legitimate, on behalf of British Columbians, to be asking how the security and privacy is maintained at the highest levels should that data be taken offshore through these data residency changes.

I read into the record an example of privacy impact assessments that were done in relation to the collection of data specific to the speculation and vacancy tax — very confidential information about individuals in the speculation and vacancy tax zones. I read into the record a chronology of what actually happened with the collection of that data and the reality that that data was collected before privacy impact assessments were actually signed off — six months.

I still haven't received an answer from the minister as to whether or not she believes that that example — of a privacy impact assessment being signed off six months after a massive amount of confidential information was collected from British Columbians in relation to the speculation and vacancy tax — is the excellence that the minister refers to when she talks about the privacy impact assessment process in British Columbia.

Again, this really matters. If we're going to take our data out of British Columbia and put it into a foreign jurisdiction, which is what clause 17 provides for, we sure as heck better be darned certain that these privacy impact assessment processes and other protocols that are in place are rock solid, so as to ensure that British Columbians' data, if it's going to sit on servers in the United States or in Europe or in South America or in China or wherever the government has got in mind — that British Columbians can have confidence that the data is going to be well protected, that it will be secure.

So again, in that broader context of what clause 17 provides for, which is data residency changes — moving British Columbians' data out of the province — recognizing the minister's own significance that she has attached to the privacy impact assessment process.... She said that just before lunch today.

[3:10 p.m.]

On the example that I cited, that I've read into the record now, that I've referred to many times — the fact that speculation vacancy tax data was collected from thousands of British Columbians six months before the privacy impact assessment was signed off for the speculation and vacancy tax.

Can the minister please tell this committee, tell British Columbians, if that's an example of the excellence that she refers to insofar as the privacy impact assessment requirement and if that's the reality of the privacy impact assessment process that's going to apply to British Columbians'

data when it's presumably shipped offshore and stored on foreign servers?

Hon. L. Beare: In section 17, I've outlined for the members what our commitment is to British Columbians and what section 17 does in reframing the model of data residency. We've talked. I've provided answers for the member about how our data residency is going to be able to provide British Columbians and public bodies access to the tools and modern services, really, that they've come to expect during COVID-19. This is something that we're hearing from British Columbians — that it's important to be able to continue to access those tools — which is why we have section 17 before us.

We want to make sure that our legislation does keep up with new technologies. We want to make sure our legislation enhances privacy protections and provides a level of service that people expect from our government. We've talked a number of times in this House about a number of ways our legislation before us will enhance those protections, including mandatory breach reporting and privacy management programs being expanded. We'll continue to talk about those as we go through the bill.

But on section 17 here, I think it's important to recognize, as we've said, that jurisdictions all across Canada have been operating this way safely for years and that we've been operating this way for the past 20 months through the ministerial order.

We've listened to the public. We've heard how important it is to continue to access those services. We've heard from public bodies. We've heard from our health authorities, our universities, our local governments. We're hearing it from the business sector. We're hearing it from our tech companies — how the old legislation was out of date. It didn't allow us to provide those services. It didn't allow us to access those modern tools. It didn't allow our public bodies to be competitive and provide the services that British Columbians expect.

That is why we have section 17 before us today. I'm looking forward to continuing to talk about that.

T. Stone: I understand the minister's continued reference to services that British Columbians have accessed during the pandemic, whether it's Google Classroom or Zoom and others. I get all of that. We have talked, in and out, through this debate, about whether or not there are services, such as those I've mentioned, that can only be accessed outside of the country in a cloud services environment or whether we should fight for those companies to allow their services to be on Canadian servers, as many, many American and other multinational companies allow for. Facebook comes to mind, and Amazon comes to mind, and Microsoft and others.

We happen to think that it's entirely worth fighting for and that it's preposterous to suggest that just because Google Classroom today — or Zoom, apparently — says

they won't allow their services to be on Canadian servers, we should just throw the towel in and not insist on this. But we've worked our way through that previously.

[3:15 p.m.]

Clause 17, which relates to data residency and the ability, if it passes, for British Columbians' data to be taken out of the country and stored and accessed in a foreign jurisdiction.... We don't know where. There's been no disclosure of what the government's considering.

I'm willing to bet, dollars to doughnuts here, that the minister and her ministry know darn well what their thoughts are around this. I can guarantee you that they're probably.... If they haven't drafted the regulations, they're getting darn close to having them drafted.

It's regrettable that we're not being provided answers to those questions either, which relate to data residency in clause 17. Where is the data going to be stored? Is it the United States that you're looking at? Is it some other country? The minister won't answer those questions either. But the security and the protection of confidentiality on this information are an absolute essential that we cover off in this debate and that we continue to ask these questions on behalf of British Columbians.

We talked about survey data and so forth — the feedback, the input that many British Columbians have provided. There's a high degree of concern about their financial information, their health information and other information being stored on servers outside of British Columbia.

So in the context of this clause 17 and data residency changes and, again, the critical importance that the minister has assigned to privacy impact assessments and the fundamental role that those PIAs have.... They require a very vigorous process to be followed in order for the government or other public bodies to be able to collect that personal information. You can't collect it if you don't say what you're going to do with it and how you're going to store it and how you're going to protect it, and so forth.

There's a process for that, and it must be followed. It's supposed to be in place before data is actually collected. Those approvals are supposed to be in place.

Those approvals were not in place in the example that I cited, the speculation and vacancy tax. There was actually a six-month gap from when this government sent out declarations to British Columbians to collect the speculation and vacancy tax information and the time that the privacy impact assessment for the speculation and vacancy tax was actually approved. There was a six-month lag. That cart was six months ahead of the horse.

My question is, again.... This relates directly to the importance of security and privacy and whether that data is stored here or elsewhere. British Columbians want to know that their information is going to be well protected. Is it common practice for privacy impact assessments to not be in place yet, all the while confidential information is collected?

Or let me ask it the other way around. Is it common practice for the government or public bodies to collect personal information, confidential information of British Columbians, before a privacy impact assessment has actually been signed off and authorized, at all levels, in relation to the collection of that information?

[3:20 p.m.]

Hon. L. Beare: In section 17, what we're doing is repeating a number of pieces, as the Chair read into the record a little while ago, and reframing the model of data residency, which is what section 17 does. I think it's important to remind everyone in the House, because when the pandemic hit, we realized how urgent it was that people be able to access services online.

We've talked about being able to access their doctor via Zoom if they want, or check into online waiting rooms to get into a clinic, or to move on to Google Classroom if you were one of those students — post-secondary education allowing universities to continue to operate online. We put in a temporary ministerial order to meet those needs.

I know that the members and I have talked about it in this House, and everyone can agree that those services were essential during the pandemic. It allowed people to stay connected. It allowed people to continue to access health services, education services. It allowed people to be able to access services online that didn't exist before. It resulted in good outcomes for British Columbians. We had people connected to their doctors. We had people connected to their teachers and their classrooms. We were able to continue to provide those services online which weren't available before.

We've had this change, which is being proposed in section 17, in place for 20 months now. Other jurisdictions across Canada have been operating this way for years. I think it's important that when we talk about section 17 and what we're doing with it, which is reframing that model on data residency, we talk about how important this process is to British Columbians, to businesses and to public bodies so that they can access those services that they've come to count on during COVID-19.

We talk about how we need to be able to access modern tools. We need to be able to provide those services to British Columbians. I continue to talk about section 17 and what we're doing with it because it's been asked for by the business community, by our health authorities, by our universities, by our public bodies so they can provide those services, so that they can be competitive and they can meet the needs of British Columbians.

When we look at what the ministerial order accomplished, the services it provided and how it's changed everything on how we operate over the past 20 months, we have to continue moving forward. We have to continue providing those services to British Columbians. That's what section 17 does. It provides those services.

T. Stone: I'm pleased that we were able to straighten out that it's actually dollars to doughnuts. So that's now permanently in the record correctly, right? Make you happy? Good.

Interjection.

T. Stone: Yeah, that's doing the public's business right there.

I want to come back to, again, the question that we're trying to get at here. It's a specific question, and on this one, I'll spare the preamble.

[3:25 p.m.]

Again, in the context of security and confidentiality of the personal information of British Columbians, which the minister and government apparently want to store outside of our country, is it normal practice to collect the personal and confidential information of British Columbians before a privacy impact assessment has been approved, yes or no?

Hon. L. Beare: It's important for all British Columbians to know that we are committed to ensuring that their privacy is protected, that their personal information is protected, that data is protected. We do that through a number of ways through this bill.

Here in section 17, we're talking about reframing the model of data residency. We've talked about how important it is to amend the provisions that we have so that we can continue to use the tools that people count on. I think we can all agree how important it is to ensure that people continue to have access to the services that they've come to count on during COVID-19. I think it's vitally important that we continue to move forward, which is what we're talking about in section 17.

We've listened to public bodies. We've listened to businesses. We've listened to our universities, our health authorities, our communities, our local governments.

I'll share with the members.... This is from Vancouver Coastal Health.

"As an organization that values innovation in order to maintain the highest level of care to patients, Vancouver Coastal Health welcomes improvements made to data residency requirements within the Freedom of Information and Protection of Privacy Act.

"These changes not only provide more flexibility and opportunity to implement the best available technologies to improve health care services, but they also enable us to access the most robust technology solutions to secure sensitive information."

I think it's important that we remember that this is about providing services to British Columbians while protecting their information. It's about giving Vancouver Coastal Health and all the other public bodies who are asking about it.... It's about asking for this. It's about giving them access to those modern tools, which our current legislation doesn't allow. Section 17 talks about this, and this is what we are doing. We are committed to maintain-

ing that level of service that people have come to expect, while protecting their privacy.

T. Stone: Again to the minister, and she has three very senior officials sitting with her here today. I didn't ask for a quote or an endorsement from one of the health authorities. What I wanted to know from the minister was....

[3:30 p.m.]

Again, she has three senior officials here and many others on the phone on standby. Been there, done that. Is it commonplace for data to be collected — personal, confidential information of British Columbians — before privacy impact assignments have been signed off? Is that commonplace, yes or no?

Hon. L. Beare: I have answered this question.

T. Stone: Actually no, the minister hasn't answered this question. She has gotten up and spoken words. She has talked about the difficulties we all encountered in the pandemic. I agree with her on that. She has talked about all of the solutions that were accessed by British Columbians online through the pandemic. I totally agree with her on that. This question is a very simple one. It should be one that she can stand up and, in one word, say yes or no.

In the context of clause 17 and data residency changes, which would move our data out of the country, and in light of the fact that she has placed so much importance and relevance on the privacy impact assessment component of the approvals that would be required for the collection and management of that data, is it commonplace, in her ministry, to collect the personal information of British Columbians prior to the privacy impact assessments being completed and approved? Is it commonplace, yes or no?

Hon. L. Beare: We're on section 17, and I have answered this question.

The Chair: Member, if you don't mind, I would like to ask you to move on, if possible.

T. Stone: Chair, we'll move on. I find it deeply regrettable that with senior officials sitting right beside her and people only a text away, the minister is choosing not to answer this question. We'll ask this question many more times through other sections where it's relevant. This is directly relevant to clause 17, and the minister is choosing to be evasive and not to answer the direct question.

I think British Columbians have a right to know if it's commonplace or not, in the minister's ministry, to require the approval of privacy impact assessments. Surely to goodness, there's something in a policy or a protocol in the ministry that requires approvals to be granted before the data of British Columbians is collected.

How could the minister refuse to answer that question? This is a confidence opportunity for the minister. This is

an opportunity for the minister to stand up and say, “Yes, we’ve had some issues, but I’ve fixed them, and here’s how we’ve fixed them,” or: “No, it’s not commonplace. The one situation that the member refers to is an outlier.”

It directly relates to the security and privacy of British Columbians’ information and the security of that, and part of that is where the information is stored — which is going to change, fundamentally, through this clause 17, which will allow the government to move this confidential information outside of the country. If the minister doesn’t want to answer that direct question here and now, we’ll ask it again and again in subsequent clauses, because it’s that fundamental to the discussion, and she attached the importance of it, specifically, to this clause 17, just before lunch today.

My last question on this piece.... We were only, as an opposition, able to find out about this particular example that I read into the record, the speculation and vacancy tax example, through FOI. If we hadn’t put in an FOI request, we wouldn’t have ever got the information back, and British Columbians would not know that their personal information was collected before a privacy impact assessment was approved.

[3:35 p.m.]

My question, particularly in light of the data residency changes that clause 17 provides for, allowing the government to embrace the moving of our data outside this province. Will the minister commit here and now, today, that future privacy impact assessment information will not be hidden behind lock and key and will not be held back, pending a freedom-of-information request? Rather, that information will be....

Will the minister ensure that she is more forthcoming with that information so that the opposition, the public, the media don’t have to file FOI requests to determine the details of privacy impact assessments and how they relate to the collection and management and use of different types of confidential information?

Hon. L. Beare: I can commit to the member that this government remains committed to openness and transparency and will continue to do that moving forward.

T. Stone: Okay. Yeah. Where do you go with that? The changes that are proposed in this are all about the opposite. There are so many examples in this entire bill. I mean, for the minister to stand, at this point, after the hours and hours of debate, and still be putting out the line that this is about improving transparency and access for British Columbians....

Charging fees and all the other things that are contained in this bill. I grant that that’s not germane to clause 17, but what an outrageous thing for the minister to say at this particular point in this committee discussion.

My question was because the only reason we were able to understand.... British Columbians’ personal and

confidential information was compromised. I’ll rephrase that. It was collected by the government of British Columbia before a privacy impact assessment had been authorized, had been approved. We only were able to discover this, determine that this even happened, shine some light on it....

Our role as the official opposition is holding the government accountable. We only found out about that through multiple FOIs that we had to file with different ministries in government. It was a long-drawn-out process.

My question was not: is the minister committed to excellence? Is the minister committed to transparency? Is the minister committed to this, that or the next thing? My question was very specific. Will the minister commit today that the public, the media, the opposition won’t have to file multiple FOIs to obtain critical information relating to privacy impact assessments relating to the collection of personal and confidential information of British Columbians?

[3:40 p.m.]

That’s not a “do you support transparency or not.” That’s a “can we expect that there will be a change in approach, a change in policy, a change in protocol, whatever you want to call it, on the government’s side, on the minister’s side, that won’t require us to have to file multiple FOI requests in the future related to the privacy impact assessments and the collection of personal information of British Columbians.”

Hon. L. Beare: Section 17, as we’ve well canvassed, takes a look at data residency and reframes that within this legislation. We’ve talked about why that was important.

We’ve talked about the need for it: so that British Columbians can continue to access the services that they’ve come to count on through COVID-19. We’ve talked about how important it is to listen to our public bodies and to our business sector — which have been asking for this for years, so that they can provide those services to British Columbians, so that they can remain competitive, so that they can access secure tools and modern tools and keep up with technology. Section 17 in the old legislation didn’t allow us to do any of that. That’s what this change is.

The members and I have talked about openness and transparency throughout this bill on a number of occasions, and I’ve reiterated my government’s commitment to openness and transparency. One of the first questions asked, back in section 1, was on this. There are a number of pieces in this bill, all throughout, that demonstrate that commitment to openness and transparency, whether it’s adding ministerial power to add subsidiary entities as new public bodies or the mandatory breach reporting, as we’ve said. We’ve talked about increasing the public body’s ability to disclose information to Indigenous governing entities.

We’ve talked about how important all of that is to openness and transparency. We’ve talked about our commitment as a government by increasing proactive disclosure.

One of the very first things I've done as a minister was increase the number of proactive disclosures by 40 percent so that you now have things like ministerial estimates binders available to the public for free.

It's that commitment to openness and transparency all throughout this bill, and it's that commitment to openness and transparency that we have as a government that I will continue to move forward with.

T. Stone: I'm not going to ask the question again, because I've tried several times — much like in previous questions — just to get a direct answer. If the minister were truly committed to transparency, she would say something along the lines of, "I take the member's point. I understand that not requiring British Columbians to have to file multiple FOI requests to access important information relating to privacy impact assessments and the collection of British Columbians' confidential information...."

That she would be committed to that would be a very strong statement that could be made and that would reflect a commitment to transparency. The minister is not willing to say that. She's not willing to say that here today, and I find that regrettable.

I'm going to turn it over to the Leader of the Third Party and the member for Cowichan Valley next. Again, I will say it's frankly laughable for the minister to suggest that this bill is about transparency and improved access when you push all of the details that bring this bill to life into regulation and you don't provide those regulations ahead of time, even in draft form. We have no idea about most of the guts of this bill, because it's all going to be dealt with in regulation after the bill has long been passed.

[3:45 p.m.]

When you talk about imposing fees on British Columbians, which are a barrier to access, that's not about transparency and access to information. When you gut the office of the commissioner and the oversight that the commissioner has, that's not exactly improving oversight and access to information. When you completely betray the statutory legislative committee that was to do the very work of reviewing, modernizing and improving the Freedom of Information and Protection of Privacy Act in this province and completely end-run that statutory legislative committee, I'm at a loss as to how the minister could describe this bill as an effort at improving transparency and access to information.

With that, I'm going to end our line of questioning on this particular component. I'm happy that our friend and colleague from the Cowichan Valley is here with a few questions as well.

S. Furstenau: I actually only have one question I want to get to — I think just an observation.

At its best, this process of committee stage of legislation should be exactly what the member for Kamloops–South Thompson is asking for: straightforward answers to direct

questions. This isn't question period. This isn't the time for government messaging to be conveyed in response to whatever question comes from the opposition. This is meant to be.... As legislators, we are doing our jobs, digging very deeply into this legislation, asking very serious questions about it, raising questions that are being asked by multiple other agencies, particularly the Information and Privacy Commissioner, but the responses are the message boxes.

The responses are: "Oh, we're committed to openness and transparency." The responses are not direct answers to the questions that are being asked. They're adhering to the communications strategy, which I think is really fascinating in light of this legislation, because what this legislation will ultimately do is to make it harder for the public, harder for opposition parties, harder for the press, harder for researchers and academics to get behind the government communications machine and get into what is actually happening in government.

What are the public documents that belong to the public? Why can't we see them? Why do we have to do multiple FOIs to get reports that should be made publicly available? That is what the member for Kamloops–South Thompson just asked about. It's a really legitimate question, and I think it should be answered.

This isn't question period. This is committee stage of a bill. If we're going to start treating it like question period, then it's going to get a little more heated than what committee stage of a bill typically gets to, because the questions should be answered at this stage. The legitimate questions of elected MLAs on legitimate and important policy implications of this legislation should be answered properly.

I'm actually going to ask the minister if she would please answer the question that was asked of her by the member for Kamloops–South Thompson — about making these specific reports publicly available. Will she make that commitment?

[3:50 p.m.]

Hon. L. Beare: I'm happily answering questions on section 17.

We've talked about what section 17 does. What section 17 does is reframe the model of data residency. We've talked about the reasons why that's important. We've talked about how it's providing access to services to British Columbians, to the services that they've received during COVID-19, whether it be Zoom with their doctor or FaceTime or Google Classroom — those important services.

We've talked about how businesses and public bodies have been asking for it. We've talked about why it's important and our commitment to ensuring those services are maintained while ensuring that privacy is protected.

That is section 17, and that's what this is about. I'm very committed to this piece of legislation that we have before

us and to ensuring that section 17, right here before us, continues to provide those services to British Columbians.

The Chair: Member, before we continue, I do want to remind everybody to focus on clause 17, please.

S. Furstenau: Absolutely.

In 2016, the all-party committee that was charged with reviewing this act heard that health authorities were in favour of removing this requirement on data residency to make their work easier, but the Canadian Centre for Policy Alternatives and the B.C. Civil Liberties Association flagged major privacy concerns. Ultimately, the committee found that the data sovereignty requirement should be retained.

Can the minister please explain why, in this bill, she's going against the advice, on this specific clause, of the 2016 legislative committee?

[3:55 p.m.]

Hon. L. Beare: I'm very happy to answer the question on section 17, the section we're on.

Many things have changed since 2016, since that special committee met. The member has heard me talk about.... I think one of the most important things we need to talk about in the changes is the COVID-19 pandemic and how it fundamentally changed the way people are accessing services here in British Columbia. That could not have been anticipated or known in 2016.

Regardless of that, public bodies have been asking for this change for years. There's a wide range of views on this, on data residency. There are strong opinions on all sides of the fence on this one. Public bodies were saying back in 2016 how hard it was for them to provide services, and that's even harder now without the ministerial order and without that ability to access modern tools.

I think we need to reflect.... In 2004, when this change in data residency was brought into our legislation, no other jurisdiction in Canada followed suit.

While there is a wide range of views on this, we need to listen to all the ranges of views, and we need to balance that. What we've done here is listened to the input, taken that balance and put it before us in the legislation, in a bill where we're ensuring that people can continue to access those services that they've come to count on, that public bodies can provide those services and make the changes that they need and that they can access those modern tools and those modern security systems that didn't necessarily exist in 2016 either.

I want to give the member a quote from the city of Kelowna. "Local governments are being asked to deliver services effectively and efficiently with the best citizen service experience possible. With changes to data residency policy, this will allow organizations to meet the needs of our customers while still protecting our digital assets."

We're listening to the wide range of views across British Columbia. What we have before us today is a new model.

S. Furstenau: The minister indicates that COVID-19 was a significant factor and has contributed to the changes that are included in this particular section and that that's why this bill does not adopt the recommendations of the 2016 legislative committee.

[M. Dykeman in the chair.]

My question, then, is: if COVID has changed so much...? We have an example of a legislative committee, in 2016, that made recommendations on a wide variety of fronts but, in particular, on data residency. Why move forward with changing the legislation, not adopting the committee's recommendations, and not have the opportunity for the current legislative committee to hear from the range of experts?

As the minister indicated, there are a lot of strong opinions on this, but the benefit of a committee being able to hear those strong opinions is that it becomes a part of the public record. It's part of what should be informing law-making and decision-making. In fact, we have the committee already struck.

There's a one-two here. This legislation goes against, in this clause, the recommendations of the 2016 committee. The minister indicates that's because of changes as a result of COVID. But the public doesn't have the new input that would have been informing that the way it would have had the committee that is currently struck been able to review this and bring forward, perhaps, the recommendation to do this, or perhaps not.

My question is: why wouldn't the minister task the committee with that and go through the process that was already underway?

[4:00 p.m.]

Hon. L. Beare: The questions around the special committee were thoroughly canvassed in section 1.

On the changes, these changes have been asked for by various parties since the legislation was amended in 2004. We've been saying that people have been asking all throughout our tenure here, so that they can access those modern services, so that they can access the technology that we need.

We've seen an increased demand in the health, in the tech, in the education sectors, and there have been massive changes in those sectors, allowing us to provide those services to British Columbians. The pandemic was one factor. It's certainly not the only factor. This change has been asked for, for over a decade, and this legislation hasn't been changed in over a decade.

We also thoroughly canvassed the consultation, and I would be happy to go through that again with the member, on the various groups that we consulted. But what we have

before us today is a bill that reflects that consultation; that reflects the requests of public bodies, which are providing these vital services; and that reflects the needs of British Columbians to access these modern tools so that we can continue to provide the level of service and care that people have come to count on over the past two years.

B. Banman: I've heard the minister talk about how this government is committed to protect. I've heard this minister talk about how they're committed to transparency. At this point, all I can say is, if the goal of this bill is to be as transparent as her answers, we're in a huge, huge amount of trouble, because her answers have not really been transparent at all thus far.

That aside, a moment ago, the minister used a quote. It must be nice to be able to have all of the quotes and all of the round table discussions, to be able to cherry-pick the ones that suit your best interests. Must be nice.

[4:05 p.m.]

It would be nice if the rest of the province could actually see those quotes, if the opposition could see those quotes and could see all the comments that are related to clause 17 and everything to follow, not just the slick marketing that has been decided to be spoon fed out.

My question to the minister is: when will all of the quotes and when will all of the round-table discussions be available to the opposition, the press, the public? Or are we going to have to go through an FOI to get them?

[4:10 p.m.]

Hon. L. Beare: In the spirit of transparency and openness, yes, we can proactively release details of the report. We do have the summary report. That's already public. Of course, it will have to go through the proper processes, but happy to release further details on the round tables.

B. Banman: Well, that's actually a ray of sunshine on perhaps anything I've heard today.

I'm going to remind the minister of her own words during the debate of Bill 22 on Thursday, October 28: "On June 15, we launched our public survey on information access and privacy. That's to the general public. The engagement occurred from June 15 to July 15, 2021." Thank you for the gesture of transparency.

My question directly is: when will the full and complete responses in this public survey be available for public scrutiny? Will it have to require an FOI to get it, or are we going to supply the full and complete responses for public scrutiny?

I will remind and paraphrase the Premier's words, which, basically put, said that the public has a right to know what government used to make the decisions that government did, which the minister full-heartedly agreed to earlier on this year, when we were in estimates. So when will the full and complete responses in this public survey...?

Interjection.

B. Banman: I'm sorry. What was that? Would you like to have something put into the record?

The Chair: Through the Chair, please.

B. Banman: When will the full and complete response to this public survey be available for public scrutiny?

Interjection.

The Chair: That was directed at everybody in the room.

Hon. L. Beare: I have committed, yes. It does have to go through its proper due process. I know the member would not be asking, in any way, shape or form, for it not do that. I know that the member knows how important it is that that process be respected and that the privacy of individuals, potentially, be respected.

Standard process would be 30 days. If it's ready before that, I'm absolutely happy to release and share with all sides of the House the results of that.

[4:15 p.m.]

B. Banman: That's helpful. I'm sure we can stretch this out for 30 days if we have a chance to look at that — but that's another story — just based on how long it took us to get through clause 1.

The minister made some comments also on October 28. On June 3, we had a ministerial round table with health authorities and other representatives. We had Doctors of B.C., First Nations Health, Fraser Health, Island Health, Northern Health, Provincial Health Services Authority, Vancouver Coastal Health, Coastal Health and the Ministry of Health.

Were all of these groups in favour of calling for an end to data residency?

Hon. L. Beare: I know the member is not asking for me to speak on behalf of every person on those round tables, and nor will I try to do that.

What I can say to the member is, on balance, what I heard from those round tables was an overwhelming desire to make this change so that they are able to access the modern tools and provide those services to British Columbians.

I do need to request a 15-minute recess, please.

The Chair: Absolutely. The committee will return at 4:30 p.m.

The committee recessed from 4:18 p.m. to 4:30 p.m.

[M. Dykeman in the chair.]

B. Banman: With regards to the health authorities.... Before you just left.... Will the minister provide full and complete minutes of any such round tables? Will they be available for review, and when?

Hon. L. Beare: Absolutely commit to releasing. Same as the answer previously. As the member will know, same process. I'm sure that's going to be the follow-up question. It will have to go through its proper due process, and then it would be that same sort of timeline as well.

B. Banman: Thank you, Minister. It's encouraging. What I think I heard the minister.... And the minister can confirm. The public and/or the opposition or the press won't have to FOI those particular minutes. She can confirm that.

The next question I have, actually, is very similar. There was an information security advisory council. The minister did comment on this, again, on October 28. It was a popular day that Thursday.

On June 17, was the information security advisory council...? I'm going to quote the minister. "Again, on June 17, we had ministry chief information officers of all government ministries." I will take the assumption that the minutes will also be fully disclosed to the opposition and the public for that particular one. Or will that need to be FOI'd?

Hon. L. Beare: To confirm, the first half of the answer.... Yes. Happy to proactively release, as I've said.

For the security council, that's not a meeting that I hosted myself. We'll have to go do our due diligence on that and get back to the member. I know we'll be back at this on Monday. So happy to provide the member an answer then.

The Chair: Just a reminder to everybody. We are on clause 17. So we want to keep the questions relevant to that clause.

B. Banman: You wouldn't have the notes in front of you, Madam Chair, but this particular group was talking about the end of data residency. So it's directly applicable to this. I wouldn't be asking questions if they weren't.

The Chair: Member, please stay respectful. Thank you.

B. Banman: I'm not trying to be disrespectful. I'm just letting the Chair know I would not be asking questions if they were not directly related.

Who hosted that particular meeting with the information security advisory council?

[4:35 p.m.]

Hon. L. Beare: For the member, I just have the report before me right now, which I know the member is referring off of. It's got the June 17 stakeholder committee pres-

entation, information security advisory council, and it was all government ministries. I've committed to the member in my previous answer. I don't have the information in front of me right now. I'm happy to bring it back on Monday, and I will provide the member with answers.

B. Banman: Thank you to the minister for that. That's very helpful.

Lastly, there was also a round table, which included a post-secondary round table. The minister did bring that up again on June 17. We had a ministerial round table of post-secondary institutions which would have discussed, among other things, clause 17. I am going to assume that in the olive branch or...

My brain has just gone to mush today.

T. Stone: The spirit of goodwill.

B. Banman: ...the spirit of goodwill — thank you — full and complete minutes of any such round table will be available for review, which in particular, will include items such as calling for an end to data residency, or what the discussion about data residency would include — that full and complete minutes of that will be included as well.

Hon. L. Beare: The member of Kamloops is in the Christmas spirit already, the spirit of goodwill. We have been going with the spirit of transparency, but I love the Christmas spirit early. Thank you, Member.

I'm happy to release that information proactively, through you, Chair, to the members. Again, it will have to go through its due process, and then I'm happy to provide it on the same timelines and process as the other pieces.

T. Stone: I just wanted to ask a question, because in this whole context of data residency changes, the minister has referred to the ministerial order that has authorized, on a temporary basis, the storage of data outside of the country and the accessing of certain services, cloud-based services that she's referenced — Google Classroom and Zoom as two examples that, frankly, were only made possible on a temporary basis as a result of the ministerial order that was put in place.

I believe the date of the original ministerial order was March 2020, with an original end date of June 30. The ministerial order was subsequently extended to December 31, 2020. It was then extended again to May 31, 2021, and then has been extended one further time to December 31, 2021. If I'm wrong on any of those dates, the minister can please correct me.

I guess I'm just wondering, again, in the context of the significance of these data residency changes.... It's sort of a two-part question.

[4:40 p.m.]

The minister and government extended this ministerial order three times. Why would the government not have

decided to simply, in the interests of respecting the statutory committee on freedom of information, the impact that these changes are going to have, the concerns that have been greatly expressed by a lot of British Columbians for the security and confidentiality of their information should these data residency requirements go through and thus have their information stored outside of the country...?

Why would the government not have simply...? Against the backdrop of those concerns and the significance of this policy change, why would the government not have just opted to extend this ministerial order one more time?

Extend it for another three months or six months to allow for more consultation and engagement on this, maybe, to allow for draft regulations, as the commissioner has requested in his scathing seven-page letter, to be provided from the ministry to the commissioner for his review and input before these changes are actually embedded in legislation.

The question to the minister is: why wasn't the ministerial order simply extended again to allow for that due diligence and that work to take place? And perhaps, I guess, secondarily, was an extension considered? If not, why the sense of urgency to move forward in ramming through this legislation and these changes, when the government had no problems extending this ministerial order three previous times over the last almost two years?

Hon. L. Beare: I know that the member wasn't in the room during section 1 when we canvassed this already, so I'll happily provide the member the answer that I gave, essentially, when we were discussing this on section 1. The ministerial order was, yes, extended three times, but public bodies need certainty. This is one change that the member is discussing — and I'll give it to him — on section

17, on data residency. It's just one piece of a whole body of changes that we have before us. The bill that we're debating here before us right now is 75 sections long.

This entire bill has been worked on since 2018. The legislation hasn't been updated in over a decade. There has been thorough consultation. The work has been going on since 2018 on the data residency piece, to bring it back to 17. A permanent solution is needed. But the entire bill has been worked on since 2018 and has not been updated in over a decade. And we are here in this fall legislative window to put before the members Bill 22 right now.

[4:45 p.m. - 4:50 p.m.]

Clause 17 approved on the following division:

YEAS — 6

Beare	Begg	D'Eith
Mercier	Robinson	Sharma

NAYS — 4

Bernier	Furstenau	Morris
	Stone	

[The bells were rung.]

The Chair: Division has been called in the other House.

Hon. L. Beare: I request that the committee rise, report progress and ask leave to sit again.

Motion approved.

The committee rose at 4:54 p.m.

HANSARD SERVICES,
REPORTING AND PUBLISHING

DIRECTOR

D'Arcy McPherson

MANAGER OF REPORTING SERVICES

Laurel Bernard

MANAGER OF PUBLISHING SYSTEMS

Dan Kerr

TEAM LEADERS

Mike Beninger, Kim Christie, Barb Horricks, Paula Lee,
Julie McClung, Karol Morris, Glenn Wigmore

EDITORS

Erin Beattie, Janet Brazier, Sophie Crocker, Tim Ford, Jane Grainger,
Betsy Gray, Iris Gray, Mary Beth Hall, Kendra Heinz, Sophie Heizer,
Bill Hrick, Quinn MacDonald, Anne Maclean, Claire Matthews,
Jill Milkert, Sarah Mitenko, Erik Pedersen, Janet Pink,
Robyn Swanson, Antoinette Warren, Heather Warren, Kim Westad

INDEXERS

Shannon Ash, Robin Rohrmoser

RESEARCHERS

Brooke Isherwood, David Mattison

TECHNICAL OPERATIONS

Pamela Holmes, Daniel Powell, Patrick Stobbe

Copyright © 2021 Legislative Assembly of British Columbia

The *Official Report of Debates (Hansard)* and webcasts of
chamber proceedings are available at www.leg.bc.ca.

For inquiries contact:

Hansard Services
612 Government Street
Victoria, BC V8V 1X4
Telephone: 250-387-3681
Email: hansardservices@leg.bc.ca

Published by Hansard Services under the authority
of the Speaker of the Legislative Assembly of British Columbia.