CANADA'S OIL & NATURAL GAS PRODUCERS

July 31, 2018

via email: WildlifeAndHabitat@gov.bc.ca

Ministry of Forests, Lands, Natural Resource Operations and Rural Development
PO BOX 9391 STN PROV GOVT
Victoria BC V8W 9M3

Re: Improving Wildlife Management and Habitat Conservation in British Columbia

The Canadian Association of Petroleum Producers (CAPP), and its members, appreciate the opportunity to comment on the Government of British Columbia's (BC) discussion paper on *Improving Wildlife Management and Habitat Conservation in British Columbia*.

We acknowledge the Government's intent to improve and to modernize its approach to wildlife and habitat management. To this end, the new strategy should provide a clear line of sight from early stewardship using multi-species or ecosystem based approaches transitioning to prioritized and targeted action for high priority species. We believe that a well-designed and effective policy can support conservation and prevent the creation of species at risk while enabling compatible responsible resource development for the benefits of British Columbians.

To this end, we offer the following comments for consideration in the development of a more robust and renewed wildlife and habitat management strategy:

- **Maintaining Economic Competitiveness**
  Certain and predictable regulatory processes are necessary for project proponents to reasonably develop business plans and compete for project financing globally. In order to attract investment and maintain a competitive regulatory framework, the Government of B.C. needs to balance policy change with the investment community's expectation for consistent, predicable, efficient regulatory process to render durable decisions.
  Any changes to wildlife management and habitat conservation should maintain the clarity and transparency in regulatory process through the Oil and Gas Commission (OGC).

  Recommendation: *We expect B.C to undertake a gap analysis to identify elements that are missing from the current regulatory approach for our industry, particularly in view of recent enhancements to better address high priority wildlife. If substantive changes are contemplated, we strongly encourage the Government of B.C. to undertake a regulatory impact assessment that includes a comparison in other jurisdictions producing comparable commodities for which oil and natural gas companies are competing for investment capital.*

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- **Enabling Meaningful Input Amid Numerous Change Initiatives** (see p. 5)
  The Government is working on several interrelated initiatives aimed at strengthening the system of land and resource management to ensure better social, cultural, economic and environmental outcomes for British Columbians. CAPP can only offer meaningful comment to the extent that the implications of change to oil and natural gas projects is understood. CAPP cannot presuppose the full extent and nature of changes and associated implications.

  Furthermore, several interdependent policy initiatives are in various stages of completion: the modernization of land-use planning, enactment of species-at-risk legislation, plans for caribou recovery, revitalization of environmental assessment, review of professional reliance, and reinvestment in provincial parks and the Conservation Officer Service. This list does not include the advancement of the cumulative effects framework nor the implementation of comprehensive climate action. The discussion paper makes no mention of recent improvements to the Environmental Information Management System (EIMS) to improve coverage of high priority wildlife and their habitat in areas where oil and natural gas activity are prevalent in June 2018.

  The outcomes of some of these initiatives will have implications for others. Consequently, we are not able to assess nor provide meaningful input that addresses the dynamics between interconnected policy consultations. The risk of misalignment is elevated and the multitude of consultations with partially overlapping outcomes with respect to reconciliation creates confusion about where the authoritative and durable resolution of these issues will occur.

  Recommendation: *We believe that the structural relationships amongst interrelated policy consultations should be clarified for the whole of Government of B.C. and its agencies. We request further engagement on the net effect of all the changes contemplated on competitiveness and regulatory certainty to better understand the potential implications.*

- **Increasing Stakeholder and Indigenous Peoples Involvement in Wildlife Management and Habitat Conservation** *(see Challenges 1 and 2)*

  The involvement of Indigenous peoples, non-governmental conservation organizations, wildlife and habitat stakeholders, and the general public should be purposeful to support the effective implementation of wildlife policy. In order to provide adequate direction to this effort, Government must define objectives, enable periodic assessment of populations and habitat at appropriate intervals to confirm objectives are being met, and guide effective implementation of population and habitat management measures.

  Collaborative approaches that coordinate stewardship initiatives amongst different land users can be enabling to politically feasible wildlife management and habitat conservation. Many different organizations and individuals can then describe how they can lend their unique strengths to the

wildlife management and habitat conservation. Based on our experience with similar collaborative initiatives this could include:

- Indigenous peoples describing how treaty rights should be accommodated within updated land use plans, traditional ecological knowledge could inform local management and restoration as is already enabled through consultative processes under administered by the OGC;
- Universities and research institutes addressing critical knowledge gaps about wildlife species and their habitat or supporting interdisciplinary studies to design and test innovative new technologies or practices to reduce impacts;
- Zoos supporting applied research on conservation biology for population management including captive breeding and/or translocation;
- Non-governmental conservation organizations sharing experience with species and habitat stewardship/enhancement programs and leveraging funds for wildlife and habitat management initiatives;
- Land users describing industry-specific stewardship practices to address wildlife impacts and industrial footprint through best practices, research, data sharing to enable more robust monitoring on efficacy management; and
- The public playing a role in citizen science and stewardship on private lands.

Recommendation: *The Government of B.C. needs to define the objectives and then create mechanisms to facilitate appropriate and coordinated action by Indigenous peoples, non-governmental conservation organizations, wildlife and habitat stakeholders, and the general public to meet wildlife management and habitat conservation objectives.*

- **Understanding and Addressing Causes of Wildlife Declines Using Evidence-Based Approaches** *(see Challenges 3, 4 and 6)*
  The oil and natural gas industry has a long history of meaningfully contributing to wildlife and habitat management efforts in areas where we operate. The maintenance of a working landscape with predictable rules supportive of wildlife and habitat needs is essential for our sector to maintain capacity for long-term wildlife management and habitat conservation.

  We have extensive experience gathering wildlife and habitat data in areas where we operate. This information is used by operators to make decisions about road routing, well pad siting and development plans so as to avoid sensitive areas and timing windows to avoid or mitigate the potential effects of our activities. The recent addition of high priority wildlife to OGC's Area Based Analysis has mechanisms that enable industry to share relevant field information.

  The oil and natural gas industry, as one of many land users, has a role to play in the management of their activities so as to prevent effects to wildlife and their habitat. We believe that an adaptive approach that assesses the efficacy of population and habitat actions to inform necessary adjustments to improve outcomes is essential to responsible development. This is why wildlife research has been

a long-term focus through the Oil and Gas Research Innovation Society (OGRIS) and its predecessor, the Science, Community and Environmental Knowledge (SCEK) Fund.

At the same time, the oil and natural gas industry needs assurance that investment in stewardship, research, technological or practice innovation and monitoring will be seen as continuing to provide value in the renewed provincial strategy for wildlife management and habitat conservation. Industry should not be penalized for early action to improve the management of wildlife and their habitat. Instead, the emphasis should be on accelerating the learning cycles for adaptive management by testing new technologies and practices, monitoring, assessing efficacy, and making adjustments to improve wildlife outcomes.

Recommendation: *The Government of B.C. is encouraged to review various successful initiatives to understand the role that they can play in augmenting coordination including:*

- *Standardizing protocols for the collection of data about wildlife and their habitat and enable a common portal for sharing information and making it accessible to various audiences;*
- *Undertaking spatial analytics to define priority areas to stimulate targeted and relevant stewardship investment in areas in the public interest of British Columbians;*
- *Exploring potential expansion of the Clean Infrastructure Royalty Credit to support the restoration of legacy footprint (seismic lines, industrial roads, etc.);*
- *Enhancing capacity of land users to manage their activities and lands to be compatible with the needs of the wildlife and their habitat (e.g., the MULTISAR in southern Alberta, the South of the Divide in Saskatchewan) on working landscapes;*
- *Enabling partnership programs for key functions needed to support the implementation of wildlife policy (i.e., citizen science, sharing of company data, land user education programs, technical advisory services for private land holders, etc.);*
- *Creating directories of case studies of successful stewardship initiatives that may be shared and tailored for application by different sectors;*
- *Providing awards, recognition programs and financial incentives to promote behaviours compatible with wildlife management and habitat conservation objectives; and*
- *Developing capacity for land owners or lease holders to access expertise in the management of wildlife and habitat on private or leased Crown land.*

- **Addressing Habitat Loss, Alteration and Fragmentation from Human Activity** *(see Challenge 4)*
  Under Area Based Analysis, the OGC already has the analytic capability to inform development planning and guide restoration to reduce habitat loss, alternation, and fragmentation. In 2010, CAPP and the Government of British Columbia entered into an MOU establishing a framework for collaboration to support implementation of the B.C. Government's Boreal Caribou Implementation Plan. The collaborative effort enabled a landscape level approach to managing oil and natural gas development to enable improvement in the population status of and distribution of caribou. This improvement is reflected in the addition of under OGC's Area Based Analysis.

Recommendation: *The Government of B.C.'s renewed wildlife and habitat management strategy needs to recognize existing systemic strengths and focus efforts on gaps and deficiencies for improving wildlife outcomes.*

- **Ensuring Adequate Funding for Wildlife Management and Habitat Conservation** *(see Challenge 8)*
  The expectations for the balance of effort for wildlife management and habitat conservation are not well defined in the Discussion Paper.

  While there may be a temptation to rely on legally protected areas to maintain various wildlife species, this approach has not always proven effective. Legal designations can sometimes create false assurance that wildlife will be sustained when ongoing, active management may be necessary to address non-habitat pressures (i.e., diseases, pests, parasites, etc.) and achieve the extent and quality of habitat in areas where public access is still allowed. Without sufficient and sustainable resourcing, these objectives may not be attainable.

  Recognizing how industry invests in stewardship initiatives, there is a strong need to describe the landscape in a way that identifies areas where multiple public policy outcomes can be achieved: species at risk recovery, creation of carbon sinks, reduction in legacy footprint, and protection of Indigenous values. A mechanism that allows companies to identify strategic areas of focus and gain recognition for targeted action is needed.

  Recommendation: *The Government of B.C. is encouraged to create a fiscal mechanism that enables the collection of funds from multiple sources and links to the deployment of those resources to provincial priorities for wildlife and their habitat. Furthermore, the Government is encouraged to develop mechanisms to enable strategic stewardship investments by growing industries within the province. We believe that this can be supported by:*
  - *Designing funding programs that encourage collaborative undertakings and leverage funding from multiple sources; and*
  - *Developing spatial tools for delineating areas where action beneficial to wildlife and their habitat can be undertaken with co-benefits to other public policy outcomes.*

We welcome the opportunity to further explore how to augment policy and procedures to operationalize some of the proposals described herein. Should you have any questions regarding this submission, please contact me at sherry.sian@capp.ca or 403-267-1149 to arrange for a meeting with CAPP.

Sincerely,

Sherry Sian
Manager, Environment