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Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Chris:

Re: Mining Association of British Columbia Comments on the Wildlife Management and Habitat Conservation Project (Phase 1)

The Mining Association of British Columbia (MABC) was pleased to contribute to the Government of British Columbia's Stakeholder Dialogues in mid-April on a number of topics including Wildlife Management and Habitat Conservation. British Columbia's mining sector understands the importance of a healthy ecosystem to British Columbians, and the particular significance of wildlife to Indigenous peoples and their rights in the province. We look forward to joining in broader discussions with a range of stakeholders and Indigenous peoples as this initiative advances.

MABC is the voice of mining in British Columbia, representing operating metallurgical coal, metal and industrial mineral producers, as well as smelting operations and advanced development companies in the province. Our mandate is to encourage the safe, responsible development and operation of mining and related facilities across B.C. As Canada's largest producer of copper and steelmaking coal, British Columbia is an essential component of Canada's commitment to a lower carbon future. Additionally, British Columbia's mining companies are among the lowest GHG emission-intensive in the world.

MABC's members include some of this province's most iconic operating companies who directly employ thousands of British Columbians and indirectly support thousands of supplier and support jobs in every region of the province. In 2017, the mining industry contributed \$11.7 billion to British Columbia's economy and \$859 million in payments to government. Mining is the largest private sector employer of Indigenous people in Canada, and a major partner to Indigenous businesses. Indigenous peoples also share in the benefits of mining through innovative Impact Benefit Agreements that our member companies enter into directly with Indigenous nations. Many Indigenous nations in British Columbia also share directly in mineral tax revenue from mines operating within their traditional territories, a policy that is both unique to mining operations in BC, and unique amongst Canadian jurisdictions. The mining sector in British Columbia remains committed to advancing reconciliation with Indigenous peoples.

CONTEXT AND CONSIDERATIONS

The province is gifted with a rich endowment of surface and sub-surface resources which support rural and urban communities throughout BC. Largely the result of increased commodity prices in 2017, British Columbians saw a 32% increase in payments to governments, a 9% increase in direct employment, and an 8% increase in capital expenditures from the mining sector alone. Conversely, MABC's members reduced their exploration expenditures in the province by 10%¹.

¹ https://www.pwc.com/ca/en/mining/publications/p386537_release5_en-v2.pdf



While much is known of our surface resources, the mineral and metallic mineral potential of our province is continually augmented by ongoing geoscientific data collection and interpretation. Unlike other resources, mineral resources are static. The technical feasibility of developing an economically viable deposit offers little flexibility in how and where the resource is accessed. Specifically, mining operations cannot be conducted using remote or distant subsurface access.

Mine development projects that meet the technical and economic feasibility thresholds are characterized by a long lead time to achieve commercial production. A high sensitivity to commodity price fluctuations, the importance of engaging Indigenous communities in project planning, British Columbia's comprehensive regulatory framework, and the challenges of mobilizing key services and infrastructure to geographically remote locations can contribute to a project development phase that can take many years, even decades, to complete. This long cycle time amplifies the sensitivity of a project to changing conditions for access to their tenured land base.

MINING SECTOR'S COMMITMENT TO INNOVATION IN CONSERVATION

MABC's members have demonstrated leadership in their commitment to supporting the wildlife and habitat conservation through habitat research, conservation, restoration and innovative population management initiatives.

In considering southern mountain caribou specifically, our members have made significant tracts of tenured lands available for caribou habitat, offsetting in multiples the surface disturbance of their operations over the full life of their project. In certain cases, these lands have involved the acquisition of tenures held by other surface tenure holders.

Further, our members have partnered with Indigenous communities, industry peers, ecologists, game farmers and British Columbia to establish population management programs that show early signs of success.

Our members continue to support this calibre of innovative stewardship and partnership, and we believe that optimal outcomes can be achieved by a collaborative approach that spans multiple industry sectors, Indigenous peoples and stakeholders.

COMMENTS ON IMPROVING WILDLIFE MANAGEMENT AND HABITAT CONSERVATION

MABC offers the following comments in response to the online discussion for Improving Wildlife Management and Habitat Conservation that was made available at:

<https://engage.gov.bc.ca/wildlifeandhabitat/>

ADVANCING RECONCILIATION WITH INDIGENOUS PEOPLES

British Columbia's mining sector is recognized for its leadership in advancing reconciliation with Indigenous peoples through innovative partnerships and collaboration, and it continues to demonstrate its support for the principles set out in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Specifically, MABC and our members respect the importance of wildlife to the rights and wellbeing of Indigenous peoples.

MABC believes that the optimal approach to wildlife management planning and habitat conservation starts with an integrated approach across the Provincial government, noting the multiple ministries with accountabilities for stewardship of British Columbia's rich endowment of natural resources and biodiversity. Fundamentally, this approach must incorporate the rights and interests of Indigenous peoples, tenure holders and the public.

To that end, government's approach to the implementation of UNDRIP is a critical and time-sensitive priority. This is particularly important amidst the changing context within which the province is currently addressing resource-based tenures. Finalizing mechanisms informed by UNDRIP, that relate to the assessment and permitting of those tenures will provide all Ministries with frameworks within which to conceive and articulate program or policy changes such as this. This will in turn enable transparent and informed engagement by stakeholders, provide clarity regarding the role of Indigenous groups and communities in the Province's legislative and regulatory processes, and crucially – provide a framework within which statutory decisions can be made.

INTEGRATED APPROACH TO PLANNING, OVERSIGHT AND IMPLEMENTATION

MABC's members are interested in undertaking future projects and maintaining the viability of their existing operations in British Columbia. With regulatory clarity being one of the most critical factors in their ability to attract capital, their prospects for continued investment and community-building in the province are essentially linked to the procedural certainty, fairness and integrated planning by the provincial government. With the multitude of inter-dependent legislation, regulation and policy initiatives that are advancing concurrently, yet independently of each other, industrial developers face increasing complexity in the province.

In addition to the broader legislative and regulatory agenda, this Planning effort should also be streamlined and aligned with other planning efforts, such as land use planning and the regional and strategic plans that are being contemplated by the Ministry of Environment and Climate Change Strategy. Similarly, the integrated Wildlife Management and Habitat Conservation Planning efforts should be in step with and informed by other initiatives that include the Rural Economic Development Strategy, the Mining Jobs Task Force and the Emerging Economy Task Force.

With that, it is important that the nesting of legislative, regulatory and operational initiatives under the Wildlife Management and Habitat Conservation also be clearly articulated, including provincial Species at Risk legislation, and species-specific recovery plans such as those currently underway for southern mountain caribou.

MABC therefore encourages the Ministry to consider the sequencing of initiatives across ministries that have shared interests in the land base.

In relation to the Wildlife Management and Conservation Planning project, MABC supports the attention being paid to establishing a governance model that supports shared stewardship principles. With multiple interests in the land base, it is important that the setting of objectives and the corresponding decision-making contemplate the spectrum of uses of the land, and the effects of decisions on a range of public interests, including socio-economic wellbeing. This will not only improve the outcomes, it will increase the understanding of the multiple values on the land base, and their broader benefits and impacts.

This integrated approach will facilitate the forming of partnerships across government, Indigenous nations, multiple industry sectors, environmental organizations and other stakeholders to develop a sound plan, and to achieve its measured objectives. MABC suggests that the greatest opportunity for these partnerships is in the area of habitat restoration and conservation. MABC and our members welcome the opportunity to contribute more fully to this discussion as it evolves.

Further, an integrated governance model will allow for the optimizing of funding resources, the identification of funding mechanisms and partnerships, as well as decisions on how to deploy the funding, and accountabilities for the transparent reporting on outcomes. As a contributor to innovative funding partnerships, the mining industry looks forward to contributing to this dialogue as it develops.

MABC acknowledges the importance that habitat plays to the health of wildlife populations and we support mechanisms that enable statutory decision makers to consider habitat protections and restoration within their broader decision-making framework. MABC welcomes the opportunity to inform this framework to support balanced outcomes that serve the interests of diverse rights and interest holders in the land base.

The information used to set objectives, monitor progress, measure outcomes and inform decision-making should be rooted in best available evidence-based information that is augmented by ongoing scientific data and traditional knowledge. This information should be broadly shared to support sound planning by tenure holders and users of the land.

Balancing a healthy ecosystem that recognizes Indigenous rights and enables community-supporting industrial uses and recreational access of the land is a complex challenge. A cross-ministerial approach to planning that is integrated, adaptive and includes broad-ranging input, consideration of diverse perspectives and usage of best available information is needed. A crucial outcome for all parties is certainty, achieved through clearly articulated and evidence-based objectives, clarity of process, and fair application of predictable measures to achieve the objectives.

MABC appreciates the opportunity to submit our comments. We remain committed to engaging with you and your staff on the Wildlife Management and Conservation Planning Project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bryan Cox', with a stylized flourish at the end.

Bryan Cox
President and CEO