

Ecosystem Based Management
on B.C.'s Central and North Coast (Great Bear Rainforest)

Implementation Update Report
July 2012

by
Nanwakolas Council
Coastal First Nations
BC Ministry of Forests, Lands and Natural Resource Operations

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EXECUTIVE SUMMARY

British Columbia's Central and North Coast, also known as the Great Bear Rainforest, is an ecologically significant region that includes one of the largest intact temperate rainforests on Earth. This area is the traditional territory of First Nations people who have lived there for thousands of years and contains many coastal communities. Its rich ecosystems support diverse economic activities, including forestry, fishing and tourism.

The purpose of this document, developed collaboratively by the Province of British Columbia, the Nanwakolas Council and Coastal First Nations, is to provide an update on the implementation of "Ecosystem Based Management" or EBM, on the North and Central Coast of British Columbia.

Commitments for EBM emerged from the Land and Resource Management Planning processes (LRMPs) which began in 1997 for the Central Coast and in 2001 for the North Coast. These planning processes resulted in consensus recommendations being presented to the Province and First Nation governments - in 2004 for the Central Coast, and 2005 for the North Coast.

Based on these recommendations and subsequent government-to-government (G2G) discussions between the Province and First Nations, the Coast Land Use Decision was announced on February 7, 2006.¹ "The Decision" contained three key components:

1. A commitment to manage Crown land and resources under an Ecosystem Based Management (EBM) approach (that is, concurrently working to achieve a high level of human well-being and a low level of ecological risk);
2. Land Use Zoning comprising three zones²: Conservancies; Biodiversity, Mining and Tourism Areas (BMTAs); and the remainder of the land base which is termed the Ecosystem Based Management (EBM) Operating Areas; and
3. An innovative collaborative governance system with formalized structures for Provincial/ First Nations G2G collaboration, and engagement with key stakeholders.

Between February 2006 and March 2009, considerable work through science forums, local communities, stakeholder dialogues and government-to-government negotiations led to a host of agreements and commitments regarding the achievement of the two goals of ecosystem based management - high levels of human well-being and low ecological risk over time.

For the purposes of the Decision, full implementation of EBM was further determined to include the following five components:

1. A collaborative governance framework (section 2.1)
2. Socio-economic policies and Initiatives that seek to achieve high human well-being (section 2.2)
3. Conservation measures (section 2.3)
4. A collaborative adaptive management system (section 2.4)
5. Flexibility provisions (section 2.5)

On March 31, 2009, a joint announcement supported by all parties confirmed that the Province met its commitment to establish and fully implement an EBM system for coastal B.C. The Province made a

¹ See announcement at http://www2.news.gov.bc.ca/news_releases_2005-2009/2006AL0002-000066.htm

² http://www.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/central_north_coast/plan/landusezones.html

series of additional commitments to First Nations and key stakeholders for work that would be done in the following five years to March 2014.

These include:

- Continuing the collaborative G2G Governance structure (section 3.1.1);
- Developing an Adaptive management framework (section 3.1.2);
- Collaborative stakeholder relationships (section 3.1.3);
- Project Management/administration (section 3.1.4);
- Continuing Conservancy Management planning (3.2.1);
- Establishing Grizzly bear management areas (section 3.2.2);
- Reviewing the 2009 Land Use Orders by March 31, 2014 and collaboratively developing a policy for this review (section 3.2.3);
- Revising and refining the 2009 Land Use Orders (e.g. Grizzly bear map and edits) (section 3.2.3);
- Assessing the 2009 Land Use orders (section 3.2.3);
- Spatializing the Land Use objectives through the Landscape Reserve Planning project (3.2.4 and 3.2.5);
- Establishing the EBM data centre (section 3.2.6)
- Complete TEM mapping for the plan areas (section 3.2.7);
- Develop a Human well-being strategy (section 3.3); and
- Work on compensation, mitigation, chart impacts, and appraisal allowance/enabling conditions (section 3.3.5)

Where do we stand today?

- Significant progress has been made to re-invigorate and continue the governance processes with First Nations, including the signing of Reconciliation Protocols between the Coast First Nations and the Province (December 2009, amended in December 2010) and between the Nanwakolas Council and the Province (November 2011)
- An Adaptive Management Steering Committee was established and was allocated \$650,000 to monitor EBM implementation. The committee made some initial progress in identifying priority projects, but was disbanded in late 2010. Discussions are currently underway on how to proceed with adaptive management and monitoring, since these are key EBM principles.
- A meaningful structure for continuing collaborative engagement with key stakeholders (Joint Solutions Project [JSP]) has been established. The Terms of Reference were finalized in December 2009.
- Protected areas now encompass 2.1 million hectares, or one-third of the region (designation completed in 2009). In 2011, 55 of the 111 conservancy management plan projects were in progress, and it is expected that planning will be underway or completed for all conservancies by 2014.
- Grizzly Bear Management Areas have been established.
- The 2009 amended legal land use orders maintain 50% of the natural historic levels of old forest across the region.
- Draft Strategic Landscape Reserve designs have been completed for about 89 landscape units where logging may occur within the next decade. These mapped areas contain resource values identified in the land use orders, such as old forest and ecosystem representation, high-value fish and wildlife habitats, red-listed plant communities, and areas that have cultural significance for First Nations.

- Habitat for a variety of important focal species has been identified and assessed to support landscape level planning. These species include grizzly bear, marbled murrelet, mountain goat, northern goshawk and tailed frog.
- A number of Trust funds, the Coast Sustainability Trust II and the Coast Opportunities Fund, support economic development and contribute to capacity building, training and enhanced information sharing for many First Nations and communities in the region.
- Assistance has been provided to the logging industry, contractors, workers and communities to help them make the transition to the new management system. Some progress has been made to redistribute timber tenures and timber volume to First Nations in the region.

There has been significant progress to date on the implementation of EBM and it is recognized that it is an ongoing process; current commitments extend until the next milestone at March 31, 2014.

Much has been accomplished in terms of protection and planning for ecological integrity; similarly, agreements and structures have been established that will strengthen First Nations community prosperity and social development. Fully reaching the two goals of EBM will take time - notably the commitment by all parties to reach these goals remains strong.

Tasks which remain to be completed by March 31, 2014 include:

- Completing a minor Land Use Order Amendment to include the latest Grizzly Bear mapping;
- Completing hard reserve designations in a Province/First Nation Government to Government process;
- Review of the LUOs prior to March 2014. The objective of this review, undertaken in a manner that is consistent with FN agreements, will be to concurrently achieve low ecological risk and high human well-being and if this is not possible, seek meaningful increments towards both;
- Completing Terrestrial Ecosystem Mapping (TEM);
- Completing the work on operating areas for forest tenures;
- Completing the adaptive management and monitoring framework; and
- Completing management planning for conservancies.

1. INTRODUCTION

1.1 PURPOSE OF THIS REPORT

The purpose of this document is to provide an update on the implementation of “Ecosystem Based Management “or EBM, on the North and Central Coast of British Columbia.

Section 1 introduces the origin, the broad components and definitions of Ecosystem Based Management in British Columbia. Section 2 provides a summary of the key components of the 2006 Coast Land Use Decision and the initiatives put in place between 2006 and 2009 in order to set the stage for further EBM implementation. Finally, Section 3 describes the specific commitments towards EBM made in March 2009, and provides a progress report on their implementation up to December 2011.

It is recognized that EBM implementation is a multi-year process and that continued monitoring and research will be necessary to support governments and stakeholders as they collaboratively move towards achieving the twin goals of EBM over time.

1.2 COMPONENTS AND DEFINITIONS OF ECOSYSTEM BASED MANAGEMENT

Commitments for EBM emerged from the Land and Resource Management Planning processes (LRMPs) which began in 1997 for the Central Coast and in 2001 for the North Coast. These planning processes resulted in consensus recommendations from key stakeholders operating in the plan area being presented to the Province and First Nation governments - in 2004 for the Central Coast, and 2005 for the North Coast.

Based on these recommendations and subsequent government-to-government (G2G) discussions between the Province and First Nations, the Coast Land Use Decision was announced on February 7, 2006.³ “The Decision” contained three key components:

1. A commitment to manage Crown land and resources under an Ecosystem Based Management (EBM) approach;
2. Land Use Zoning comprising three zones⁴: Conservancies; Biodiversity, Mining and Tourism Areas (BMTAs); and the remainder of the land base which is termed the Ecosystem Based Management (EBM) Operating Areas; and
3. An innovative collaborative governance system with formalized structures for Provincial/ First Nations G2G collaboration, and engagement with key stakeholders.

EBM for the North and Central Coast area is defined as “an adaptive approach to managing human activities that seeks to ensure the coexistence of health, fully functioning ecosystems and human communities”. The commitment to EBM in the plan area is solidified in the G2G strategic land use planning agreements,⁵ and the various legal orders and policies which the Province has implemented,

³ See announcement at http://www2.news.gov.bc.ca/news_releases_2005-2009/2006AL0002-000066.htm

⁴ http://www.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/central_north_coast/plan/landusezones.html

⁵ Land and Resource Protocol Agreement between the Coastal First Nations (Turning Point) and BC, March 23, 2006; KNT-BC Land Use Planning Agreement-in-Principle, March 27, 2006; Strategic Land use Planning Agreement between the Province of British Columbia and the following first nation governments: Gitga’at First Nation (April 10, 2006); Gitxaala Nation (September 7, 2006); Haisla Nation (March 20, 2006); Heiltsuk First Nation (March 20, 2006); Homalco (August 24, 2006); Kitselas First Nation (April 6, 2006); Kitasoo/ Xaixais First Nation (June 27, 2006); Kitsumkalum First Nation (April 12, 2006); Lax Kw’aalams (July 17, 2008); Metlakatla First Nation (March 20, 2006); Nuxalk (October 5, 2008); and Wuikinuxv (March 20, 2006); CFN Reconciliation Protocol (2010); Nanwakolas BC Framework Agreement (2010); Nanawakolas Reconciliation Protocol (November 28, 2011).

including but not limited to the Land Use Orders (containing legal objectives for forestry⁶) and the zoning designations for the plan area.

Human well being (HWB) for this process has been defined as “a condition in which all members of society are able to determine and meet their needs and have a range of choices and opportunities to fulfill their potential” (EBM Handbook, CIT, March 2004, p.73).

Ecological integrity (EI) for EBM in this region, has been defined as “a quality or state of an ecosystem in which it is considered complete or unimpaired; including the natural diversity of species and biological communities, ecosystem processes and functions, and both the ability to absorb disturbance (resistance) and to recover from disturbance (resilience)” (EBM Handbook, CIT, March 2004, p.71).

As part of the 2006 Decision, parties agreed to achieve ‘full implementation of EBM’ for the North and Central Coast by March 31, 2009. The governments then developed a definition of ‘full implementation of EBM’⁷ and significant efforts were expended by provincial and First Nation government representatives and key stakeholders to develop and implement EBM. On March 31, 2009, all parties agreed and announced that ‘full implementation of EBM’ had been achieved including new commitments which began the current new phase of implementation until March 31, 2014.

⁶ <http://ilmbwww.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/plan/objectives/index.html>

⁷ The definition document can be found at the following website:

[http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/central_north_coast/docs/Full_Implementation_\(Final%20July%2010%202007\).pdf](http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/central_north_coast/docs/Full_Implementation_(Final%20July%2010%202007).pdf)

2. EBM IMPLEMENTATION: FEBRUARY 7, 2006 - MARCH 31, 2009

For the purposes of the Decision, full implementation of EBM was further determined to include the following five components.

2.1 A COLLABORATIVE GOVERNANCE FRAMEWORK

In order to formalize the outcome of land use discussions and to clarify the G2G commitments to implement EBM, the Province and First Nations entered into a number of agreements between March 2006 and March 2007, including Strategic Land Use Planning Agreements (SLUPAs), an Agreement in Principle (AIP) and Land and Resource Protocol Agreements (LRPAs)⁸. The spirit and intent of these agreements has guided the G2G relationship throughout much of the implementation process.

Between 2006 and 2009, the Province and First Nations, building on the G2G agreements, led EBM implementation through three Land and Resource Forums (KNT⁹, Coastal First Nations and North Coast) which typically met and operated jointly. In February 2008, a Joint Land and Resources Forum (LRF) was officially formed and became the decision making body for EBM implementation.

The Joint LRF approved the Terms of Reference and work plans for the two sector-based Plan Implementation Monitoring Committees (PIMCs) and the EBM Working Group (EBMWG). Details on the PIMCs and EBMWG, including their Terms of Reference, meeting schedules and summaries and specific projects or recommendations, can be found on the website.¹⁰ Interested parties are encouraged to view the projects that were overseen and directed by the EBMWG to support EBM implementation.¹¹

The Integrated Land Management Bureau coordinated the work of the Ministries of Forests (MOF) and Environment (MOE) and also liaised with policy groups in several other ministries. Adopting a project management approach and centralized reporting structures assisted the province in tracking the technical and operational efforts of hundreds of staff located in several offices and locations across the Coast.

2.2 SOCIO-ECONOMIC POLICIES AND INITIATIVES THAT SEEK TO ACHIEVE HIGH HUMAN WELL-BEING

Full implementation of EBM includes socio-economic policies and initiatives that seek to achieve a high level of human well-being over time. In this respect, a number of trust funds were established to support EBM implementation and to provide opportunities to First Nations, and to support workers, contractors, communities and companies whose interests may have been negatively affected by the Decision.

Coast Sustainability Trust II:

The Coast Sustainability Trust II (CST II) was created in March 2007 to continue community economic development support under the original Coast Sustainability Trust, created by the Province in 2002. A total of \$35 million was invested in the original Trust (for more detail, see section 3.3.2).

⁸ <http://ilmbwww.gov.bc.ca/FNID/agreements.html>

⁹ K = KDC:Kwakiutl District Council representing the Gwa'Sala-Nakwaxda'xw; We Wai Kai; We Wai Kum, Kwiahah, Mamalilkulla-Qwe'Qwa'Sot'Em; Da'naxda'xw; M = MTTC: Musgamag'w - Tsawataineuk Tribal Council representing the Namgis, Kwicksutaineuk and Tsawataineuk. T = Tlowitsis Tribe.

¹⁰ http://www.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/central_north_coast/plan/implementation.html

¹¹ http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/plan/project_results.html

CST II comprises the following sub-trusts:

1. Community Matching Fund account (\$20.5 million) which allocated a maximum of \$250K to each project when matched by external funds;
2. EBM Adaptive Management account (\$689,000);
3. EBM Matching Fund account (\$5,000,000) to mitigate negative impacts of EBM implementation on forest workers, contractors and civic and FN communities;
4. Landscape Reserve Planning Account (\$755,000) to support engagement of First Nations in landscape reserve planning most of which has been disbursed leaving \$17,000 in this trust.

Coast Opportunities Fund (COF):

In May 2007, COF was established and included two funds (Conservation Fund and Economic Development Fund) created from public and private contributions totaling \$120 million.¹²

2.3 CONSERVATION MEASURES

Full implementation of EBM includes conservation measures that seek to achieve a low level of ecological risk overall over time and these are grounded in the land use zoning. The combined Central and North Coast plan area is approximately 6.4 million hectares (ha), with approximately 2.1 million ha (33%) in protected areas, including parks, Conservancies and Biodiversity, Mining and Tourism Areas (BMTAs). Conservation in the remaining two thirds of the area, termed the EBM Operating Areas¹³, is addressed by the land use orders. In order to support both ecological integrity and human well being goals, the zoning permits a range of compatible resource development throughout the region and provides various levels of ecosystem protection.

Land Use Zoning:

Through G2G discussions, the *Park Act* was amended in 2006 to enable a new form of protected area – Conservancies - which recognize the importance of these areas for First Nations’ social, ceremonial and cultural uses. In addition, a wide range of low impact, compatible economic opportunities may be permitted in these areas. Approximately 1.3 million ha (19% of the area) were designated in 114 Conservancies by March 2009.

G2G and stakeholder discussions also resulted in the creation of another new form of protected area – Biodiversity, Mining and Tourism Areas (BMTAs) - which also recognize the importance of First Nations’ social, ceremonial and cultural uses. Twenty one BMTAs in the North and Central Coast, totaling over 300,000 ha, were established by Order in Council pursuant to the *Environment and Land Use Act* on January 9, 2009.

BMTAs contribute to the conservation of species, ecosystems and seral stage diversity by being located adjacent to existing Conservancies and other types of Protected Areas, and by limiting the land uses within the zones. Commercial timber harvesting and commercial hydro-electric power projects are prohibited within BMTAs. Other resource activities and land uses will continue, subject to existing regulations and legislation.

The remaining two thirds of the plan area were not formally designated as a land use zone; however, pursuant to G2G and stakeholder discussions, by December 2007 legal Land Use Orders were established to regulate forestry activities in the EBM Operating Area.

¹² <http://www.coastfunds.ca/about-overview-funds>

¹³ http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/central_north_coast/plan/landusezones.html

Land Use Orders for forestry:

Legal Land Use Orders (LUOs) were established under the *Land Act* to guide forestry activities. The LUOs include legally binding resource management direction for cultural and heritage values, cedar, high value fish habitat, red- and blue-listed ecosystems, stand level retention, critical grizzly bear habitat, and old forest representation. During 2008 and 2009 extensive work was done to refine the 2007 LUOs, resulting in an amended suite being approved by the Minister on March 27, 2009.¹⁴ The amended orders deliver low-impact logging regulations that set aside 50% of the natural range of old growth forests.

In addition to the measures above, foundational work was done to establish the baseline for ecological integrity in the region. The EBM Working Group discussed how best to define, measure and improve ecological integrity. Inventories were conducted to enhance understanding of the current ecological conditions and better inform how to move to desired outcomes.

2.4 A COLLABORATIVE ADAPTIVE MANAGEMENT SYSTEM

Adaptive Management, a component of EBM, is defined as a “systematic approach to resource management that engages the Parties and stakeholders in structured collaborative research and monitoring with the goal of improving land and resource management policies, objectives and practices over time.”¹⁵ Adaptive Management includes passive and active management approaches.

Between 2006 and 2009, the EBMWG, on the direction of the Joint LRF, developed materials and products to inform an Adaptive Management (AM) Framework including an AM Guidebook and knowledge summary (see the EBMWG project list).¹⁶

The Joint LRF approved the Terms of Reference¹⁷ for the Adaptive Management Steering Committee (AMSC) in March 2009.

2.5 FLEXIBILITY PROVISIONS

As part of the Decision, it was also determined that flexibility provisions needed to be developed to facilitate transition and sustain First Nation and local community well-being, including:

1. Strategic planning flexibility – i.e. developing and implementing integrated Detailed Strategic Plans that enable management to varying levels of ecological risk in different watersheds and landscapes;
2. Operational flexibility – i.e. in particular management situations, applying risk-managed management objectives and practicability tests, guided by criteria defined in land use objectives and related policies and guidance documents; and
3. Decision variance – i.e. where strategic planning and operational flexibility are insufficient, developing a land use objective that allows for a higher level of resource development activity in specific landscapes and watersheds for a specific period of time.

¹⁴ <http://www.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/plan/objectives/index.html>

¹⁵ Land and Resource Protocol Agreement between the Coastal First Nations (Turning Point) and BC, March 23, 2006; KNT-BC Land Use Planning Agreement-in-Principle, March 27, 2006

¹⁶ http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/plan/project_results.html

¹⁷ http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/central_north_coast/docs/AMSC_TOR.pdf

2.6 SUMMARY OF EBM IMPLEMENTATION, FEBRUARY 7, 2006 - MARCH 31, 2009:

On March 31, 2009, a joint announcement supported by all parties confirmed that the Province met its commitment to establish an EBM system for coastal B.C. The Province made a series of additional commitments to First Nations and key stakeholders for work that would be done in the following five years to March 2014.

The next sections will review the progress on these additional commitments as the EBM program passes the half-way mark in the 5 year work plan.

3. EBM IMPLEMENTATION: MARCH 31, 2009 – DECEMBER 2011

3.1 EBM GOVERNANCE

3.1.1 G2G Decision making

Since March 31, 2009, the G2G relationship has continued and several new agreements have been initiated. Some of the recent agreements outline arrangements for ongoing collaborative governance, where others provide new arrangements for a shared approach to land and resource decision making. Revenue sharing, tenure opportunities, economic initiatives, engagement procedures and capacity funding are components of these agreements.

The Coastal First Nations and the Province signed a Reconciliation Protocol in December 2010¹⁸ which confirmed and renewed the G2G arrangement through which the parties will continue to work collaboratively on the New Relationship agenda.

The Nanwakolas Council and the Province signed a Framework Agreement in December 2009¹⁹ which outlines the level of consultation required for operational decisions regarding tenure allocation for Crown land and resources. Five member Nations of the Nanwakolas Council and the Province signed a Reconciliation Protocol, a Forestry Agreement, and an addition to the Strategic Engagement Agreement on November 28, 2011.²⁰

Funding was provided to First Nations in the plan areas to facilitate their participation in the collaborative G2G process. Approximately \$2.5 million was disbursed to First Nations to provide capacity to review and make decisions on the EBM projects from March 31, 2009 to March 31, 2011. Of this \$2.5 million, \$600,000 was disbursed to Nanwakolas, \$470,000 to Coastal First Nations (CFN) and \$100,000 to North Coast Skeena First Nations Stewardship Society (NCSFNSS). Additional capacity and decision support funding was provided through several EBM trusts (e.g. Coast Sustainability Trust: Landscape Reserve Planning Account: \$750,000 see section 3.3.2).

In May 2010, First Nations expressed concerns related to their capacity to effectively participate in the multiple EBM implementation projects that are underway, while also engaging in several additional (non-EBM) negotiations, including work being done at federal, provincial and local government levels. The Joint LRF was disbanded in June 2010, thus a number of significant EBM implementation decisions and proposed minor amendments to the LUOs are still pending. Early in 2012, the First Nations and the Province, within the context of the Reconciliation Protocols, agreed on new governance structures that are designed to meet the needs of both parties and facilitate ongoing G2G engagement.

3.1.2 Adaptive Management Steering Committee (AMSC)

The AMSC, comprising representatives of participating First Nations, Rainforest Solutions Project, Coast Forests Conservation Initiative and Provincial Agencies, first met in September 2009 and was disbanded in September 2010.

¹⁸ http://www.newrelationship.gov.bc.ca/shared/downloads/coastal_first_nations_ammended_agreement_dec_10_2010.pdf

¹⁹ <http://www.nanwakolas.com/sites/default/files/SEA%20Framework%20Agreement%20FINAL%20%20Nov%20%202009.pdf>

²⁰ <http://www.nanwakolas.com/nanwakolas-reconciliation-protocol-signed>

After conducting a scoping exercise, the AMSC initiated a draft work plan and a draft strategic plan to guide its work. The Joint LRF reviewed the draft work plan in November 2009 and directed the AMSC to conduct further refinements.

The AMSC developed several research proposals including:

1. Refinement of research priorities for EI (Beese, Jan 2010).
2. Proposal for Aquatic Habitat and Riparian Buffers adaptive management plan, (Beese, April 2010): this project was supported but the project did not move forward for approval to the Joint LRF.

A proposal on Experimental Watersheds was submitted by S. Saunders, M. Todd and A. MacKinnon, June 2010 from the Province. This work was eventually initiated by the Province to provide information on the operational and ecological implications of the LUOs. From provincial funding, \$43,000 was allocated for 2010/2011 and an additional \$103,000 was approved for 2011/2012. The results of this research will be useful for adaptive management and will support decision-making and management needs by providing credible scientific information. The research will also assist EBM executive assess the effectiveness of the EI objectives in the LUOs.

The AMSC received a proposal from GeoBC to undertake a pilot project that would assess eight spatial indicators to inform implementation monitoring, using a remote sensing approach. This proposal did not advance to the LRF for decision before the AMSC was disbanded.

By September 2010, AMSC members had developed suites of indicators for both EI and HWB. For EI, there was support for the indicators, however, a methodology for cost effective data gathering and analysis was not confirmed. For HWB indicators, general agreement was not achieved among AMSC members. The AMSC acknowledged the fundamental challenge associated with a lack of useful statistical data at the community level (e.g. from Statistics Canada surveys). Both suites of indicators (EI and HWB) were modified and referred to in the March 2011, "2014 Land Use Orders Review Framework", see section 3.2.3 below.

The AMSC experienced several challenges, including resourcing and capacity issues within the membership. The Province is currently in discussions with the parties on how to proceed on adaptive management.

3.1.3 Collaborative Stakeholder Relationships

All Parties agree that final decisions in relation to EBM will be made by the Province and First Nations on the basis of their G2G relationship and in a manner consistent with the decision making processes outlined in applicable G2G agreements.

A meaningful structure for engaging stakeholders in EBM implementation was agreed to in March 2009, with a working draft of the Terms of Reference for the Joint Solutions Project and the Provincial Strategic Discussion Table finalized in December 2009. The Joint Solutions Project (JSP) is a collaborative effort between the Coast Forest Conservation Initiative (Interfor, Western, BCTS, Howe Sound and Catalyst) and the Rainforest Solutions Project (Greenpeace, ForestEthics and Sierra Club BC).

The JSP-Provincial Strategic Table is a forum for collaboration on strategic items as outlined in the provincial commitment letters to JSP.

The Joint LRF established a technical liaison committee (the TLC) comprising First Nations, the Province and key stakeholders and assigned them to implement the April 2009 Landscape Reserve Planning Framework. JSP participated on the TLC until September 2010. For TLC achievements, see section 3.2 of this report.

3.1.4 Provincial Funding, Project Management and Administration

Provincial funding:

There was an additional 2.5 million dollars in contingency funding approved for EBM implementation for the period 2008/2009. This funding was allocated as follows for the period March 31, 2009 to March 31, 2011:

1. 650K to the Coast Sustainability Trust (section 3.3.2), Adaptive Management subtrust. This was intended to fund the Adaptive Management Steering Committee activities but the committee was unsuccessful in delivering the work and the subtrust remains. In addition, the EBM WG ended its work on March 31, 2009 but 96K remained in the EBM WG subtrust. Of this, 21K was transferred to the Adaptive Management subtrust for a total of 671K. This subtrust has since grown to 689K. This funding will now be accessed through the G2G structure to undertake adaptive management work primarily in preparation for the review of the Land Use Orders which will occur by March 31, 2014;
2. 680k to the Coast Sustainability Trust (section 3.3.2) ,Landscape Reserve Planning subtrust for First Nations to participate in spatializing the Land Use objectives in the Landscape Reserve Planning project. An additional 75K was transferred from the EBM WG for a total of 755K into the subtrust. Of this, 735K was disbursed to First Nations and 17K remains in the subtrust;
3. 600k to the Nanwakolas Council for capacity building/participation in EBM implementation under the collaborative G2G governance structure;
4. 470k to Coastal First Nations for capacity building/participation in EBM implementation under the collaborative G2G governance structure; and
5. 100k to the Tshimshian First Nations for capacity building/participation in EBM implementation under the collaborative G2G governance structure.

Project Management:

The Province has undertaken the project management for the numerous EBM projects and has been responsible for the integration of initiatives across many ministries and agencies. In March 2009, the Province established the EBM Office as the coordination centre for the EBM program, liaising closely with regional offices and staff responsible for implementation on the ground. A detailed five year work plan was prepared by provincial staff to track the projects and deliverables between 2009 and 2014. Increased emphasis on formal project management training and techniques has resulted in enhanced efficiencies for provincial staff leading discrete pieces of the EBM program and facilitated linkages between projects and deliverables for managers.

Social choice transparency:

In March 2009, the Province prepared a Discussion Note that outlined the criteria it would use for making social choice decisions. Within the EBM context, a social choice is any choice made to depart from either low ecological risk or high human well being, as defined by best information at that time, by a defined amount, and for a defined period of time. The Province agreed to only make these social choice decisions in situations where it is not possible to concurrently achieve high ecological integrity and high human well being. Such decisions will be made by First Nations and the Province, however,

prior to finalizing any social choice, the province will engage with CFCI, RSP, and other key stakeholders. The Province further commits to adopting a transparent approach to making social choice decisions.

Process support:

- In March 2009, the Province established the EBM Data Centre and appointed a manager to address proprietary and architecture issues required to establish a common data base than can be easily accessed by governments and stakeholders (see section 3.2.10 for more detail).
- In September 2009, the Province provided a neutral chair and project manager for the AMSC.
- In January 2010, the Joint LRF endorsed a provincial staff member as neutral chair to the LRF Technical Liaison Committee. The Province continued to provide secretariat support to the TLC which continued to operate until March 31, 2012.
- The Province continued to support the Joint LRF Working Group until the summer of 2010. First Nations and the Province have recently agreed on new governance structures that are designed to meet the needs of both parties.
- In October 2010, the EBM Office was disbanded during a re-organization of ministries and their functions. With the progress that had been made on EBM implementation it was recognized that the West Coast region now has primary responsibility for coordinating EBM implementation, with headquarters staff providing strategic advice and support as needed.

3.2 ECOLOGICAL INTEGRITY

The following section describes progress between March 2009 and August 2011 on a number of ecological initiatives. However, it is important to note that ecological integrity and human well being are intended to be achieved concurrently.

3.2.1 Zoning

As mentioned above, the land use zoning is the basis of ecological integrity of the region, with approximately one third of the plan area designated in Protected Areas, Conservancies and BMTAs. Conservancies recognize the importance of the areas for First Nations and support a range of low impact, compatible economic uses such as ecotourism and wildlife viewing. BMTAs preserve the natural condition and biodiversity of the areas, while recognizing traditional First Nation uses, and allowing other activities such as tourism and mining. On the remaining EBM Operating Areas a wider range of economic activities are permitted. The LUOs which apply in this zone minimize ecological impacts resulting from forest resource development (e.g. in highly sensitive areas such as riparian zones or culturally significant areas).

Conservancy management planning was initiated in 2009 and to date, 55 of 116 conservancy management plan projects are underway. Two plans have been approved by BC Parks and are awaiting First Nation endorsement and 12 are in the final drafting stages. Eighteen are progressing, and 18 are in draft format but are currently on hold due to issues related to First Nations territory boundaries and bear hunting. There are 61 conservancy management plans yet to be initiated. Planning work is continuing and it is anticipated that all Conservancies will have some form of planning underway or complete by March 31, 2014.

3.2.2 Grizzly Bear Management Areas

In May 2009, the Province confirmed that it would make best efforts to legally establish Grizzly Bear Management Areas (GBMAs) by June 30, 2009.

On July 1, 2009, a ministerial order (M111) was signed under the *Wildlife Act* creating three areas and closing them to Grizzly bear hunting within the CFN consultation area. These new No Hunting areas added 1.26 million ha to make a total of 2.70 million ha currently closed to grizzly bear hunting.

In addition, three areas were closed to Black bear hunting, including: Gribbell Island (19,600 ha); Whalen Estuary (1,000 ha); and Kitasoo / Spirit Bear (102,875 ha).

3.2.3 Land Use Orders (LUOs)

Initial commitments to develop legal LUOs arose from the G2G SLUPAs and LRPAs (see section 2.1 of this document). The LUOs are intended to contribute to the preservation of ecological and cultural values, while supporting environmentally sustainable economic opportunities. The intent of the March 2009 LUOs is to retain old forest representation at 50% of the range of natural variation across the combined Central and North Coast region. In some ecosystems there is 70% to 100% old forest retained and in some types of forest ecosystems, especially in the South Central Coast, there is less than 50% remaining old forest, so the existing old forest is retained and second growth forest is retained to become old forest over time. This results in an overall retention of 50% across the area.

Commitment to Review LUOs and develop a Review Framework:

In December 2008, the Province and First Nations committed to review the old forest objectives in the 2009 LUOs by March 31, 2014. Subsequently, it was agreed that the review should be broadened to a review of the LUOs in general. The objective of this review will be to assess progress towards full implementation of EBM, including progress towards concurrently achieving low ecological risk and high human well being and, if this is not possible, seek meaningful increments towards both.

To support the review the '2014 Land Use Orders Review Framework' was completed in March 2011 and is awaiting G2G endorsement. The Review Framework was developed collaboratively with representatives from the Province, First Nations and JSP. The Review Framework contains recommendations regarding further work on indicators that could be used for assessing LUO effectiveness and procedures for conducting the review. The Review Framework, which also contains suggested tasks and timelines, will be made public when it has G2G endorsement and direction on 3 outstanding non-consensus issues.

Revisions to the LUOs: Schedule 2 - Grizzly Bear maps:

In March 2009, Deputy Ministers Carr and Konkin jointly signed a commitment letter to Joint Solutions Project (JSP) to address operational and accuracy issues associated with the grizzly bear maps that were part of the March 2009 LUOs. Their commitment tasked the province to work collaboratively with JSP and other key stakeholders to update the grizzly bear maps and to assess flexibility provisions in both orders. The goal was to complete the work by December 31, 2009 but due to the complexity and volume of updates, the work was extended to November 2010.

This collaborative work commenced with MoE biologists, ILMB spatial analysts and JSP partners completing a very thorough review of all pertinent grizzly bear habitat inventory datasets. The purpose of the review was to ensure the data were consistent, reliable and sound; identify and fix inaccuracies; and address problems and questions which had arisen.

This work found considerably more issues with the inventory than originally anticipated, which delayed subsequent habitat polygon reviews. Consequently, the completion date for the entire exercise had to be extended. This allowed technical working group members, and other support staff, sufficient time to

complete a thorough review of revised grizzly bear habitat polygons for all landscape units identified as priorities. As a result, the majority of the polygons in the south and central coast sub-region (i.e., all priority landscape units comprising approximately 3310 polygons) as well as approximately 1716 polygons in priority landscape units in the north coast sub-region, for a total of 5026 polygons, were reviewed as of December 10, 2010. Final grizzly bear polygons amount to 329,000 hectares across the region.

In addition, technical work to provide guidance materials for implementing Objective 17 (e.g. what constitutes 'materially adverse impact' to grizzly bear habitat) was carried out by a technical working group. These materials and the improved habitat mapping products (Schedule 2 maps of the LUOs) are complete and awaiting G2G approval. The LUOs will be amended once G2G endorsement has been obtained. In the interim, discussions have occurred with licensees and qualified professionals as to how best to address this objective in Forest Stewardship Plans.

Assessment of LUOs: Schedules 4a and 4b – site series surrogates:

The March 26, 2009 Carr/Konkin letter committed the Province to working collaboratively with Joint Solutions Project (JSP) and any other interested stakeholders to:

1. Develop new site series groupings for the purposes of implementing objective 14 (if appropriate and such grouping work is undertaken);
2. Review the site series (and/or site series grouping) RONV targets (on the basis of TEM²¹) for the area covered by the SCC and CNC Orders where enough TEM information exists to improve upon previous RONV estimates (which were developed using PEM);
3. Develop and include in the Orders schedule 4(d) or (e) (a list of rare, very rare, and modal site series) at the same time as schedule 4(a) is revised/included.

The goal was to complete this work by December 31, 2009 and, once approved on a G2G basis, the Province would then consider recommending amendment the LUOs to reflect this new information. The current LUOs contain clauses [14 (2)] that allow the use of site series for old growth representation purposes and directly reference schedules 4(a) and 4(d) or (e), which do not yet exist in the LUOs.

In June 2009, as requested by the province, A. Banner, A. MacKinnon, and S. Saunders prepared a report entitled "Recommendations for Implementation of Site Series Representation for Ecosystem Based Management within the Central and North Coast Planning Areas" and submitted it to ILMB. The report was provided to the LRF Technical Liaison Committee (LRF TLC) in September 2009. In this report, the authors note that there is insufficient TEM coverage to generate RONV at the scale of site series. The conclusion in the report was that the estimation of separate and distinct site series RONV numbers and thus the development of Schedule 4(a) is not a viable option at this time.

One of the options recommended to the LRF was to defer any decisions on schedules 4a and 4b until the LUOs are reviewed as a whole (see section 3.2.4). To date, the Joint LRF has made no decision regarding schedules 4a and 4b.

There is currently ongoing analysis work being carried out by JSP using the Patchworks model, and other work to explore an alternate representation system.

²¹ TEM is Terrestrial Ecosystem Mapping; PEM is Predictive Ecosystem Mapping. TEM is considerably more accurate than PEM.

LUO minor amendments:

Coinciding with the necessary LUO amendments for the Schedule 2 map and Objective 17 (for Grizzly bear), it is intended that several other minor changes (e.g. spelling and grammatical corrections) will be included in the package. These amendments are pending endorsement by the G2G parties. LUO amendments are carried out according to the Land Use Objectives Regulation²². Public review and comment periods are required for major amendments but not minor amendments. As mentioned under section 3.2.5, it is anticipated that the proposed minor amendments will occur early in 2012.

3.2.4 Framework for Landscape Reserve Planning

In Spring 2009, the Province, First Nations and JSP committed to developing a policy framework and terms of reference for landscape reserve planning, including (a) the intent to manage old growth ecosystems at a level that does not exceed 'high risk' as defined by best available information, and (b) a process for identifying gaps between the reserve design and high risk thresholds for focal species.

On May 11, 2009, the Joint LRF endorsed the April 27th Framework for Landscape Reserve Planning (the Framework). The Framework included the following commitments, subject to funding:

- Make best efforts to identify a Strategic Landscape Reserve Design (SLRD) by September 2009;
- Complete Detailed Landscape Reserve Plans (DLRPs) (including identification of hard and soft reserves) for priority landscape units by March 2011;
- Complete DLRPs in all landscape units by March 2014;
- An analysis of any conservation gaps that exist between the SLRD and what is required to ensure that high risk thresholds for focal species and old forest are not exceeded, and the spatial identification of where any gaps could best be met.

Implementation of the Framework fell under the mandate of the LRF Technical Liaison Committee (TLC) and its various sub-committees including government and licensee planning professionals throughout the region.

3.2.5 Strategic Landscape Reserve Design (SLRD)

The initial commitment to develop an SLRD by September 2009 was revised, partly due to all parties choosing a higher quality planning product in landscape units with forest development likely to occur in the next decade. This resulted in increased complexity in the planning process and required additional resources. The Joint LRF extended the timeline in order to carry out pilot projects, including manual design of planning products versus modeled products. On October 10, 2009, the Joint LRF adopted an amended Terms of Reference for SLRD and a revised SLRD workplan.

The purpose of the SLRDs is to identify reserves that maximize certainty for all parties and provide concurrent progress towards maintaining ecological integrity, stewardship of First Nations' interests and improved human well-being through economic and resource development opportunities. Reserves are intended to satisfy the landscape conservation budget (as defined in the Framework) by spatializing the old forest targets associated with the landscape level biodiversity objectives in section 14 of the LUOs. Section 14(1) requires a target area of old forest be retained for each 'site series surrogate' (SSS) in a landscape unit. Reserves are also required to satisfy section 14(7) by co-locating reserves with suitable habitat for focal species including grizzly bear, mountain goat, marbled murrelet, northern goshawk and tailed frog, to the extent practicable.

²² http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/17_357_2005

In January 2010, the Province produced an EBM Implementation Bulletin on the Application of Objective 14(7). The intent was to provide clarification and a common understanding on the intent of this objective and to support planners in making decisions in the SLRD work.

Landscape Unit Pilots:

Between September 2009 and February 2010, the TLC coordinated the development of four landscape unit pilot plans (two Nanwakolas and two CFN) to better understand how to address First Nations economic and cultural interests in SLRDs. A combination of modeling and hands-on manual design by professional planners was used in order to address general conservation planning principles such as connectivity and interior forest conditions. Lessons learned from the pilots were incorporated into the SLRD Planning Template (see below).

SLRD Planning Template:

Between September 2009 and July 2010, the TLC developed a comprehensive template and tools to support SLRD planning. These include:

- Design methodology
- Ranking of values
- Categories of data sets
- Standardized modeling script
- Modeling scenarios
- Standardized reporting template
- Guidance for recruitment
- Quality Assurance Process
- Criteria for hard and soft reserves

SLRD Progress:

Between April and Dec 2011, draft SLRDs for approximately 88 priority landscape units (of the 146 landscape units in the region) were ready for review by First Nations and quality assurance reviewers. Planning priorities were established based on the likelihood of forest development in the next decade. These SLRDs were developed largely through a hands-on, manual design process by planners with an understanding of the area, rather than a solely modeled approach. Funding was provided through the Forest Investment Account (\$300,000 supporting licensee planners) and the Landscape Reserve Planning Account (a sub-trust under CST II) which granted \$415,000 jointly to CFN and north coast First Nations and \$320,000 to Nanwakolas Council to support engagement in landscape reserve planning.

The remaining landscape units have a modeled, design developed by the provincial EBM Data Centre (see section 3.2.6). It is recognized that these areas will require a more refined approach once their status changes (e.g. they become a priority for First Nations, development becomes likely, etc.). However, given the need for higher quality data and long-term uncertainties such as climate change, resource-intensive planning was not warranted at this time.

The SLRDs are recognized as 'dynamic plans', open to new information from First Nations or other sources, and operationally flexible within the terms of the Framework.

Quality Assurance:

In April 2011, the TLC and independent qualified professionals developed a sampling strategy for quality assurance of SLRDs. In May 2011, 22 landscape units were selected for quality assurance review, to be

conducted by independent, qualified professionals funded by Rainforest Solutions Project, in accordance with the TLC guidance. The overall task was to review the degree to which the draft SLRDs met the LUO objectives and effectively implemented co-location with focal species habitat. Twenty three SLRDs were reviewed by MoE, primarily for their effectiveness in meeting habitat requirements for focal species. These two review processes used mostly different landscape units; however, a few landscape units were common to both types of review.

The comments from these reviews were provided to the professional planners who considered the information for the next and final version of the SLRDs.

Conservation Gap Analysis:

The Framework contemplates the development of low, moderate and high risk thresholds for focal species on a G2G basis.

Between December 2009 and January 2010, the TLC focal species subcommittee coordinated focal species expert workshops funded by Rainforest Solutions Project (RSP). The thresholds represent the amount of habitat needed to maintain a minimum viable population of each species, within considerable bands of uncertainty. By fall 2010, the Joint LRF had ceased to meet, and no response was received on the recommendations that were provided to the LRF in July 2010. In this respect the TLC's recommendations on focal species thresholds remain draft pending endorsement by the G2G parties.

The Framework also requires the spatial identification of any gap between the reserve design and the high risk thresholds, and to identify strategies to reduce gaps, where they occur.

Between October 2010 and June 2011, the TLC carried out a conservation gap analysis with the SELES²³ model, to assess at a strategic scale the level of risk to focal species and old forest growth, and if necessary to identify problem areas that might require closer analysis. Risk thresholds were defined in terms of natural habitat, and extrapolations were made from current suitable habitat. For four of the five focal species, the amount of suitable habitat captured in the SELES model indicated that management of these four species does not exceed the high risk thresholds, either in the entire plan area, or in any of the sub-regions. No high risk threshold was available for Northern Goshawk natural habitat and there is uncertainty around the data and use of the Goshawk territory model. Further work is being carried out by the licensees and other EBM partners on questions around the management of Northern Goshawk. The TLC's July 2011 'SELES Draft Landscape Reserve Design and Conservation Gap Analysis' and recommendations are awaiting a G2G decision.

In part to address the LRF's revised timelines for the SLRD, JSP agreed in June 2010 on a voluntary interim measure to manage to a minimum of 30% total old forest in order to avoid exceeding high risk. On July 4, 2011, the Province circulated this agreement to all tenure holders in the region to ensure that practicing professionals were aware of this information.

Detailed Landscape Reserve Plans (DLRPs)/Hard Reserve Designation:

The Framework identified that DLRPs would be developed for priority landscape units by March 2011 and for remaining landscape units by March 2014. As described above, the LRF agreed to some revisions in the planning process and timelines. Appendix 2 of the Conservation Gap Analysis describes in detail

²³ http://www.gowlland.ca/about_gowlland/SelesBrochure.pdf

the evolution of the SLRD and DLRP processes since 2009. With the completion of draft SLRDs for priority landscape units in early 2012, it is expected that detailed landscape reserve design will consist of the identification and establishment of ‘hard reserves’ to protect specific values where necessary. Hard reserves require rigorous work at the 1:5,000 map scale.

Hard reserves are defined as a protected area or other mapped landscape level reserve that is: (a) intended to be maintained on the land base in the same place through time; and (b) formally designated under specific provincial legislation and recognized as contributing to the fulfilling the “landscape conservation budget” for the purposes of landscape reserve planning. All parks, conservancies, and BMTAs in the EBM region are already legally established. Examples of hard reserves in the EBM Operating Areas include Wildlife Habitat Areas, Ungulate Winter Ranges and Old Growth Management Areas. This work will be completed through the new G2G governance structures and then through the Province’s existing legal processes depending on the type of reserve to be established.

Soft reserves are defined as mapped landscape reserves that: (a) are intended to be maintained in the same place over time, but may be re-located if the same values can be protected elsewhere; (b) have not been formally designated under the legislative tools mentioned, and (c) contribute to the “landscape conservation budget.”

3.2.6 EBM Data Centre

To support EBM implementation, the Province committed to “a functional data management/decision support framework (to address proprietary and architecture issues required to establish a common data base that can be easily referenced by governments and stakeholders)”. The EBM Data Centre provides several functions and services including digital EBM data management, a single point of contact for EBM-related data, and data sharing, storage and support. The EBM Data Centre, managed by MFLNRO staff, coordinates annual data updates and distribution of the site series surrogate spatial database; the cataloguing and acquisition of focal species habitat datasets; and data and analysis support for EBM projects such as Strategic Landscape Reserve Design.

EBM Data Centre Milestones

March 29, 2009	<p>EBM Data Management Framework:</p> <ul style="list-style-type: none"> • The framework outlined the mandate, structure, function, and requirements of the EBM Data Centre. • Functions include the maintenance of the Site Series Surrogate (SSS) spatial database and support for Strategic Landscape Reserve Design (SLRD) activities.
May 31, 2010	<p>“Strategic Analysis and Risk Assessment for the Central and North Coast Land Use Plan Areas”:</p> <ul style="list-style-type: none"> • Phase 1 of SLRD. • Three tables produced showing SSS representation, focal species protection, seral stage representation. • Risk assessment comparing SSS and focal species protection against approved thresholds. • First set of SLRD LU Group datasets posted for use by lead professionals.
December 2010	<ul style="list-style-type: none"> • 2010 update and enhancements of the SSS spatial database are complete on December 1, 2010. • The three SLRD tables are updated on December 20, 2010.

EBM Data Centre Milestones

January, 2011	<ul style="list-style-type: none"> The final Grizzly Bear habitat layer was delivered and incorporated into the SLRD resultant files. The LUO legal layers (schedules) were loaded into the data warehouse and made publicly available through iMap.
April 2011	<ul style="list-style-type: none"> The TLC Data Management sub-committee held its first meeting on April 14, 2011
May 2011	<ul style="list-style-type: none"> Automated SLRD reserve modeling using Arc AML scripts was completed. A focal species gap analysis (Arc AML scripts) based on modeled SLRD reserves was run as a companion analysis to the SELES CGA.
September 2011	<ul style="list-style-type: none"> In progress: Ongoing support for SLRD, SSS spatial database update, 2014 review.

EBM Data Centre Products

Ongoing	<ul style="list-style-type: none"> EBM data catalogue
Ongoing	<ul style="list-style-type: none"> Annual SSS spatial database updates: -RESULTS disturbance updates incorporated in November of each year
Ongoing	SLRD LU Group datasets (Updated as required)
As required	<ul style="list-style-type: none"> - Analysis products: SSS and SLRD Representation tables, Focal species CGA, Maps.

3.2.7 Terrestrial Ecosystem Mapping (TEM)

The Province committed to prioritizing Terrestrial Ecosystem Mapping (TEM) for the South Central coast region, where practicable, depending on resources. TEM provides considerably more accurate and reliable information for resource planning than older inventory systems.

In 2011, TEM was completed for 11 priority landscape units in the Kingcome and Midcoast timber supply areas (TSAs). This work provides mapping support for the implementation of old forest retention targets at the site series level. The Province committed \$500,000 for this phase of the TEM project. The project includes an evaluation of methodology and mapping results. Approximately \$1,000,000 will be spent on TEM in 2012.

3.2.8 Research

Additional EBM research has been occurring in the region. Provincial geomorphologists have been studying geomorphic and flooding hazards in the Bella Coola Valley, including assessments of landslide risk and slope stability, the outputs of which can be used to enhance safety planning for forestry workers in the area.

This work undertaken by MFLNRO also contributes to greater knowledge of the impacts of terrain instability on riparian areas. As the residents of Bella Coola are aware, there have been significant impacts in the community resulting from flooding and this research should help develop community hazard mitigation plans.

This work is part of the ongoing experimental watersheds project in the EBM Plan area to:

1. evaluate the EBM Land Use Orders that address ecological integrity and healthy, fully functioning ecosystems;

2. develop additional studies that address theoretical and applied research questions; and,
3. build new and enhance existing research partnerships.

3.3 HUMAN WELL BEING

A number of commitments aimed specifically at promoting human and community well being have been made through the Deputy Ministers' letters and formal G2G agreements. The Province and other parties have supported these commitments through various new funding initiatives including the Coast Sustainability Trust and Coast Opportunities Fund, see section 2.2 and below. It is recognized that local economies are susceptible to external market forces, and the region continues to face many socio-economic challenges resulting from high operating costs, decreased global demand for coastal British Columbia's resources, and lack of a robust global investment climate.

A number of specific projects that are intended to contribute to human well being and the well being of communities are listed below. It may be difficult to directly attribute changes in human well being to a specific resource management plan or initiative, however, by tracking and monitoring changing conditions, the province can work to generate additional momentum to enhance this goal.

3.3.1 Social Capital

The EBM governance framework has contributed to capacity building, training and enhanced information sharing for many communities in the region. This improved "social capital" benefits the region by laying the foundation for further economic development and improvements to human well being. Relationship building between technical and operational staff has occurred and continues to enhance coordination and information sharing for land and resource applications and decisions. An example of this success can be seen with the Nanwakolas Clearinghouse, which originated from the 2006 Agreement in Principle with the Nations who formed Nanwakolas Council.

3.3.2 Funding sources for EBM implementation

Coast Sustainability Trust:

The original Coast Sustainability Trust was established in 2002 by the Province of British Columbia to mitigate adverse impacts arising from Land and Resource Management Plan (LRMP) land use planning decisions in the Central Coast, North Coast, and Haida Gwaii. The CST started with \$35,000,000, of which \$25,000,000 was allocated to mitigate impacts to forest workers and contractors (the Mitigation Account), and \$10,000,000 to communities related to the implementation of EBM (the Matching Fund).

Nearly \$13.7 million were allocated from the Mitigation Fund before it was terminated in 2005. Any undisbursed funds in the Mitigation fund were required by the CST Trust Deed to be rolled into the Matching Fund as of March 31, 2005. At that time \$12,258,170 was rolled into the Matching Fund.

The original trust agreement had directed that the Trustee had until March 31, 2007 to terminate the Trust. The original expectation of equal disbursement of remaining funds to eligible beneficiaries no longer seemed appropriate, given that about \$20 million remained in the Trust. With the unanimous agreement of the Steering Committee and Advisory Board, local government and community representatives as well as First Nations, the Trust was rolled over as the Coast Sustainability Trust II.

The CST II remains structured as previously but grant authorizations have increased from 50% to 75% for the first \$50,000 of a project and maximum funding has moved from \$100,000 to \$250,000 per project.

The CST II will be wound up when all funds have been disbursed, or when the remaining funds are insufficient to justify continuing to operate the CST II. If that happens, the Trustee will transfer the remaining balance to one or more entities that have a mandate similar to that of the CST II, on condition that the transferred CST II funds will be used in a way that is consistent with the purpose of the CST II.

While the Community Matching Fund and EBM Matching Fund have existed since the formation of the original Coast Sustainability Trust, a number of sub-trusts have been established and terminated since CST initiation in 2002. These have included the Economic, Scientific and Adaptive Management Development and Planning Sub-trust (ESAMDAP) and the EBM Land Use Planning Sub-trust (LUP) which were rolled into the EBM Working Group Sub-trust (EBM WG) in 2007.

The EBM Working Group supported a range of EI and HWB focused research projects aimed at identifying and providing guidance to subsequent EBM Implementation initiatives. Collectively disbursements from the ESAMDAP, LUP and EBMWG sub-trusts amounted to almost \$2 million by 2009 when the EBMWG Sub-trust was terminated and remaining funds transferred to the Adaptive Management Sub-Trust (650k). This sub-trust, which has had few disbursements to date, is intended to support Adaptive Management.

Finally, in order to support ongoing First Nations participation in landscape reserve planning, the Landscape Reserve Planning Sub-trust was established in 2009 and subsequently disbursed \$735 thousand to support Coastal First Nation, North Coast First Nations and the Nanwakolas Council engagement in this stage of planning.

Disbursements since 2002 have amounted to over \$30 million. To date, CST funding has been fairly evenly split, with 52.2% of funding going to First Nations sponsored initiatives, and 47.8% going to civic community sponsored initiatives.

The Community Matching Fund has been used to support a wide range of projects ranging from supporting internet access in remote communities to hiking trails and other facilities supporting the tourism sector and community recreation. Sectors that have received a particular focus include tourism (43.2% of approved funding), infrastructure (30.7% of approved funds) and aquaculture (16.1% of approved funds). On average a total of \$7.43 goes into approved projects for each \$1.00 of CST funds committed. The 2011 Annual Report can be accessed at this site: http://coastsustainabilitytrust.com/Forms/2011_CSTII_Annual_Report.pdf.

Estimated Employment Impact of CST supported projects

Employment tracking numbers are based on actual reported positions and do not consider the spin-off or multiplier effect of the associated projects. Note that there has been no attempt to recalculate these jobs as full time equivalent positions.

Regional Steering Committee	Full time jobs while Project Active	Part time jobs while Project Active	Full time jobs when Project Completed	Part time jobs when Project Completed
Central Coast	26	127	184	213
Comox Strathcona	83	222	202	206
Mount Waddington	69	223	176	189

Regional Steering Committee	Full time jobs while Project Active	Part time jobs while Project Active	Full time jobs when Project Completed	Part time jobs when Project Completed
North Coast	93	107	75	31
QCI Haida Gwaii	183	219	84	94
Total:	454	898	721	733

The Coast Opportunity Funds (COF)²⁴:

The COF is a unique organization born in 2007 out of mutual recognition by conservationists, First Nations governments, resource industries and governments alike that a sustainable economy is vital to conservation efforts in the Central Coast, North Coast and Haida Gwaii areas of the Great Bear Rainforest of coastal British Columbia.

Designed as a global model of what conservation must become - an inherent part of healthy economies, environments and cultures – the two funds are dedicated to empowering the First Nations in the Central and North Coasts and Haida Gwaii in achieving healthy and vibrant economies and communities in partnership with the long term protection of their homelands for the benefit of future generations.

The COF includes two accounts: the **Coast Economic Development Society (CEDS)** which comprises \$58 million to support eligible sustainable businesses and community-based employment opportunities in the project area; and the **Coast Conservation Endowment Fund (CCEF)**, a permanent endowment fund of \$56 million designed to ensure the ecological integrity of the world’s largest intact coastal temperate rainforests.

Project funding through the CEDS is from capital, and the fund is scheduled to be fully expended by 2014. The CCEF makes allocations based on income from investments and is expected to make ongoing grants in the amount of \$1.5m to \$2.5M annually. Participating First Nations are eligible to receive support from the two funds. The 2010 COF Annual Report states that a total of \$19.5 million was distributed between October 2008 to December 31, 2010 to facilitate “healthy vibrant economies and communities in tandem with the conservation of their homelands for the benefit of future generations” (p.3). The 2010 COF Annual Report can be found here: http://www.coastfunds.ca/system/files/FINAL%20-%20COFAR2010-Jun16-2011-web_1.pdf.

The CEDS awards show how First Nations are pursuing a diversified approach towards their economic objectives. While some projects are narrowly defined, for example, a restaurant or the reopening of a fish plant, First Nations are also investing in the foundations for a broader economy through the establishment of economic development corporations and through strategic economic planning. Measurable results from such investments will be more difficult to quantify in the short term, however it is anticipated that their benefit in the longer term will be substantial.

First Nations Clean Energy Business Fund (FNCEBF)²⁵:

The FNCEBF, established by the Province pursuant to the 2010 Clean Energy Act, provides funding for First Nations to enable their participation in local clean energy initiatives. The fund has an initial

²⁴ <http://www.coastfunds.ca/about-overview-funds>

²⁵ <http://www.gov.bc.ca/arr/economic/fncebf.html>

appropriation of up to \$5 million. The FNCEBF aims to promote increased First Nations participation in the clean energy sector within their asserted traditional territories and treaty areas through agreements between the BC Government and the eligible First Nations to:

- Provide capacity development funding to support First Nations to undertake activities such as feasibility studies or to engage with proponents of clean energy projects (Capacity Funding);
- Provide grants to qualifying First Nations to help acquire equity positions in clean energy projects or assist in the undertaking of their own community clean energy project (Equity Grant); and
- Share in the revenues from clean energy projects based on new, net, incremental revenues to government derived from water rentals, land rents and eventually wind participation rents (Revenue Sharing).

3.3.3 Forestry Agreements

Community Forest Agreements:

In December 2006, the Province allocated 20,000 m³/year of timber over 48,614 ha, to the Nuxalk First Nation which operates a community forest license on nine tracts of Crown land near Bella Coola.

In May 2007, the Province allocated 30,000 m³/year of timber over 79,888 ha, to the Bella Coola Community Forest Association. The Association is a non-profit group that works to improve human well being in the Bella Coola Valley by managing a locally controlled, financially sound and environmentally responsible community forest business. This ongoing Agreement allows revenues from resource extraction to be retained in the community to support other health, social or economic development.

Forest Consultation and Revenue Sharing Agreements (FCRSAs)²⁶:

To date, FCRSAs have been signed with 18 First Nations²⁷ in the plan area. The FCRSAs are intended to strengthen the G2G relationship between the parties and focus efforts on closing the socio-economic gaps that exist between First Nation and non First Nation communities in BC. In addition, the November 28, 2011 Nanwakolas Reconciliation Protocol includes a Forestry Agreement (Schedule B).

In return for a share in the resource revenue resulting from harvesting in the Nations' traditional territories, the FCRSAs lay out a comprehensive consultation structure which creates efficiencies for licensees and operators when First Nation input is needed to support provincial decision making. Revenue distributed to First Nations under these agreements is also intended to build capacity for First Nations and enable ongoing participation in forest and range consultation processes. (Note: FCRSAs have been negotiated across the entire Province, and reflect a significant, recent revenue-sharing change that has implications for human well being on the Coast).

3.3.5 Enabling conditions

Forest Licensees operating in the EBM area had substantial revisions to licenses, tenures and agreements as a result of the establishment of Conservancies and BMTAs. Guided by existing legislation, the Province committed to providing fair and timely compensation for reductions related to the establishment of areas where forestry is no longer allowed. Full settlement under Section 60 of the

²⁶ http://www.newrelationship.gov.bc.ca/agreements_and_leg/forestry.html

²⁷ Homalco: signed 9 February 2011. Cape Mudge (We Wai Kai); Namgis; Lax Kw'alaams: signed 31 March 2011. Kitasoo-Xai'xais; Heiltsuk; Wuikinuxv; Gwa'sala-'Nakwaxda'xw; K'omoks ; Gitga'at; Haisla; Metlakatla; Kitselas: signed 26, April 2011. Kitsumkalum: signed 11 May 2011. Da'naxda'xw-Awaetlala: signed 29 July 2011. Wei Wai Kum: signed 8 September 2011. Kwiakah: signed 5 Oct. 2011. Mamalilikulla-Que'Qwa'sot'Em: signed Feb 2012

Forest Act has been achieved with one major licensee and negotiations with all others are well advanced.

Disproportionate impacts:

Identification of operating areas is a negotiated exercise that requires license holders to identify their business needs and work with other license holders to achieve mutually acceptable outcomes. MFLNRO has facilitated a process to allocate operating areas to ensure that existing licensees have some equity in business chance and to ensure that First Nations have operating areas for new tenures in the Mid-Coast Timber Supply Area. This process is nearing completion and preliminary work to begin a process in the North Coast Timber Supply Area has been conducted and is targeted for completion in 2012.

EBM cost allowance:

The EBM cost allowance has been in effect within the Coast Appraisal Manual for several years. The results of annual cost surveys have been considered and have not led to any adjustments to the cost allowance at this time.

3.3.6 Agreements for Marine EBM Planning

Although it is not part of the EBM mandate on the Central and North Coast, the Province is currently engaged in many marine initiatives involving federal agencies, First Nations governments and stakeholders. These include conservation planning initiatives such as marine protected area planning, integrated marine planning, ecosystem based management in the coastal and marine environment, economic opportunities analyses, authorizations regarding tenure allocation, and strategic level planning for the future of our marine resources.

Currently the Province is engaged with First Nations on an EBM based marine planning initiative, called the Marine Planning Partnership for the Pacific North Coast (MaPP). The MaPP process will result in four sub-regional marine plans (Haida Gwaii, North Coast, Central Coast, and North Vancouver Island), and one overarching regional strategy. The plans, expected to be completed by December 2013, will use an ecosystem based approach, and will endeavour to promote economic opportunities for marine based communities, while maintaining social, cultural, and ecological values. The Province continues to engage with the federal government on the Pacific North Coast Integrated Management Area (PNCIMA) process, and will work to align the products and outcomes of the MaPP process to the broader scale PNCIMA work.

3.3.7 CFN Reconciliation Protocol

A key mechanism for addressing human well being commitments and delivering focused, specific outcomes has been the negotiation of reconciliation protocols. The first Reconciliation Protocol was successfully negotiated with the Coastal First Nations (CFN) regional organization in December 2009 and subsequently amended in December 2010 with the addition of the Nuxalk Nation to the agreement.

The CFN Reconciliation Protocol provides concrete measures to address both governance and economic development interests. The Coastal First Nations Reconciliation Protocol governance forum is intended to be the primary vehicle for addressing regional matters pertaining to regional policy issues, coordination of land and resource decisions, discussions respecting sustainable economic development and furthering the implementation of the Transformative Change Accord and the New Relationship. A section of the Reconciliation Protocol provides detailed direction respecting the following specific economic development measures.

Carbon offset revenue sharing:

This agreement has been completed and is called the Atmospheric Benefits Sharing Agreement (ABSA).

First Nations forest licenses and tenures:

At present negotiations are continuing to identify areas where First Nations may undertake forest harvesting. This has proven to be a complex issue but areas have been identified for Central Coast CFN members; identification of areas for North Coast CFN members is ongoing and may require further analysis and negotiation.

Enhanced access and economic opportunities in conservancies:

Led provincially by BC Parks and MFLNRO, negotiations have been ongoing with CFN members to identify and allocate areas for economic development opportunities within Conservancies and more broadly across their traditional territories. At the present time, negotiations are continuing but to date no agreements have been achieved.

Alternative Energy Action Plan:

CFN members identified the need for a consistent and coordinated approach to alternative energy development across the region containing their territories. After considerable effort a detailed Alternative Energy Action Plan has been forwarded to the Ministers of Energy and Mines and Aboriginal Relations and Reconciliation for approval. Although formal approval has not yet been received, the Clean Energy Working Committee is moving forward on implementation of the plan.

Clean Energy Initiatives:

Many remote communities in the North and Central Coast are dependent upon diesel generators to support their residential and commercial needs but would prefer to use hydro electric power for their communities' needs. An investigation into the potential for the Coast to provide hydro-electric power to the grid, and to local communities has been done and a report has been presented to the Province and First Nations. It is anticipated that some communities (Oweekeno, Bella Bella, Klemtu, and Hartley Bay) could not only fulfill local electricity needs, but also generate revenue for the community by selling surplus power to BC Hydro. The Clean Energy Action Plan Working Group and its Technical Group will continue until March 31, 2012. The Working Group will provide quarterly progress reports to the Executive Level of the Governance Forum for the Coastal First Nations and Province of British Columbia Reconciliation Protocol.

New ferry dock at Klemtu:

In December 2009, the Premier announced that a new ferry terminal would be constructed at Klemtu in the Kitsoo/ Xai'Xais traditional territory. The terminal opened in August 2011. The construction project provided over 150 jobs in the region and provides for safer travel for residents to access health services, education and employment opportunities. The new terminal also allows for tourism expansion and easier shipment of goods and services to the Kitsoo First Nation community. The terminal was completed under a joint federal/ provincial venture, where each level of government contributed \$12.5 million.

Provincial staff present at the cedar ribbon-cutting ceremony lauded the addition of traditional art in the form of a totem and canoe at the terminal that will facilitate greater education about the culture of the Kitsoo and BC's First Nations' history. The new terminal will be an important port for tourist visitors who can access unmatched ecotourism, kayaking and boating opportunities in the Great Bear Rainforest.

The CFN Reconciliation Protocol can be viewed here:

http://www.newrelationship.gov.bc.ca/shared/downloads/Haisla_Amending_Agreement_Nov2011_signed.pdf.

3.3.8 Nanwakolas Reconciliation Protocol

The Nanwakolas Reconciliation Protocol signed on November 28, 2011 will help five First Nations - the Mamalilikulla-Qwe'Qwa'Sot'Em, Tlowitsis, Da'naxda'xw, Gwa'sala-'Nakwaxda'xw and K'omoks First Nations - develop their economy through opportunities in forestry, tourism and clean energy. Additionally, revenue-sharing for tourism, mines and clean-power projects that may be developed will be discussed. Carbon-offset sharing opportunities will be implemented in respect of the South Central Coast portion of the First Nations' territories, and economic opportunities in tourism will be provided to the First Nations.

Through the Reconciliation Protocol the five First Nations have access to 52,993 m³ of timber per year in various replaceable licenses and 39,457 m³ per year in five-year, non-replaceable licenses. The Protocol also commits the First Nations and Province to reach agreement on a model for joint-decision making on strategic forest management issues and enhanced forestry revenue-sharing and increased amounts of forest tenure, which will provide stability and certainty for all forestry operators in the area.

The Reconciliation Protocol also focuses on strengthening First Nation community prosperity and social development. The First Nations will identify their social priorities and then collaborate with the Province to determine programs and services that will help them achieve their human well-being objectives.

The Nanwakolas Reconciliation Protocol can be found here:

http://www.newrelationship.gov.bc.ca/shared/downloads/FINAL_signed_Nanwakolas_Recon_Protocol_Jul292011.pdf

4. NEXT STEPS

The next steps which will conclude this phase of EBM implementation and deliver on the commitments made by March 31, 2014 are:

- Completing a minor Land Use Order Amendment to include the latest Grizzly Bear mapping;
- Completing hard reserve designations in a G2G process;
- Reviewing the 2009 legal Land Use Orders and amending them if necessary;
- Completing Terrestrial Ecosystem Mapping (TEM);
- Completing the work on mitigation, chart impacts and appraisal allowance (i.e. enabling conditions);
- Establish adaptive management and monitoring processes; and
- Complete management planning for conservancies.