



wildsight

January 18th, 2018

Hon. George Heyman
Minister of Environment and Climate Change Strategy
ENV.minister@gov.bc.ca; George.Heyman.MLA@leg.bc.ca

Re: Review of Professional Reliance

CitizenEngagement@gov.bc.ca
Mark.Haddock@gov.bc.ca

Dear Minister Heyman,

Wildsight appreciates the opportunity to comment on the province's review of the professional reliance (PR) model that is a central component of natural resource management in British Columbia. While Wildsight has worked with very competent qualified professionals (QPs) from across the spectrum of disciplines from both within and outside industry since the implementation of the professional reliance model, it is clear that this model does not work for the best interests of British Columbians and protection of our shared environment. It is time for a full overhaul of how resource management is directed and overseen.

As you are aware, both the Attorney General's *Audit of Compliance and Enforcement of the Mining Industry* and the Forest Practices Board's bulletin *Professional Reliance in BC's Forests* expressed serious concerns that the professional reliance model fails to meet the expectations of British Columbians for protection of the environment and human health. These concerns are echoed by the general public as well as professionals themselves who, despite professional ethics, all too often feel the need to prioritize employers' needs over those of the environment and the public good.

While the Auditor General's audit and the Forest Practices Board bulletin do a good job of covering the failure of the professional reliance model, we would like to emphasize some of those concerns in light of our own experience of working on a regular basis with both the forest and mining industries in the Kootenay region.

Previous to the revision of the Forest Practices Code into the Forest and Range Practices Act, Wildsight worked closely with Ministry of Environment biologists in review of forest plans, from Forest Development Plans down to site plans in areas with high environmental and wildlife values. With the change to PR, ministry professionals were no longer on the job and participating in regular plan reviews.

Not only were government staff no longer approving plans, they were not reviewing them and specifically told not to make recommendations as planning was in the hands of industry paid professionals. This left the responsibility for plan review to public groups such as Wildsight or other tenure holders. These groups are seldom resourced to the point necessary to fully review all of the plans in a given region, and have no authority in regard to approvals. While QPs in the employ of industry are often competent and sensitive to environmental values, planning decisions that affect environmental values are too often influenced by pressure to deliver wood to the mill and at lowest possible cost. The decision making professionals do not always have access to the expertise of other professionals, e.g. foresters making decisions that require input of biologists, soil scientists, hydrologists etc. The broad and vague regulations of FRPA result in plans that previously would have been modified with the input and approval of ministry staff tasked to manage the resource for the common benefit of British Columbians.

Similarly, in the mining sector where research and planning are in the hands of industry paid professionals, reliance is placed on decisions made by individuals whose livelihood depends upon satisfying the needs of their employer to proceed to mining. The full spectrum of expertise necessary is not necessarily included in decisions. Limited data is available to the public, outside professionals and even government in order to assure that decisions are being made in the public interest. We do not have to look far in British Columbia to note failures of both existing facilities like Mount Polley or the long list of closed mines that continue to pollute the environment at public expense.

While these examples point to the need for significant changes in legislation and regulation of both the forest and mining industries, the reliance on professionals in the direct employ of industry is a common theme that has led to the failure to adequately protect the environment and human health.

We wish to emphasize:

- Legislation must be clear that Qualified Professionals making resource management decisions must work for the public, regardless of who they are paid by. QPs should be acting at arms length from project proponents. It is critical that proponents do not have undue influence on information, reports or recommendations by QPs and that all information is publicly available.

- The natural resource management decision making process must be transparent and accessible to the public, First Nations and provincial agencies with sufficient time for review and influence on decisions. There must be a mechanism for changes or rejection of decisions when there are potential impacts on public values.
- Resource decisions often require the expertise of qualified professionals from more than a single discipline. This must be recognized and accounted for in the decision making process.
- Legislation in regard to natural resource management must be designed to maintain and enhance healthy ecosystems and be clear, enforceable and enforced.

Wildsight is a member of *Organizing for Change* and we are submitting comments through a joint submission of all of our groups. Those comments are important and supplemental to our comments here.

Wildsight commends the provincial government for taking initiative to review the natural resource decision making model. We look forward to changes in legislation that will more fully engage the public and government staff in natural resource management. We hope to be working more effectively with government, First Nations and industry within a revised management structure that includes expanded oversight and participation in management decisions.

For the wild,

A handwritten signature in black ink, appearing to read 'J. Bergenske', with a stylized, cursive script.

John Bergenske, Conservation Director

john@wildsight.ca

p 250 422 3566 c 250 489 9605