

# What should Applied Biology Professionals know about BC's new Environmental Mitigation Policy?

**THE BC MINISTRY** of Environment (MoE) and the Ministry of Forests, Lands and Natural Resource Operations (FLNRO), along with the Environmental Assessment Office (EAO) and other natural resource management agencies are implementing a new policy to support a consistent approach towards mitigating impacts on environmental values from development projects and activities.

In April 2014, the Natural Resource Board (NRB) endorsed the Policy for Mitigating Impacts on Environmental Values (aka: Environmental Mitigation Policy, or "EMP") and associated Procedures, making it formally available for implementation within the natural resource sector.

The EMP is targeted towards proponents, qualified professionals, government staff, and decision makers. It provides guidance on the preparation of mitigation plans, as well as supporting more consistent, transparent and durable decision-making within government. It can apply to all levels of projects and supports a suite of natural resource legislation. Though the EMP on its own does not create any new legal requirements, proponents are encouraged to follow the policy and procedures when planning projects and submitting applications, and may be required to adhere to the policy if included in the conditions of a permit or authorization.

The core of the policy is the Mitigation Hierarchy, a step-wise progression that prioritizes avoiding effects ahead of minimizing or counteracting them. The hierarchy is this: avoid, minimize, restore on-site, offset. That is to say, all feasible measures of avoiding an impact on an environmental value must be considered first before moving to minimize; all feasible measures to minimize impacts must be considered before moving to restore on-site, and so forth. Seems intuitive, right? In most cases this would be the process by which mitigation planning for a project would proceed. However, with increasing focus on offsetting as a mitigation tool (both in literature and in practice globally), there is a danger that the consideration of avoidance and minimization may fall to the wayside in favour of a 'quick payoff'. This policy addresses that issue as the EMP formalizes the BC government's approach to mitigation: offsetting is an acceptable mitigation measure but

can only be considered once all other steps in the hierarchy have been addressed. It is the last tool in the mitigation toolbox, and is not a payoff. Offsets must deliver a tangible, measureable, on-the-ground conservation outcome. The Policy and Procedures outline several options for offsets, including offsite restoration, habitat securement, and habitat enhancement. Financial offsets are also considered under the Policy and Procedures. However, because of limited authority for financial transactions under the statutes, decisions must be made on a case-by-case basis and the principles of transparent, science-based decisions, best conservation outcome, and ecological equivalency are brought to these considerations.

The policy is not strictly about offsets. Additional guidance on linking mitigation measures directly to effects and identifying ecologically equivalent offsets is included, and monitoring the implementation and effectiveness of mitigation measures is also a key piece of the Policy.

For applied biology professionals, the concepts in the EMP are not novel. We may begin to see changes in how environmental application information is requested by government or stakeholders. We expect to see a greater focus on clearly identifying how proponents have addressed avoidance and minimization and clearly determining residual impacts on all valued components. As the desire for transparency around environmental decision-making increases, the EMP will provide guidance on how to structure mitigation planning and information to ensure greater accountability.

The full Policy and Procedures documents, FAQs, policy development history and supporting information are available on the Policy website: <http://www.env.gov.bc.ca/emop/>. Information sessions are being offered for interested groups. Contact Carrie Nugent ([Carrie.Nugent@gov.bc.ca](mailto:Carrie.Nugent@gov.bc.ca)) to book a session. 

Contributor: Carrie Nugent, RPBio, Standards and Guidelines Specialist at MoE