



Report to Council

From the Office of Councillor Amy Lubik

Date: March 5, 2020
Subject: Support for a British Columbia Coastal Protection Strategy

Purpose

To gain support from Council to write a letter of support for a Coastal Protection Strategy and Law as proposed by West Coast Environmental Law and Canadian Parks and Wilderness Society, and submit a resolution calling for a Coastal Protection Strategy to UBCM.

Recommendation

THAT the following resolution regarding Support for a BC Coastal Protection Strategy be endorsed by the City of Port Moody and forwarded for consideration at the 2020 UBCM convention as recommended in the report dated March 5, 2020 from Councillor Amy Lubik regarding Support for a BC Coastal Protection Strategy:

WHEREAS, unlike all the Atlantic provinces, B.C. has no comprehensive coastal and marine strategy, a B.C. coastal strategy will clearly articulate provincial jurisdiction and enable the province to better engage with other governments and communities; no marine counterpart to the B.C. Land Act exists, and piecemeal legislation and policy govern numerous coastal marine activities;

AND WHEREAS A B.C. Coastal strategy will provide a vision and objectives to guide actions in the increasingly crowded coastal zone and highlight the importance the government places on these vital areas such as sensitive marine ecosystems, and vulnerable species, as well as their importance to protecting our coastal communities and economies;

THEREFORE BE IT RESOLVED THAT UBCM request the BC government to develop and enact a coastal strategy and law to leverage and coordinate the work of provincial ministries, First Nations, local communities, and stakeholder groups to preserve coastal and ocean health, halt coastal habitat loss, accelerate the completion of a network of marine protected areas to benefit fisheries, biodiversity and the economy, set marine environmental quality objectives from upland activities, and help communities adopt ecosystem-based approaches to manage risks from flooding due to extreme weather events, sea level rise, climate change, and ocean acidification.

AND THAT Port Moody write a letter of support to the BC Minister of Environment, Minister of Agriculture, Minister of Indigenous Affairs and Reconciliation, and the Premier of British Columbia in support of a Coastal Protection Strategy.

Background

Port Moody has consistently been shown as a leader in environmental stewardship. We have declared climate emergency, created a climate action strategy, sought compensation for environmental destruction from fossil fuel companies, and acted as a commenter in the TMX pipeline issue. In early 2020, correspondence was received from the Canadian Parks and Wilderness Society and West Coast Environmental Law regarding a Coastal Protection strategy (**attachment 1**); we now have the opportunity to ask BC to be bold and enact a coast protection strategy with laws that make sure such a strategy has teeth. As a coastal community which will be impacted by sea-level rise, this is particularly important issue.

Responsibility for coast protection is currently piece-meal. The province of B.C. used to have a provincial Ministry of Fisheries, which became a division, then a branch. Now coastal and marine responsibilities are scattered throughout various Ministries. A law could establish a new governance body such as a B.C. Coastal Management Council or Authority. The Government of B.C. should take a holistic approach when addressing the many issues facing coastal communities which include but are not limited to sea-level rise, flooding, and loss of coastal lands due to climate change, but also protecting key coastal habitat for birds and forage fish. This could be a vital part of climate action and adaptation in BC.

Discussion

BC can benefit from the experience of other jurisdictions as it develops a coastal strategy and law as outlined in attachment 2 (Caring for our Coast: Lessons for BC from Coastal Management Laws around the World).

British Columbia's iconic coast extends for tens of thousands of kilometers and is relied upon by millions of people. It is one of the largest coastal jurisdictions in the world. And the future of the coast is in peril - declining biodiversity, intensifying climate change impacts, and increasing conflicts over resources are a few challenges BC is currently facing. Yet, despite the importance of the coast to BC's culture and economy, many are surprised to learn that we don't have a comprehensive provincial coastal strategy or law to care for the coast. By contrast, most other coastal provinces, states, and many other countries have coastal management strategies and laws. In the US, 34 of 35 coastal states have Coastal Zone Management programs. If they can do it, why can't we?

In BC, no provincial law requires collaborative planning along the coast. As a result, some of the province's busiest coastal and ocean areas have no guiding plan whatsoever. Nonetheless, BC has made considerable progress in developing coastal and marine plans. For example, the provincial government co-led the Marine Plan Partnership (MaPP) with 17 First Nations along the coast and produced Canada's first marine spatial plans with ocean zoning, involving stakeholders in a collaborative process. The MaPP marine plans provide spatial solutions to prevent user conflict, implement ecosystem-based management, and clarify complex jurisdictions. However, in the absence of legislation to ensure these plans are followed, the plans do not have any teeth, and risk being ignored, both by third parties and government decision-makers. Other jurisdictions require legally binding coastal and marine plans. So should we.

When it comes to sea level rise, BC's own assessments have identified many stretches of coastline that are particularly vulnerable to climate impacts. Scientists are now projecting an acceleration of the rate of sea level rise, with unknown consequences for marine and coastal life. Some potential impacts include loss of property due to erosion and permanent inundation, saltwater intrusion into coastal aquifers, and loss of cultural and historical sites. In addition to this, rising temperatures, changes in the geographic range of key species, increased frequency and severity of coastal storms and acidification will all have significant impacts on coastal communities and ecosystems. Strategies are needed to support adaptation to a climate change future.

BC has developed sea level rise guidance to assist local planning, but more needs to be done to ensure that all communities are safe, to guard against property damage, and to protect and manage coastal ecosystems. Other jurisdictions have enacted coastal management laws that set clear rules for coastal development, ensure new developments are safe in a changing climate, and protect sensitive coastal ecosystems. As should BC.

Effective coastal management requires coordination among several provincial ministries, as well as Indigenous, federal and municipal governments. A coastal management law can clarify the responsibilities of the provincial and local governments and ensure improved cooperation and coordination among all orders of government. Without coordinated governance, gaps and overlaps in jurisdiction arise resulting in piecemeal and patchwork management of the coast and inefficient decision-making. The lack of clarity also creates confusion and conflict between users and governing bodies, and results in cumulative impacts that are not adequately measured or addressed.

The new BC Declaration on the Rights of Indigenous Peoples Act requires that all provincial laws be in harmony with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). This requires the Province to effectively engage with Indigenous governments in a coordinated manner. A coastal management strategy and law can proactively ensure provincial decision-making along the coast complies with UNDRIP.

Other jurisdictions have established through law a specialized agency as a 'one-stop shop' for coastal management. Internally, this ensures government resources and capacity are allocated efficiently, and that policy and decision-making are coordinated instead of being spread across different ministries and working groups. Externally, this supports communication, cooperation and action with other orders of government and ensures the public knows where to go with coastal issues.

As West Coast Environmental Law states (**attachment 2**), the BC government has considerable jurisdiction to regulate the coast. A provincial coastal management strategy and law could address many other coastal issues not mentioned in this brief including: oil spill response, marine debris, land-based marine pollution, moorage, blue carbon, coastal habitat restoration, ocean renewable energy, community-based fisheries, aquatic plant harvest and protection, provincial contributions to orca recovery, and aquaculture. Without such a strategy and law, BC

puts the ecological integrity of the coast as well as the economic and cultural future of coastal communities in jeopardy.

Further, supporting information can be found in attachment 3.

Other Option(s)

THAT the report dated March 5, 2020 from Cllr. Amy Lubik regarding Support for a BC Coastal Protection Strategy be received for information

Financial Implications

There are no financial implications associated with this report.

Communications and Civic Engagement Initiatives

There are no communication and civic engagement initiatives associated with this report.

Council Strategic Plan Objectives

This report supports the following council strategic objectives:

- Bold Environmental Leadership
- Climate Action
- Reconciliation

Attachment(s)

1. West Coast Environmental Law – Brief - Protect the Coast A New Coastal Strategy and Law for British Columbia
2. West Coast Environmental Law - Caring for our Coast: Lessons for BC from Coastal Management Laws around the World
3. West Coast Environmental Law FAQ - Provincial Jurisdiction of British Columbia Over Coastal and Ocean Matters.