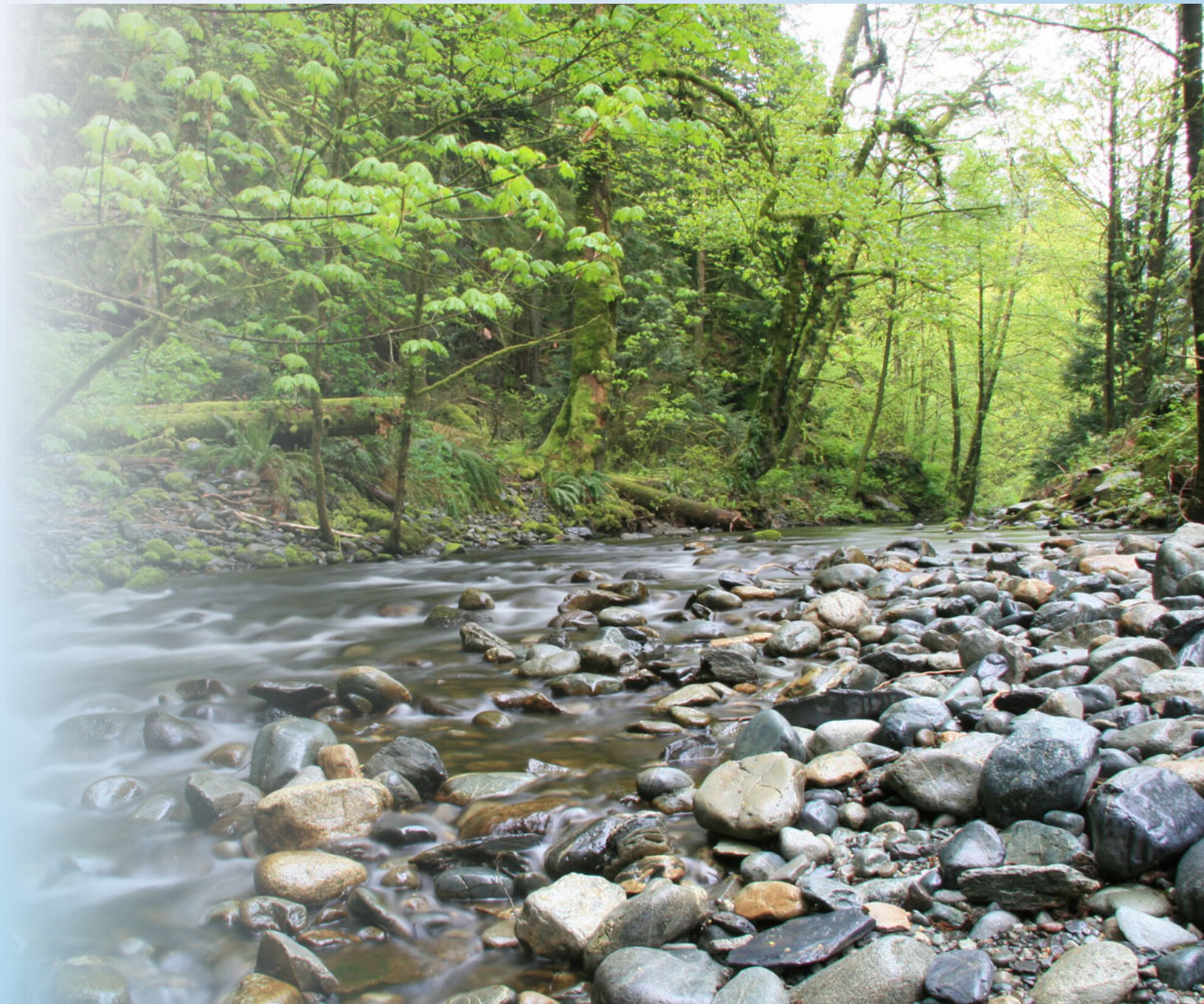


STRIKING A BALANCE:

THE CHALLENGES OF USING A PROFESSIONAL
RELIANCE MODEL IN ENVIRONMENTAL PROTECTION
– BRITISH COLUMBIA'S *RIPARIAN AREAS REGULATION*



The Office of the

mbudsperson

B.C.'s Independent Voice For Fairness

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FROM THE OMBUDSPERSON

One of the important and recurring roles of government in modern society is to find an appropriate balance between two sometimes competing public interests such as development and environmental protection. In Canada, finding that balance can be particularly challenging when many levels of government — federal, provincial and local — have a role to play in protecting the same environment. As well, in recent years achieving this balance has become more complex. Many governments have moved towards a less prescriptive model of environmental protection that relies on proponents of a development hiring or having their own professionals conduct assessments of the environmental effects of certain activities. This change is based on the expectation that such professionals will apply the correct methodology, produce consistent results and provide the best advice available for protecting the environment. The role of public servants in this professional reliance model is to monitor compliance by these professionals with statutory or regulatory requirements.

Those challenges and complexities are reflected in the subject matter of this report which focuses on the *Riparian Areas Regulation (RAR)*. The *RAR* is part of the legislative and regulatory framework which protects the natural environment in British Columbia. The *RAR* is provincial legislation that was enacted in 2005 and which provides protection to areas surrounding streams, lakes and inland waters in the most populated areas of our province from development that will damage the habitat of the fish in those waters.

While fish are a federal responsibility, inland waterways are a provincial responsibility, and development is often the responsibility of local governments. This interconnection was recognized in the formation of a *RAR* Steering Committee which has members representing the federal government, the provincial government and local governments. The story of the *RAR* is an example of what can occur when there is shared federal, provincial and local government responsibility for environmental protection.

The *RAR* also highlights the complexities of administering a program that relies on professionals hired by proponents of a development being monitored by ministry staff and having deficiencies dealt with by their own professional associations. Even with good intentions and a dedicated, but small ministry staff, over several years the promise of a program can remain unfulfilled and gaps in information, training, oversight and reporting can develop.

The Ministry of Forests, Lands and Natural Resource Operations has accepted 24 of the 25 recommendations made to it to ensure this environmental protection program functions in an administratively fair manner. In the case of the one recommendation it did not accept, Recommendation 10, which was to have all submitted reports reviewed by ministry staff, the ministry has made it clear that in its view this is not necessary in a professional reliance model. The ministry has, however, agreed to review all reports for a period of at least two years before looking at moving to a sample audit program.

I hope that this investigation into the operation of the *Riparian Areas Regulation* highlights a number of useful lessons that may assist any other environmental protection programs in British Columbia facing similar challenges.



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This investigation was initiated to examine how the provincial government has administered the *Riparian Areas Regulation (RAR)* since it was enacted in 2005.¹ This report illustrates how a gap between commitment and action can lead to administrative unfairness.

Riparian areas include the trees and other vegetation that line the banks of streams. These areas are essential to maintaining the health of streams, and, in turn, the fish that live in them, such as salmon. The *RAR*, enacted under the *Fish Protection Act*, ensures that in the 15 regional districts where it applies, riparian areas are considered and protected in the development process.

Before a landowner or proponent can begin a development project within a riparian assessment area, they must hire a qualified environmental professional (QEP) to assess the site and determine the size of the streamside protection and enhancement area (SPEA). The SPEA is the area bordering the stream within which development is prohibited. The QEP must then provide the ministry with a written report containing an opinion that the development will not harm fish or their habitat. The ministry, in turn, notifies the local government and Fisheries and Oceans Canada (DFO) that it has received the report. The *RAR* prohibits local government from approving or allowing development until notification has been received from the ministry.

The *RAR* uses a “professional reliance” model to meet its objectives. Under this model, the ministry relies on the judgment and expertise of professionals to ensure that riparian areas are adequate to protect fish habitat. The underlying philosophy is that with QEPs doing the work on the ground, government resources focus on oversight activities – monitoring, reporting and enforcement. The *RAR* is one of many environmental protection and resource management programs in British Columbia that use the professional reliance model. Our investigation highlights the challenges of implementing this model in the *RAR* context. We found that environmental protection programs such as the *RAR* must strike an appropriate balance between professional reliance and effective governmental oversight to work effectively.

Investigative Process

The public agency involved in this investigation is the Ministry of Forests, Lands and Natural Resource Operations, which took over responsibility for administering the *RAR* from the Ministry of Environment in 2010.

Our investigation included a review of provincial and federal legislation and regulations, as well as meetings with staff at the ministries. We obtained and reviewed extensive information provided by both ministries involved in the investigation. We also met with and obtained input from the public, local governments, professional associations, environmental organizations and other interested stakeholders.

¹ Throughout this report, unless otherwise specified, the term “ministry” refers to the provincial government ministry having responsibility for the administration of the *RAR*. Until October 2010, this was the Ministry of Environment. From October 2010 to March 2011, it was the Ministry of Natural Resource Operations, and since March 2011, it has been the Ministry of Forests, Lands and Natural Resource Operations.



Findings and Recommendations

This report includes 21 findings and 25 recommendations directed at the Ministry of Forests, Lands and Natural Resource Operations. This summary groups our conclusions and recommendations into four broad categories: Regulatory Authority, Oversight of the Professional Reliance Model, Oversight of Reports and Development, and Public Information, Access and Complaints. Those who are interested in the information leading to these conclusions and recommendations are invited to read the relevant sections of the full report which provide a more complete understanding of the context in which the recommendations have been made.

Regulatory Authority

In the course of our investigation, it became clear that in order to ensure that the ministry is able to effectively carry out its oversight role, regulatory change to the *RAR* was necessary.

Local Government Compliance

The *RAR* can only be administered effectively if the Ministry of Forests, Lands and Natural Resource Operations has the ability to ensure that local governments are effectively protecting riparian areas. The ministry has indicated that it is committed to supporting local governments in implementing the *RAR*. Although the ministry has also taken steps to ensure local government compliance, some local governments have not yet fully implemented the *RAR*.

Currently, the ministry cannot ensure local governments implement the *RAR*, or that local governments implement the *RAR* in a way that allows the ministry to conduct compliance monitoring.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations review, by October 1, 2014, local government implementation of and compliance with the *Riparian Areas Regulation* and report publicly on the results of that review. **(R1)**
- I also recommended that the Ministry of Forests, Lands and Natural Resource Operations work with local governments to bring them into compliance with the *Riparian Areas Regulation (RAR)*. If the ministry is not able to achieve full compliance of local governments with the *RAR*, the ministry should, by October 1, 2015, develop a mechanism to allow the ministry to require local government compliance with the *RAR*. **(R2)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted these recommendations.

Local Government Authority

Before 2011, the ministry and DFO allowed local governments to make minor variations to the streamside protection and enhancement areas (SPEAs) defined in an assessment report prepared by qualified environmental professionals (QEPs).² The British Columbia Court of Appeal found in its 2011 decision in *Yanke v. Salmon Arm (City)* that there was no legal foundation in the *RAR* for local governments to vary SPEAs established by QEPs.³

² Assessment reports are discussed further in the Monitoring QEP Compliance section of this report.

³ *Yanke v. Salmon Arm (City)*, 2011 BCCA 309.

The ministry has not updated the *Riparian Areas Regulation Implementation Guidebook* to accurately reflect the scope of local government power to vary streamside protection and enhancement areas following the Court of Appeal's decision in *Yanke v. Salmon Arm (City)*.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations clarify the scope of the authority of local governments to vary streamside protection and enhancement areas in accordance with the *Riparian Areas Regulation* and, once it has done so, update the *Riparian Areas Regulation Implementation Guidebook*. **(R3)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

Authority to Review Reports

The Ministry of Forests, Lands and Natural Resource Operations, with a staff that includes biologists and other resource professionals, is in the best position to review reports and determine whether a QEP has acted within his or her area of expertise and has followed the assessment methods. However, in its 2011 decision in *Yanke v. Salmon Arm (City)*, the British Columbia Court of Appeal found that, contrary to previous practice, the ministry does not have discretion to withhold or delay notification to local government that it has received a report from a QEP concerning a particular development.⁴ This decision raises serious questions about what the ministry can do if it determines that a report is non-compliant with the *RAR*.

The ministry itself identified the problem arising from the *Yanke* decision, the potential solution, and the negative consequences of doing nothing at all. However, the ministry has not taken reasonable steps to amend the *RAR* to allow it to postpone notification to local governments until its reviews of assessment reports are complete, or to require QEPs to amend their reports to ensure compliance with *RAR* assessment methods.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations take steps, on or before October 1, 2014, to have the *Riparian Areas Regulation (RAR)* amended to allow the ministry to postpone notification to local governments until its reviews of assessment reports are complete and any required amendments to reports to ensure compliance with the *RAR* assessment methods have been made. **(R12)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

Oversight of the Professional Reliance Model

The use of professionals to prepare reports is the distinguishing feature of a professional reliance model such as the *RAR*. Under the *RAR*, a qualified environmental professional (QEP) must prepare an assessment report to determine the size of and prescribe protective measures for the streamside protection and enhancement area (SPEA).

An individual conducting an assessment under the *RAR* should be properly qualified, trained and follow appropriate professional guidelines.

⁴ *Yanke v. Salmon Arm (City)*, 2011 BCCA 309, paras 30–31. For a summary of the facts of the case, see the Administration of the Riparian Areas Regulation section of this report.

Membership in a Professional Association

Under the *RAR*, an individual conducting an assessment must be a member in good standing of a professional association. The ministry, however, has not taken adequate steps to confirm that all persons acting as QEPs and submitting reports to the ministry are registered and in good standing with an appropriate professional association.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations develop a reliable process for confirming that, at the time an assessment report is submitted, all QEPs involved in its preparation are registered and in good standing with one of the appropriate professional associations. **(R4)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

Training and Professional Development

QEP knowledge of the *RAR* and its proper application is central to preparing a *RAR* assessment. The ministry has not taken steps to ensure that individuals who are eligible to conduct assessments under the *RAR* have successfully completed the *RAR* training course.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations take steps to amend the *Riparian Areas Regulation (RAR)* to ensure that successful completion of a training course is mandatory for all individuals who are eligible to conduct assessments under the *RAR* and that a list of individuals who have successfully completed the course is publicly available. **(R5)**
- I also recommended that the Ministry of Forests, Lands and Natural Resource Operations establish a process for regularly providing all individuals who conduct assessments under the *RAR* with updates about changes to the *RAR* or its administration. **(R6)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted these recommendations.

Development of Professional Guidelines

Although the assessment methods explain the steps involved in conducting an assessment under the *RAR*, they do not address how QEPs are expected to exercise their professional judgment when doing so. The assessment methods set out in the *RAR* provide insufficient guidance on conducting assessments and do not hold individuals who are authorized to conduct assessments to an enforceable standard of professional conduct.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations work with professional associations to draft professional guidelines for use by individuals who conduct assessments under the *Riparian Areas Regulation* that are designed to constitute an enforceable standard of professional conduct. **(R7)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

Oversight of Reports and Development

Assessment Report Expiry Dates

Once a report is submitted, it remains on the ministry's system indefinitely and cannot be removed by the QEP or proponent. Assessment reports may be completed without a clearly defined development plan many years in advance of any development actually occurring. This means that the conditions at the site may change in the time between the report being completed and the development commencing. The ministry has not established any expiry date for assessment reports.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations establish an expiry date for assessment reports. **(R8)**
- I also recommended that the Ministry of Forests, Lands and Natural Resource Operations establish a process to ensure that ministry staff, Fisheries and Oceans Canada (DFO) and local governments, qualified environmental professionals (QEPs) and proponents involved in a project that requires an assessment report are automatically notified when that assessment report has expired. **(R9)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted these recommendations.

Initial Review of Reports

Part of the ministry's compliance monitoring process is to review assessment reports. The ministry told us its goal is to gather information on QEP compliance and identify issues of concern. This allows the ministry to better administer the *RAR*.

Until July 2009, the ministry reviewed every assessment report it received. In 2009, the ministry determined that reviewing 20 per cent of reports submitted in each region would be an appropriate rate of review. The ministry did not provide us with a clear rationale for this decision. The ministry did not have information to determine whether reviewing 20 per cent of assessment reports in each region was adequate or appropriate. Having established this audit goal, though, the ministry did not meet it.

The ministry has not ensured that each region meets the ministry's goal of reviewing 20 per cent of the *RAR* assessment reports submitted each year. The ministry has also failed to establish that even if complied with, this goal would reliably identify an acceptable level of compliance by QEPs.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations review all of the *Riparian Areas Regulation* assessment reports submitted to the ministry each year. **(R10)**

The Ministry of Forests, Lands and Natural Resource Operations has not accepted this recommendation.

Monitoring QEP Compliance

Under the professional reliance model, government allocates resources to monitor the work done by professionals. The importance of ongoing monitoring of QEPs is recognized in the ministry's own documents. However, this monitoring is not a priority in most regions. The monitoring that has been done has identified levels of non-compliance that need follow-up to ensure that QEPs are working within the requirements of the *RAR*.

Since few assessment reports are being reviewed in most regions, the ministry is missing opportunities to identify and respond to non-compliance. The ministry has not ensured that processes are in place across all its regions to identify and address non-compliance by QEPs.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations ensure adequate processes are in place and utilized in each region to detect and follow up on concerns about non-compliance with the *Riparian Areas Regulation* by a QEP identified through compliance monitoring and, where necessary, to make a complaint to the QEP's professional association. **(R11)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

In addition, the ministry needs to record and track its own responses to any non-compliance, as well as those of a local government and DFO. Information about non-compliance gathered through monitoring is of little use if the ministry does not know whether the non-compliance was ever adequately addressed. The ministry does not record or track, in a centralized and accessible way, the information that it does collect through compliance monitoring, including information on whether non-compliance is referred to another public agency and, if it was, how the other agency responded.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations develop a system that:
 - (A) tracks, in a centralized and accessible way, the results of compliance monitoring
 - (B) records whether non-compliance is referred to another agency and, if it is, how that agency responds to the non-compliance. **(R15)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

Site Visits

Site visits are an essential part of the ministry's oversight of the *RAR*. Site visits allow the ministry to determine whether riparian areas are being protected. The ministry developed a statistical framework for determining the number of sites to visit each year. The ministry is not conducting the minimum number of site visits required by its monitoring framework, and is therefore unable to meet its goal of being 90 per cent confident that non-compliance is no greater than 10 per cent.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations ensure all regional offices conduct a number of site visits each year that is consistent with the ministry's site visit framework, and if the goal of 90 per cent confidence that non-compliance is no greater than 10 per cent is not met, take further steps to ensure compliance. **(R13)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

Furthermore, some sites may never be subject to a visit by the ministry. The ministry creates a list of potential sites to visit based on the reports submitted in the previous calendar year. If development has not yet occurred at a site, however, it is removed from the site visit list and is not considered for any future visits. The current process used by the ministry for selecting sites to visit exempts sites where development has not commenced at the time a site visit is scheduled.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations develop a system of site monitoring that ensures all development sites that have not yet been subject to a site visit remain eligible for selection for a site visit. **(R14)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

Monitoring Proponent Compliance

Post-development reports are an effective and efficient way of both mitigating the need for enforcement (by providing proponents with motivation to follow the QEP's recommendations) and providing local governments, DFO and the ministry with the information necessary to take enforcement measures in cases of non-compliance.

During our investigation, we reviewed assessment reports submitted to the ministry. QEPs had, in some cases, submitted a "post-development report," certifying that the development was complete and that the measures identified to protect the SPEA had been followed. Unfortunately, this does not occur regularly. There is conflicting information about whether post-development reports are required under the *RAR*, and who might be responsible for doing them.

The ministry has not established adequate and consistent requirements for monitoring proponent compliance with the *RAR* after an assessment report has been accepted by the ministry.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations develop a process, under section 5(a) of the *Riparian Areas Regulation (RAR)* for every development that triggers a *RAR* assessment, that:
 - (A) requires a post-development report be prepared by a QEP to show that the measures set out in the assessment report have been properly implemented
 - (B) tracks whether a local government has given initial approval to the development, whether development has started, and whether a post-development report has been submitted
 - (C) alerts the ministry when a post-development report has not been submitted within a reasonable time after development is complete
 - (D) requires the ministry to take appropriate action if no post-development report is submitted
 - (E) requires the ministry to review post-development reports that have been submitted and take appropriate action where the post-development report identifies non-compliance with the *RAR*. **(R16)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

Evaluating the Effectiveness of the *Riparian Areas Regulation*

Effectiveness monitoring is essential to determining the value of the *RAR* program in protecting riparian areas, as it is used to determine whether the goals of a program have been met. In the case of the *RAR*, this could mean examining whether the SPEAs are sufficient to protect the ecology of a riparian area or whether the *RAR*'s protections have led to revegetation of previously disturbed areas. The ministry does not currently have a process in place for monitoring the effectiveness of the *RAR* in protecting riparian areas.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations take steps to implement a program of regular effectiveness monitoring in all regions subject to the *Riparian Areas Regulation*. **(R25)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

Public Information, Access and Complaints

Provision of Information

The provision of adequate public information is central to the democratic principles of openness and transparency. Information is a cornerstone of administrative fairness as it allows the public to know and understand whether programs are being operated in a fair and reasonable manner. Making information about environmental protection programs available allows the public to have confidence that the government is meeting its obligations as a steward of the environment and British Columbia's natural resources.

The public should be able to easily find out who is responsible for the *RAR*, and have access to information about how the program is functioning.

The ministry did not adequately communicate the transfer of responsibility for administration of the *RAR* in October 2010 and has still not ensured that public information accurately reflects its responsibility for the *RAR*.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations, by June 30, 2014, update all its publicly available information to accurately reflect the ministry's responsibility for the *Fish Protection Act* and the *Riparian Areas Regulation*. **(R17)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

The ministry also has not ensured that public information about the *RAR* is up to date.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations review, on an annual basis, all programs it is responsible for to ensure that publicly available information is up to date and accurate. **(R18)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

The ministry has not reported on the implementation or administration of the *RAR* since it became responsible for administering the *RAR* in October 2010, and has not made any reports public since that date.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations report publicly on an annual basis about its administration of the *Riparian Areas Regulation (RAR)*, including reporting on the activities related to the *RAR* set out in the Intergovernmental Cooperation Agreement. The 2014 annual report be accompanied by annual reports for each of the years 2010, 2011, 2012 and 2013. **(R19)**
- I further recommended that, beginning in 2014, the Ministry of Forests, Lands and Natural Resource Operations, in addition to reporting on the activities set out in the Intergovernmental Cooperation Agreement, report publicly on an annual basis about its administration of the *Riparian Areas Regulation (RAR)*, including:
 - (A) the number of notifications received and the number of assessments reviewed by each region, the issues identified in those reviews and measures taken to address any issues
 - (B) steps taken by the ministry to monitor the compliance of qualified environmental professionals (QEPs), proponents and local governments with the *RAR*, the results of that monitoring, and measures taken to improve compliance

(C) steps taken by the ministry to monitor the effectiveness of the *RAR*, the results of that monitoring, and measures taken to improve the effectiveness of the *RAR*

(D) any regulatory or administrative changes affecting the *RAR*. **(R20)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted these recommendations.

As part of the Intergovernmental Cooperation Agreement, the ministry also committed to making assessment reports publicly available, searchable and accessible. While the ministry has considered making its electronic notification system accessible to the public it has not yet done so. Currently, the notification system is accessible only by QEPs (with access limited to their own reports), local governments and ministry employees. This is the case even though there is a model provided by the Ministry of Environment's EcoCat, a publicly accessible ecological reports catalogue which contains similar reports.⁵

As the public does not have access to the reports, this limits the ministry's ability to rely on complaints from the public to learn about and respond to areas of concern. Members of the public can find it difficult to raise concerns if they do not know what is contained in a report.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations work with the Ministry of Environment to make *Riparian Areas Regulation* assessment reports and their associated electronic mapping files available to the public through EcoCat or a similar publicly accessible, searchable electronic database by October 1, 2014. **(R21)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

Concerns and Complaints

Complaints from the public can draw the ministry's attention to issues or concerns that may impact the effective administration of the *RAR*. While the ministry cannot rely solely on complaints to trigger monitoring and enforcement, complaints can make the ministry aware of a problem and the need to resolve it. An effective complaints process requires clear procedures for receiving, responding to and tracking complaints.

The ministry has not taken steps to develop a clearly documented and accessible process that allows people to raise concerns or make complaints about the operation of the *RAR*.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations establish a clearly documented and accessible process that allows people to raise concerns or make complaints about the operation of the *Riparian Areas Regulation*. **(R22)**

The Ministry of Forests, Lands and Natural Resource Operations has accepted this recommendation.

The ministry also does not have consistent and reliable data about the number of *RAR*-related concerns or complaints it receives or how it has responded to those complaints. Tracking, analyzing and reporting on *RAR* complaints are essential parts of the fair administration of the *RAR* program, and are consistent with the ministry's

⁵ Ministry of Environment, "EcoCat: The Ecological Reports Catalogue" <<http://www.env.gov.bc.ca/ecocat/>>.

existing protocol and its commitments under the Intergovernmental Cooperation Agreement.

- I recommended that the Ministry of Forests, Lands and Natural Resource Operations establish an electronic complaint tracking process that allows the ministry to accurately track, analyze and respond to concerns and complaints it receives about the *Riparian Areas Regulation*. (R23)
- I also recommended that the Ministry of Forests, Lands and Natural Resource Operations publicly report regional data about concerns and complaints on an annual basis. (R24)

The Ministry of Forests, Lands and Natural Resource Operations has accepted these recommendations.

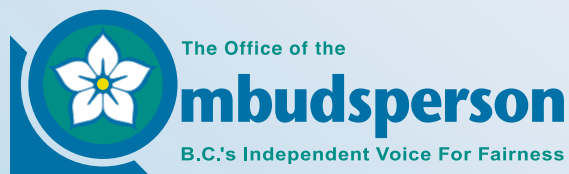
Conclusion

When the *RAR* was originally enacted, the ministry and other stakeholders worked hard to effectively implement the Regulation. These efforts show a genuine willingness to create a program that protects and maintains fish habitat. In the Intergovernmental Cooperation Agreement signed in 2008, the ministry committed to take actions that, if carried out, would have enhanced the administration of the *RAR*. Unfortunately, the initial activity that accompanied the development of the *RAR* did not lead to an adequate and reasonable level of oversight by the ministry.

This report has resulted in 21 findings and 25 recommendations to improve the ministry's administration of the *RAR*. It will hopefully serve as an example for other areas where professional reliance models are already in place or are contemplated. The ministry has accepted and committed to implementing 24 of the 25 recommendations.

In March 2014, Bill 18, the *Water Sustainability Act* was introduced. Bill 18 updates and renames the *Fish Protection Act* to the *Riparian Areas Protection Act*. This reflects the continued importance of protecting riparian areas.





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