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**GOVERNMENT FALLS SHORT ON OVERSIGHT OF PROGRAM
INTENDED TO PROTECT STREAMS AND FISH HABITAT**

VICTORIA – Provincial Ombudsperson Kim Carter released today her office’s latest report *Striking a Balance: The Challenges of Using a Professional Reliance Model in Environmental Protection – British Columbia’s Riparian Areas Regulation*. This systemic investigation into an environmental protection program concludes there has been a lack of oversight, training, information and reporting of the program by the provincial government. Twenty five recommendations were made to the Ministry of Forests, Lands and Natural Resource Operations to ensure the Riparian Areas Regulation (RAR) functions in an administratively fair manner as it relates to the challenges and complexities associated with development. Twenty four of the 25 recommendations have been accepted.

“Environmental protection is a challenge on an ongoing basis, you need to pay attention to how a program is working and whether it is meeting its objectives”, says Ombudsperson Carter. “Finding an appropriate balance between two sometimes competing interests can be a challenge, particularly when federal, provincial and local governments have a role to play in protecting the same environment. A number of useful lessons came out of this investigation that may assist other environmental protection programs in B.C. facing similar challenges.

The RAR is part of the legislative and regulatory framework which protects natural environments in B.C. Enacted in 2005, the RAR is intended to protect the areas surrounding streams, lakes and inland waters in the most populated areas of B.C. from development that would damage the habitat of fish in those waters. It applies to 15 regional districts in B.C. – these regional districts cover about 17.5% of B.C.’s land mass where approximately 74% of the province’s population lives. The Regulation applies to the southeast coast of Vancouver Island, the Lower Mainland (except the City of Vancouver), Fraser Valley, Sunshine Coast, Thompson-Okanagan and Columbia-Shuswap regions. The RAR relies on qualified professionals to conduct assessments and make decisions about how riparian areas should be protected in the development process. The ministry has an important oversight role in monitoring the ongoing implementation of the RAR by local governments, qualified professionals and developers.

Recommendations were made in the areas of making improvements to the professional reliance framework, monitoring and compliance, enhancements to public information and accessibility, local government compliance as well as improvements to the process of receiving concerns and complaints. The report and a fact sheet are available at www.bcombudsperson.ca or contact the office at 1-800-567-3247 for a print copy.

The Office of the Ombudsperson receives enquiries and complaints about the practices and services of public agencies within its jurisdiction. Its role is to independently and impartially investigate these complaints to determine whether public agencies have acted fairly and reasonably, and whether their actions and decisions were consistent with relevant legislation, policies and procedures. In addition to investigating individual complaints, the Ombudsperson also conducts systemic investigations into complex issues. The Ombudsperson has jurisdiction over a wide range of public agencies, including provincial government ministries, crown corporations, government boards, schools, universities and colleges, local governments and self-regulating professions.

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