

March 20, 2026

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Permitting Solutions Branch, Permitting Transformation Division
Ministry of Water, Land and Resource Stewardship (WLRS)
PO Box 9367 STN PROV GOVT
Victoria, BC V8W 9M3

Dear Ms. Dye:

Re: Proposed Natural Resource Permitting Improvements for Wetlands

I would like to thank you and your staff for hosting the March 13th session regarding the Ministry's proposals to improve permitting timelines. This is a critical objective for both Urban Development Institute (UDI) members and the Government, as it will improve the viability of housing and economic development projects as well as deliver new homes and jobs more quickly.

Regarding the wetlands proposals to enable offsetting payments, use the environmental mitigation hierarchy, and enhance professional accountability, we still have concerns and questions; many of which were outlined in our December 12th letter to Jennifer Anthony. At this time, it is difficult to assess whether we can support these proposals because further information and discussion is needed. ***We therefore recommend that there be further dialogue between builders, their Qualified Professionals (QPs), and the Ministry, like the March 13th session, as these proposals move forward.*** In addition to this, UDI has the following recommendations:

- While we are supportive of the proposal to allow offsets, further discussion is needed regarding any decisions about the offsetting ratios;
- Hold early, extensive discussions with builders and QPs on any upcoming guidance that the Ministry is developing to ensure there is clarity and an understanding of the potential impacts on sites;
- With the proposed enhanced Provincial protections for wetlands, local governments should not be able to mandate additional measures – or take the place of Provincial staff in reviewing applications;
- The new guidance for the proposed mitigation hierarchy that will be released later this Spring needs to provide clarity on requirements for proponents and QPs;
- At the same time, the guidance should not lead to extensive areas being frozen from development; otherwise, flexibility will be needed regarding the avoidance step of the mitigation hierarchy – and the grandparenting of sites already purchased will need further consideration; and
- Consult QPs and their professional bodies before implementing new accountability measures, and develop a roadmap linking enhanced QP training and liability to process improvements.

Strategic Use of Offset Payments & Potential Changes to Offsetting Ratios

As noted in our December 12th letter, ***we are supportive of allowing offsetting payments for mitigation measures, and we are pleased that Ministry staff confirmed that the offsetting payments would be an optional tool for builders*** when potential mitigation measures are being assessed for sites.

However, it has come to our attention that the Ministry may be assessing offsetting ratios, which would not only impact offsetting payments, but also the other mitigation measures that could be employed. ***It would be concerning if those offsetting ratios were too high.*** It is highly likely that projects would not proceed, for example, if there was expectation that one acre of lost wetland had to be replaced with more than two acres of protected wetland of similar habitat value - whether the builder opted for offsetting payments or other approaches. ***If the Ministry is contemplating significant changes regarding offsetting ratios, we recommend there be discussions with the building sector before decisions are finalized.***

Environmental Mitigation Hierarchy

There are a couple of critical issues for builders regarding the proposed environmental mitigation hierarchy for wetlands. The first is clarity. Builders need to be able to use the hierarchy to assess the potential impacts for sites in terms of costs and the yield of a site (e.g., the number of housing units or square footage for an industrial park). Ideally, there should be no “surprises” after a builder purchase sites. This is important as commitments, specifically financial, are made early in the development process, and adjustments become increasingly difficult to make at later stages. Projects will be either cancelled, deferred, or prices/rents have to increase.

Clarity is also needed to avoid subjective decision-making and interpretations. As discussed in our February 25th meeting with Ministry staff, a critical issue builders face is the inconsistency across provincial reviews in which “... *similar reports often receive divergent feedback and that there is no clear point at which a decision is considered final, leading to frustration and inefficiency.*” There have been several “... *situations where changes in assigned reviewers led to new issues being raised late in the process, causing delays and uncertainty.*”

If builders, their Qualified Professionals, and regulators clearly understand what the expectations are, the “*back and forth*” between Ministry reviewers and proponents can be minimized. However, we are concerned that if expectations are not clear in the future Ministry guidance, the hierarchy will lead to additional work resulting in even more issues clogging up approvals.

In particular, more clarity is required around the selection of a Functional Assessment method. A clear Function Assessment tool is necessary to be utilized as a standard for all QPs to evaluate wetlands in order to increase certainty going forward.

Recently, the Ministry revised the definition of “*Naturally Restricted Areas*”, which includes wetlands. We are hearing from QPs that having a clearer field ready definition for them to better

determine area boundaries is needed, if the objective is to avoid future back-and-forth conflicts and delays between proponents, their QPs and the Ministry.

We are also concerned that even if clarity is achieved, it could be undermined by the expectations and policies of local governments which can differ from Provincial requirements. This concern was also discussed on February 25th. ***UDI recommends that with wetlands, builders need to conform to Provincial legislation, regulations, policies and guidance – not local governments mandates or reviews.***

Our second concern is the potential impacts the future Ministry guidance will have on project costs and yield. We understand there may be “no-go” areas where development would not be allowed. However, it is not clear how extensive these areas will be. Our members would like a better understanding about how many sites, and how much of those sites would be impacted by the upcoming Ministry guidance.

As discussed at the February 25th meeting, “... recent changes to wetland delineation standards have resulted in significantly larger defined wetland areas, affecting developability,” and “... projects are being halted or reduced due to reclassification of disturbed areas as wetlands.” It would be problematic if the new guidance substantially increased the no-go areas, or restoration/mitigation costs. We note that the Environmental Mitigation Hierarchy promotes avoidance as the highest priority and does not differentiate between wetlands according to functional attributes. Avoidance greatly impairs opportunities for development and there must be ways to move past avoid.

We recommend that there be early and extensive discussions with builders and QPs regarding the guidance that the Ministry is developing to ensure there is clarity and an understanding of the potential impacts on sites. If substantial areas are frozen, more flexibility will be needed regarding the avoidance step of the Mitigation Hierarchy.

There also needs to be a discussion with builders who have already purchased sites – especially those that are zoned and serviced, which could be impacted by the changes. This has already happened with the wetland delineation standards. This is particularly difficult, because in these cases substantial planning and investments have been made by proponents and local governments. ***The Ministry needs to consider grandparenting some of its proposed changes to address sites that have already been purchased, which could include an expiration date.*** UDI would be pleased to discuss this further with Ministry staff.

Professional Accountability of QPs

The Ministry is now proposing several measures that will increase the training and potentially the liability for Qualified Professionals, including mandating professional assurance statements and Minister-approved training as well as requiring primary coordinating QPs for complex projects, and developing a wetland assessment competency standard.

We recommend that there be more consultation with the QPs and their regulated professional bodies before proceeding. There needs to be a better understanding about what the impact will be in terms of additional training and potentially liability and insurance

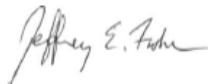
costs. In addition, the material provided by the Ministry thus far has not included why these changes are needed. If there are general concerns and issues with the submissions of professionals, this should be shared and discussed with stakeholders – especially the QPs.

While more is being asked of QPs that will lead to higher costs for projects, it is not clear how these changes will improve permitting timelines by themselves. One way these proposals could lead to better processing timelines would be for the Ministry to become more deferential to QPs in the future and delegate more responsibility to them. This would reduce the burden on Ministry staff – freeing more of their time. However, from the discussion at the March meeting, it was made clear that this is not currently being considered. This is disappointing, and **we recommend that the Ministry develop a roadmap about what improvements to the process can be made (and when) if QPs are better trained and are taking on professional liability.** For example, the Ministry could consider auditing a percentage of the wetland submissions, instead of reviewing each one – as was done with Riparian Area applications in the past. It would be much easier for our sector to accept additional professional accountability measures for QPs, if this came with reallocating some authority from the Province to them through an enhanced professional reliance model.

In addition, **Ministry reviewers need to receive at least the same level of training and similar qualifications of the QPs whose work they oversee. This includes operating as professionals of one of the self-regulating professions under the Professional Governance Act and meeting the requirements of the proposed wetland assessment competency standard.** This is especially the case, if the role of QPs is to remain static and no additional deference is accorded to them.

UDI would like to again thank you and your staff for organizing the March 13th meeting on the proposed changes. However, these proposals are still in their early stages, and more details are needed before we and our members can accurately assess their efficacy, costs and benefits. We recommend that there be more meetings to discuss the potential offsetting ratios, the Ministry guidance for the environmental mitigation hierarchy, and how the changes to professional accountability can be leveraged to improve the Ministry's approval processes for wetlands. UDI looks forward to those discussions.

Yours sincerely,



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