



Monday, 7th October, 2019

The Honorable George Heyman
Minister of Environment and Climate Change Strategy
Legislature Buildings
Victoria, British Columbia V8V 1X4

Original sent via mail. Copied via email to ea.revitalization@gov.bc.ca

RE: *Reviewable Projects Regulation – My Sea to Sky’s comments and suggestions*

Dear Minister Heyman,

We are responding to the Province’s proposed approach to establishing which projects are subject to an Environmental Assessment under BC’s new *Environmental Assessment Act*, as set out in BC’s recent *Reviewable Projects Regulation Intentions Paper* (the “RPR Intentions Paper”).

In our view, the proposals in the current RPR Intentions Paper will only serve to weaken- not strengthen - the way in which projects are subject to an environmental assessment (“EA”). Perhaps that is reflective of the apparent bias in your RPR engagement process – of over 100 meetings, 50 were with Government agencies, 20 with Industry, but only 4 with eNGOs. While the new Act has introduced some welcome improvements to the EA process – when applicable – without a stronger RPR we believe that you will be unable to meet your mandate to ensure that the public’s expectation of a strong, transparent assessment process is met. We urge you to bring about a meaningful strengthening of the RPR in order to meet your government’s commitments, and provide recommendations for doing so.

1. Current Distrust of the EA process

The lack of assessments for numerous projects of public concern that cause impacts and contribute to cumulative effects has been a key reason for public distrust in our current EA regime. We have written to you and your predecessors on this subject, and, based on our first-hand experience of the current process, have made many suggestions for improvement. We are disappointed and concerned that these have not been reflected in the current draft. Instead, it only serves to make bigger loopholes in the already-loose regulatory net.

Regulatory permitting processes are not an answer for these concerns, as such processes are frequently ill-equipped to address cumulative effects, meaningfully engage the public in environmental decisions that affect them, or regulate the projects, once approved. Our organization has emphasized to government that a key aspect of meaningful EA reform is to ensure that more EAs occur for activities that seriously impact ecosystems and communities.¹ This is also reflected in the Province’s summary of public engagement on EA revitalization, which states: “We heard from many commenters that more projects should require an EA (both

¹ See e.g. Amnesty International et al., *Achieving Sustainability: A Vision for Next Generation Environmental Assessment in BC* (May 2018), online: <https://www.wcel.org/publication/achieving-sustainability-vision-next-generation-environmental-assessment-in-british>.

in type, and size).”² Approximately 265 project proposals have entered the EA process since the first *Environmental Assessment Act* was passed.³ Almost all of these were approved by the EAO, some of them after their construction was complete⁴.

The approach your Government proposes in the RPR Discussion Paper does not satisfy these calls because it would not require more EAs in practice.

Although BC proposes to introduce four new impact-based thresholds regarding emitting greenhouse gases (“GHGs”), clearing land, clearing linear corridors and overlapping with a prescribed protected area, which is an approach that we support in principle, these proposed thresholds are designed in such a way that they will not alter the status quo. Indeed, we are not aware of a single existing activity on the land that would trigger an EA based on these impact thresholds, which would not already require an EA under the current RPR. That is hardly likely to increase public trust in the quality and integrity of the deeply-flawed EA process.

The lack of assessments for numerous projects of public concern that cause impacts and contribute to cumulative effects has been a key reason for public distrust in our current EA regime. In our experience, the quality of the current EA process is deeply flawed – to the point of being a predetermined exercise in approval subject to some loosely-enforced proponent promises to be mindful of the extent of the environmental and social damage.

Significant harm to public confidence in the EA regime has been caused by instances where a proponent has effectively escaped an EA that is required on the face of the RPR by breaking its project into separate applications, sometimes advanced at different times, with each artificially treated as an individual sub-threshold project. Proponents have separated segments of a unitary project into pieces calculated to pass beneath current EA thresholds – the current Woodfibre LNG project in our region was separated into liquefaction, pipeline and electricity supply components, despite the sub-component inter-dependency for a functioning project. The upstream fracking, downstream shipping and climate change impacts were never assessed in the EAs for any of these pieces.

Regulatory permitting processes are not an answer for these concerns, as such processes are frequently ill-equipped to address cumulative effects or meaningfully engage the public in environmental decisions that affect them. Many of our criticisms have emphasized that a key aspect of meaningful EA reform is to ensure that more EAs occur for activities that stand to impact ecosystems and communities.⁵ This is also reflected in

² British Columbia, *Environmental Assessment Revitalization: What We Heard Report*, online: https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-assessments/environmental-assessment-revitalization/documents/what_we_heard_report_final.pdf at page 13.

³ Based on filtering the BC Environmental Assessment Office Project Information Centre for all projects except those listed as “Not Designated Reviewable,” “Certificate Not Required” or “Pre-EA Act Approval.”

⁴ <https://thenarwhal.ca/b-c-grants-fracking-company-free-pass-to-build-illegal-dams/>

⁵ See e.g. Amnesty International et al., *Achieving Sustainability: A Vision for Next Generation Environmental Assessment in BC* (May 2018), online: <https://www.wcel.org/publication/achieving-sustainability-vision-next-generation-environmental-assessment-in-british>.

the Province’s summary of public engagement on EA revitalization, which states: “We heard from many commenters that more projects should require an EA (both in type, and size).”⁶

The approach proposed in the RPR Discussion Paper does not satisfy these calls because, in practice, it would require fewer EAs, not more. We therefore question the Government’s commitment to a more rigorous and trustworthy EA process.

Although BC proposes to introduce four new impact-based thresholds regarding emitting greenhouse gases (“GHGs”), clearing land, clearing linear corridors and overlapping with a prescribed protected area, which is an approach that we support in principle, these proposed thresholds are designed in such a way that they will not alter the status quo. Indeed, we are not aware of a single existing activity on the land that would trigger an EA based on these impact thresholds, which would not already require an EA under the current RPR. Based on the available information, it appears that all seven case studies still would not require an EA under the changes proposed in the RPR Intentions Paper. BC’s proposals would do little to require more and better EAs even where they are needed most.

Our criticisms and suggestions for this draft RPR report include:

2. Thresholds

The proposed thresholds will exclude many projects deserving of a thorough review. For example:

- **Employment:** The employment threshold for reviewable status is 250+ employees. That threshold is far too high, and has little /no relation to the environmental footprint of different projects, some of which have a high degree of automation, others much less so. A 2018 study of employment in Vancouver showed less than 0.5% of businesses having more than 200 employees⁷. A 2015 Statistics Canada one⁸ for all Canada reported less than 0.9% of Canadian businesses with 200+ employees. Under the proposed threshold, none of the local projects - Woodfibre LNG (100 employees), WesPac Tilbury (a handful of employees), Roberts Bank-2, the YVR Jet Fuel depot or Burnco gravel mine (16 employees) would require an Environmental Assessment, despite their significant environmental footprints on sensitive local ecologies and natural capital. The RPR is equally unclear whether the employee threshold is for the construction phase, or the ongoing operation of all phases of the project - we assume the latter. While this threshold would doubtlessly be greatly welcomed by proponents, such omissions would evoke a highly negative public reaction and accusations of dereliction of public duty by the BC Government.
- **Greenhouse Gas emissions:** The annual emissions threshold of 382,000 tonnes of GHG is far too high. 100 projects that size would consume the province’s entire 2030 carbon budget, making the legislated CleanBC target even more unlikely to be achieved. As shown below, this GHG threshold would require EAs for only the 13 top point-source emitters in the province, representing less than 14% of BC’s ~64 MTPA of total emissions. That threshold is far too high. Given that the Intergovernmental Panel on

⁶ British Columbia, *Environmental Assessment Revitalization: What We Heard Report*, online:

https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-assessments/environmental-assessment-revitalization/documents/what_we_heard_report_final.pdf at page 13.

⁷ <https://vancouver.ca/files/cov/1-3-economic-structure-business-size-in-vancouver.pdf>

⁸ https://www.ic.gc.ca/eic/site/061.nsf/eng/h_03018.html#toc-04

Climate Change has warned that we need to cut emissions in half by 2030, and achieve net zero by 2050, we suggest a threshold of 20,000 tonnes of annual CO₂e emissions is more realistic to ensure that BC can achieve these targets. Further, we suggest that, as has been done with Federal EAs, the emissions thresholds in the RPR include upstream and downstream emissions occurring within Canada’s jurisdictional boundaries. For LNG projects, that would include supply pipeline and fracking field emissions upstream and shipping emissions downstream. We cannot see any reference to that provision in the current RPR draft.

BC- Top 20 Point Source GHG Emissions (2016)				Source
Year	Company & facility name	City/Town	Total (tonnes CO ₂ eq)	
1 2016	Spectra (Enbridge) - Transmission Mainline	Prince George	1,225,808	1
2 2016	Rio Tinto Alcan Inc - Rio Tinto Alcan Inc - British Columbia	Kitimat	932,883	
3 2016	Spectra (Enbridge) - Fort Nelson Gas Plant	Fort Nelson	859,259	
4 2016	Lafarge Canada Inc. - Richmond Cement Plant	Richmond	690,193	
5 2016	Lehigh Hanson Materials Ltd. - Delta Plant	Delta	658,878	
6 2016	Spectra (Enbridge) - McMahon Cogen Plant	Taylor	556,169	
7 2016	Chevron Canada Limited - Burnaby Refinery (Keep)	Burnaby	506,166	
8 2016	Spectra (Enbridge) - Fort Nelson North Processing Facility	Cabin Lake	449,900	
9 2016	Spectra (Enbridge) - Pine River Gas Plant	Peace River District	434,697	
10 2016	Teck Coal Limited - Fording River Operations	Elkford	434,015	
11 2016	Teck Metals Ltd. - Trail Operations	Trail	423,566	
12 2016	Teck Coal Limited - Elkview Operations	Sparwood	404,997	
13 2016	Teck Coal Limited - Greenhills Operations	Elkford	383,772	
14 2016	TransCanada PipeLines Ltd. - TransCanada Pipeline, BC System	Cranbrook	329,180	
15 2016	Teck Coal Limited - Line Creek Operations	Sparwood	187,299	
16 2016	Spectra (Enbridge) - Gathering	Fort St. John	178,699	
17 2016	Canfor Pulp Ltd. - Prince George Pulp and Paper and Intercontinental Pulp Mills	Prince George	178,612	
18 2016	Teck Highland Valley Copper Partnership	Logan Lake	176,377	
19 2016	City of Vancouver - Vancouver Landfill	Delta	175,177	
20 2016	Spectra (Enbridge) - McMahon Gas Plant	Taylor	174,995	
Total- BC's Top20 Emissions Point Sources			9,360,645	
Total - 2 LNG facilities (LNG Canada: 8,600,000, Woodfibre LNG: 880,000)			9,480,000	
Total -Spectra/Enbridge gas facilities & pipeline			3,879,528	
BC- LNG GHG Emissions (projected)				Source
2025	LNG Canada	Kitimat	8,600,000	2
2024	Woodfibre LNG	Squamish	880,000	3

Sources:

- <https://climate-change.canada.ca/facility-emissions/>
- LNG Canada's announcement presents big challenge to B.C.'s clean growth; <https://www.pembina.org/media-release/lng-canada-fid>
- Woodfibre Liquefied Natural Gas (LNG) Project: Review of Related Upstream Greenhouse Gas (GHG) Emissions Estimates; <https://www.ccaa-acee.gc.ca/050/documents/p80060/109547E.pdf>

Applying a 20,000 tonne/year GHG threshold to all projects would be a balanced approach. While a 20,000 tonne threshold is lower than the recommendations made at the federal level,⁹ it is double BC’s legislated reporting threshold for GHG emissions (10,000 tonnes).¹⁰ Furthermore, this threshold would not unduly increase the number of EAs. Strengthening the GHG threshold is critical to the credibility of BC’s revitalization of EA and the RPR, as well as ensuring that BC meets its climate targets.

⁹ See e.g. West Coast Environmental Law et al., *A Regulatory and Implementation Framework for the Impact Assessment Act* (January 2019), online: <https://www.wcel.org/sites/default/files/publications/2018-12-iaa-regulatoryimplementationframework.pdf>.

¹⁰ *Greenhouse Gas Emission Reporting Regulation*, BC Reg 249/2015.

- **LNG energy storage:** The RPR suggests a change for reviewable LNG (and LPG?) storage projects from the current >3PJ (3×10^{15} Joules, equivalent to 56,800 tonnes of LNG) to >136,000 m³ (98,532 tonnes) of LNG. We hasten to point out that this is a 73% increase – not a decrease – in the volume of stored LNG exempted from an EA requirement. Allowing such an increase without an EA shows insufficient concern for the safety of nearby communities. LNG in its natural gaseous form is a highly flammable substance that, when spilled and ignited, burns at 1000⁰F and cannot be extinguished without high-density foam suppressant – equipment not normally in the possession of local fire departments. That volume of stored LNG is the thermal equivalent of several dozen Hiroshima-sized nuclear bombs, which the industry’s own association recommends being kept far apart from human populations and marine traffic. The insurance coverages of the yet-to-be-enacted HNS (Hazardous and Noxious Substances) international protocol covering LNG are far weaker than their oil-spill counterpart, and would in any case not apply to LNG spills from most foreign-flagged tankers. For these and other safety reasons, we strongly suggest that all LNG and LPG storage projects be reviewable, especially those for proponents with little/no demonstrated industry experience.
- **Mining:** The former (Liberal) BC government rewrote the threshold rules for mining in 2002. Since then, metal mines producing less than 75,000 tonnes of ore a year have been exempt from review. That is far too high. We suggest restoring the original threshold of 25,000 tonnes.
- **Extraction of deep groundwater:** P.17 of the RPR contains the statement: *“We are also proposing that the extraction of deep groundwater, as defined in the Water Sustainability Regulation, by the oil and gas industry, not be a reviewable activity.”*. We understand this to be a free pass on EAs for the entire fracking industry and we are firmly opposed to the proposal. Firmer – not more lax – oversight of that industry’s massive use and pollution of groundwater in Treaty 8 territory of N.E. British Columbia has long been an issue with indigenous residents. Equally, the myopic oversight on this activity provided by the BC Oil & Gas Commission has, rightfully in our view, drawn severe criticism from locals and environmentalists alike, and contributed greatly to the public’s distrust of Government regulation and enforcement of industry. Avoiding regulatory duplication by largely eliminating it is not an acceptable solution-set.
- **Land Clearing:** The current proposal is to not mandate EAs for projects that require fewer than 600 hectares (1,483 acres, six square kilometres) of land to be cleared, or a “linear corridor” up to 60 kilometres in length. This linear disturbance represents a tripling of the current threshold of 20km and the 1,483 acres represents a disturbance area 3km X 2km. This greatly-increased threshold would allow clearcutting and levelling of an area the size of Stanley Park without triggering a review based on impacts. To improve on existing regulations, we suggest a reduction of the current 20km linear corridor threshold to 10 km of linear disturbance, especially for fossil-fuel pipelines and LNG plants. We suggest 50 hectares of new land disturbance area be substituted for the egregious one proposed.
- **Hydroelectric generation:** Currently, all run-of-river (ROR) hydro projects undergo a comprehensive environmental assessment process¹¹. The RPR proposes a weakened threshold of 50MW-plus for the rated nameplate capacity. That would obviate the EA requirement for roughly half of the current 124

¹¹ https://www.cleanenergybc.org/wp-content/uploads/2015/12/CEBC_Run-of-River_Fact_Sheet.pdf

EPA “run-of-river projects” operating in BC¹². As many of these operate in smaller and ecologically-sensitive river courses, and most of them violate riparian area protections commonly afforded such fish-bearing waters, such a high threshold for these projects seems to us to be excessive. The poor environmental record¹³ of some of these EPAs warrant much closer assessment, regulation and enforcement that has been the case to date. We suggest leaving matters as they are with all run-of-river hydro projects subject to a comprehensive environmental assessment.

- **Electric Power corridors:** The RPR proposes that EAs be required for the corridors of all 500KVA and lengthy 230KVA electricity transmission lines. We fully concur. As BC Hydro requires clearcutting swaths of 64m and 32m under such power lines, the visual effects of these are significant, especially in prime tourist areas such as Howe Sound and the Whistler corridor. We do not think the 230KVA line EA review should be dependent on its length.
- **Waste Disposal Projects:** P. 18 of the RPR proposes that all major non-hazardous solid waste disposal projects be subject to an EA process. We concur. Our concern, which relates to the FortisBC Eagle Mountain pipeline project, is the definition of “major”. That project proposed, via a post-EA amendment that skirted public input or comment periods, a 4.3m.wide x 9km. long tunnel stretching from the East side of the Squamish river to the Woodfibre site. The estimated spoil waste would be of the order of 350,000 tonnes of rock, and the proponent has variously mused about disposal either on land or at sea. We would regard this as major, but are in doubt whether the proposed RPR amendment would cover such a significant action and post-EA change. We suggest further clarification of this trial RPR balloon and significant current loophole in the EA process. Any repeat of the Shawnigan Lake debacle would be avoided.
- **Tourist Destination Resorts:** P.20 of the RPR proposed a higher threshold of 2,000 beds before such a resort development project triggered an EA. That is a doubling of the current 1,000-bed threshold. We suggest that 2,000 beds is far too lax for a development of equivalent size to a small town, especially in any environmentally-sensitive greenfield area. The Squamish-Whistler corridor is especially vulnerable to the impacts – environmental, socio-economic, transportation etc. - that may be unaddressed as a result of such a relaxed standard. Please reduce the threshold to 500 new bed units.
- **15% threshold margin:** The draft proposes +/- 15% margins to the proposed thresholds. We see no valid reason for this confusing fudge factor and suggest it be removed.
- **Exemption:** P.9 of the proposed RPR model shows an “Exemption” step. No further explanation is offered for this, though we feel the justification and process for exempting a project which otherwise would be reviewable should be clearly and publicly decided and the reasons communicated. This latitude afforded the EAO will otherwise serve to diminish any public trust the RPR hopes to re-ignite.
- **Threshold combinations:** We strongly suggest that, in the event that a project comes under some thresholds but exceeds at least one, the proposed model and subsequent regulations firmly state that it will be reviewable. We cannot find that stipulation anywhere in the proposed model.

¹² List of EPAs published by BC Hydro- May 1 , 2019. <https://www.bchydro.com/content/dam/BCHydro/customer-portal/documents/corporate/independent-power-producers-calls-for-power/independent-power-producers/ipp-supply-list-in-operation.pdf>

¹³ <https://open.library.ubc.ca/cIRcle/collections/undergraduateresearch/52966/items/1.0075590>

- **Missing thresholds:** In this draft RPR, there is no consideration given to such important threshold topics as cumulative effects, social and economic benefits to local communities and the Province, independent professional reliance, adequate baseline assessments, the inclusion of local eNGO representatives in Technical Working Groups and the integration of indigenous and non-indigenous EA processes. All of these topics deserve much greater attention if public trust is to be restored to the EAO and the EA process. Especially egregious is the lack of reliable measures of the social and economic benefits - and costs - of the project to local communities – even though such benefits are much-lauded as the Government’s primary motivation for the project.

3. Regulations

Although not specifically referenced in the RPR paper, we have some further comments on the inadequacies of the EA process and its regulations, and some suggestions that will be helpful in restoring the tattered public confidence in the process.

- **Categories:** The RPR defines the applicable categories to include “Industrial” projects. This category will need a definition of what that includes – heavy industrial, light industrial, other industrial? Most municipal zoning bylaws have these definitions - they appear to be absent from the EA’s RPR.
- **Project splitting:** In the proposed model, there are no safeguards prohibiting proponents from splitting off project components to enable the totality to slip beneath thresholds which would otherwise make them reviewable. There should be. If a project is dependent on another project to operate, as was the case with the proposed Woodfibre LNG project, the FortisBC Eagle Mountain to Woodfibre pipeline, and the associated BC Hydro upgrades, then these separate projects should be assessed as one project.
- **Reviews and comment period duration:** From first-hand experience, we suggest that public comment periods in the EA be extended to allow time for NGOs and the public to review the often-voluminous and repetitive technical documentation submitted by proponents and their paid environmental professionals.
- **EA term:** The proposed extension - to 10 years – of the currently 5-year EA certificate term (lifetime) is particularly offensive to those of us anticipating an improved EA process. To require local communities to be held in suspense for up to 10 years while a proponent has a valid permit to proceed is both punitive and unnecessary. Punitive because it inhibits proper community-level planning and unnecessary because 5 years is more than sufficient for any business-cycle effects on the project’s economic viability to play out. Much can happen in 10 years – a cogent example being the rapid deterioration in Squamish’s rental market conditions during and after the approval of Woodfibre LNG’s EA certificate (an effect the EAO declared was “not significant” in its EA report to the Minister). We suggest leaving the current 5-year lifetime in place, and greatly strengthening the process for any renewal or extension.
- **Integrated view of EA status:** There is currently no readily-accessible and easy-to-understand way for the public to ascertain the status of any EA process or project. There should be – not just for the EA process, but also for the duration of the approved project.
- **Integrated view of all projects in an area:** There is currently no readily-accessible and easy-to-understand way for the public to ascertain the status of various projects proposed or approved for a region. There should be, as it is vital for a region (Howe Sound, Douglas Channel and the Salish Sea around the mouth of the Fraser come to mind) needing to plan infrastructure and services to sustain those projects. Of particular concern is that projects are assessed on their individual effects on local

environments, and scant attention is paid to the cumulative (i.e., aggregate) effects of multiple projects in the same area/ ecosystem.

- **Professional Reliance:** The revised EA process suggests no significant change to balance the lack of independence of professionals doing baseline and effects assessments on a proponent's dime. Our earlier submissions on a revised EA process suggested ways to ensure a greater degree of independence and a higher public trust in the EA process. Despite a recent Government-ordered review of the subject, we do not see any such measures incorporated in the revised EA process.
- **Jurisdiction:** In several cases, BC's request for a substituted EA process has resulted in an assumption of normally-Federal responsibilities, especially in the marine/Canada Shipping Act and Fisheries/SARA areas. However, the EAO has little experience or competence in such matters. We suggest amending the agreement – unique among Canadian provinces – between Federal and BC Governments that allow for this substituted process to limit its use to cases where marine matters do not form part of the EA's scope. Also, the regulations and thresholds between these bodies are sufficiently different so as to require that both be performed.
- **EA Amendments:** We would expect that a revised EA process would be more explicit in determining whose call it is to determine if a substantial project change requires a formal amendment. Examples. In a recent correspondence with our organization, the Deputy Minister stated that it was the Proponent's (in this case, Woodfibre LNG's) call to determine whether a substantial change to the project (locating a 550-bed temporary work camp next to a village half its size after stating in the EA that such would not be required) merited an amendment – or not. The DM argued that, as such a camp was not explicitly disallowed in the conditions of the EA Certificate, it was “not a change” meriting an amendment to the certified project description. We strongly suggest that is the function of the EAO – not the proponent – to decide such matters, and should be guided by explicit policy in the EA regulations.
- **Termopol (Technical Review Process of Marine Terminal Systems and Transshipment Sites’):** Many reviewable projects involve marine matters and shipping. This Federal (Transport Canada) process reviews port facilities and BC has no provincial equivalent, marine matters being primarily an area of Federal jurisdiction. Substantial weaknesses of this process are that it is not mandatory and its recommendations are optional for a proponent to implement. Under such weak and unenforceable circumstances, proponents whose projects include shipping are not incited to complete it. We strongly recommend strengthening it.
- **Lobbying and political donations during the EA phase, hiring of BC EAO employees by the proponent:** We have had first-hand experience of both of these questionable practices (one where the proponent's staff allegedly broke the law regarding such donations, the other where BCEAO's Project Manager for the BCEAO assessment became Woodfibre LNG's Manager of Regulatory Affairs). Such behaviour smacks of influence-peddling and corruption quite unbecoming a first-world country. Based on our experience of several EA processes, there should be severe restrictions on such practices accompanied by vigilant and timely enforcement. If public trust is to be restored in the EA process, both practices must be banned.

4. Enforcement

- **EA Conditions:** We are concerned that the enforcement of EA conditions has received little/no attention in this review. Recent history – witness the illegal dams in the Peace, lax oversight of the tailing pond at Mount Polley, excessive siltation at Site C - to name but a few – signal a clear need for a stricter enforcement regime. The current approach- requiring the proponent to employ a registered



professional/ R.P Bio charged with enforcement – suffers – we would say rightly - from an obvious lack of independence. How likely is that employee to blow the whistle on his/her employer and colleagues, especially in a remote work location?

- **Reports:** Many of the conditions attached to the approval of EA Certificates specify the post-approval completion of reports covering safety, environmental, social and other impact aspects of the project that were only outlined during the EA process. We are concerned that the BC EAO’s follow-up to ensuring proponents’ compliance with these conditions is almost entirely absent¹⁴, the end-result of which is that they are either severely delayed or never completed. This is unacceptable in any well-regulated EA process.

We urge BC to strengthen the RPR to meet public expectations of a more credible EA regime. Strengthening what projects get assessed under the RPR is critical to BC’s commitment to revitalize EA. After careful review of your government’s recently introduced legislation, we conclude that the proposed environmental assessment process will fall short of your stated goal – to protect the environment and restore public confidence. **In particular, the proposed legislation retains three deficiencies of current practice that are at odds with the foundations of science-based decisions, namely, a lack of scientific independence, of peer-review, and of transparency.** Rather, the proposals in the RPR Discussion Paper appear designed to suggest change on paper while doing little to alter the status quo in practice. We urge you to adopt the recommended changes to help build a solid foundation for BC’s EA regime that will inspire public confidence where there is so little presently.

Sincerely,

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¹⁴ <https://thenarwhal.ca/b-c-grants-fracking-company-free-pass-to-build-illegal-dams/>



Adam Olson, MLA Nicholas Simons, MLA Shane Simpson, MLA Jordan Sturdy, MLA Sam Sullivan, MLA Sultan, MLA Andrew Weaver, MLA Andrew Wilkinson

First Nations governments: Squamish Nation, Tsleil-Waututh Nation, Musqueam Nation

Local governments: District of Squamish, District of West Vancouver, Resort Municipality of Whistler, Village of Lions Bay, Bowen Island Municipality, Town of Gibsons, Squamish Lillooet Regional District, Sunshine Coast Regional District, Islands Trust