



EnviroFor Reporter

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ENVIROFOR NEWS:

Parliamentary Session Completed

The 5th Session, 40th Parliament wrapped up on May 19th. There were a total of 25 government bills, 37 members' bills and one private bill. While many of the government bills achieved Royal Assent on the 19th, a significant portion of the legislation within these bills will come into force by regulation at a future date. Two government bills were introduced in May. These include:

- [Bill 25](#), Miscellaneous Statutes (General) Amendment Act, 2016
- [Bill 26](#), Supply Act, 2016-2017

With the exception of the private bill, Pr 401, *Millar College of the Bible Act*, no other non-government bills proceeded past 1st reading. A reminder that if you would like to track the progress of these bills, or to track changes to any laws that bills amend, we suggest signing up to the BC Legislative Digest alert via the My Alerts tab. We will then monitor and alert you to changes for laws of your choosing.

QS EnviroFor 2.0 – in Five Minutes!

It is not unusual for clients to ask us for assistance when introducing our service to colleagues. To assist you, we have published this short, [five-minute video](#) to YouTube that highlights the key features of Quickscribe EnviroFor 2.0. The intent of the video is not to provide in-depth training (there are other videos for that), but rather to introduce your colleagues to QS in a more general way and to give them the opportunity to assess for themselves if this service might be of value to them. So, if you've been considering introducing Quickscribe to a colleague, but have hesitated because of the time and effort it takes to do so, this video is for you.

Latest Annotations


New annotations have recently been added to the Quickscribe site. These annotations include contributions from:

- [Richard Bereti](#), Harper Grey LLP – [Environmental Management Act](#)
- [John Doolan](#), McCarthy Tétrault LLP – [Land Title Act](#)

Watch this 20-minute [YouTube video](#) to learn more about annotations and how to receive alerts when new annotations are published to the laws that matter most to you.

Tip: Log in to EnviroFor Online prior to clicking Reporter links

View [PDF](#) of this Reporter.

FEDERAL LEGISLATION— For notification of federal amendments, we recommend you use our [Section Tracking](#)  tool.

[\[Previous Reporters \]](#)

ENERGY AND MINES NEWS

An Update on Canada's LNG Industry

Canada, which ranks fifth in the world in terms of estimated shale gas reserves, is competing within the highly

competitive global market for liquefied natural gas (LNG) with a number of other countries to build the infrastructure necessary to export LNG to key Asia Pacific markets. Finding new markets for Canadian shale gas reserves is of critical importance to Canada given the anticipated economic benefits that will flow to Canadians from the development of an LNG industry. This need has become more pressing in light of the US – our traditional natural gas export market – being awash with natural gas as a result of its own highly prolific shale gas reserves. Not only has this resulted in lower Canadian exports of natural gas to the US, it has also resulted in a number of US-based LNG development projects working towards final approval or, in the case of Cheniere Energy's Sabine Pass Facility, delivering first cargoes.

Most of the LNG projects currently under development in Canada are located near the Prince Rupert and Kitimat areas in the northwest corner of British Columbia (BC). These areas benefit from both proximity to the major shale plays, as well as relatively short transit times to Asia Pacific markets. There are currently 21 LNG projects proposed along Canada's west coast representing aggregate LNG capacity of more than 250 metric tonnes per annum (mtpa) (based on publicly available initial and expansion plans). Of these proposed projects, one project (LNG Canada) has received a 40 year export licence from the National Energy Board to export LNG from Canada, while 16 other projects have received 25 year export licences. Read the [full article](#) by Alicia K. Quesnel and Evan W. Dixon of Burnet, Duckworth & Palmer LLP and published on *Financier Worldwide*.

Pipeline Firms to Reveal Emergency Plans

Pipeline safety and emergency response procedures are about to get a whole lot more transparent in Canada. The federal Liberal government, through the National Energy Board, announced it will be issuing orders to oil and gas pipeline companies that fall under its jurisdiction to publish emergency procedure manuals on their publicly available websites by April 29. This is a strong step forward to greater transparency, corporate social responsibility and public confidence in pipeline safety in Canada.

Pipeline safety has been under political, public and occupational safety scrutiny for a number of years. Pipeline expansion has been virtually paralyzed and politicized as recently as the last federal election. However, economic development and transportation of western and northern Canadian resources are dependent on getting resources, such as oil and gas, to deepwater ports for export and sale to world markets. The new Liberal government has been unclear on its position on several major pipeline projects that have been on hold due to First Nations land claims, regulatory review and general public concern about viability and safety. Read the [full article](#) by [Norm Keith](#) and published on the *Canadian Occupational Safety* website.

BC Increases Potential Fines, Adds Administrative Penalties for Mining Law Violations

Since the 2014 Mount Polley tailings dam breach, the British Columbia government has made numerous changes to its mining regulatory regime. The most recent amendments, some of which came into force late last week, significantly increased the penalties that may be imposed for violation of the [Mines Act](#) (Act). The changes heighten the potential exposure of mining companies and their directors, officers and agents in cases of unpermitted environmental impacts, as well as non-compliance with the administrative aspects of the legislation and permits issued under it.

Mine owners and operators throughout British Columbia have faced increased scrutiny over the past two years, a trend which is likely to continue. The government's most recent actions have stemmed largely from the reports and recommendations of the Independent Expert Engineering Investigation and Review Panel and the Chief Inspector of Mines, delivered in January and December 2015 respectively. The government has stated that it is committed to ensuring all of the recommendations are implemented over the next 12 to 18 months. Read the [full article](#) by [Roy Millen](#) and [Janice H. Walton](#) of Blake Cassels & Graydon LLP.

ENERGY AND MINES

Act or Regulation Affected	Effective Date	Amendment Information
Fee, Levy and Security Regulation (8/2014)	May 3/16	by Reg 105/2016
Mandatory Reliability Standards Regulation (32/2009)	May 18/16	by Reg 119/2016

Mines Act	May 19/16	by 2016 Bill 8, c. 7, section 2 only (in force by Royal Assent), Mines Amendment Act, 2016
Oil and Gas Activities Act	May 10/16	by 2015 Bill 5, c. 27, section 52 only (in force by Reg 109/2016), Information Management Act

FORESTRY AND ENVIRONMENT NEWS

Environmental Group Ramps Up Protection Effort for Western Toads Threatened by West Kootenay Logging

The Wilderness Committee is seeking immediate protection for 700 hectares of forest land in the West Kootenay following a [new video](#) showing countless western toads – a species of concern – crawling around logging equipment in the Summit Lake area near Nakusp.

"The toads are everywhere," campaigner Gwen Barlee said in [a recent] interview. "They're in the cutblocks, on the road ... under the tires of logging equipment. There's no way in a million years that you can log in this habitat without killing toads left, right and centre."

The BC government spent almost \$200,000 to build a toad tunnel underneath Highway 6. More than a million toadlets migrate at once, moving en masse from the lake across the highway to forested habitat where they live for four or five years before returning to the lake to breed. Read *The Vancouver Sun* [article](#).

Environmental Management Act

[Bill 25](#), the *Miscellaneous Statutes (General) Amendment Act, 2016*, proposes a number of amendments to the [Environmental Management Act](#). The intent of these changes is to provide the minister with flexibility to update area-based management plans (ABMP) and improve permitting certainty within ABMPs. These amendments will provide more certainty for those looking to invest in BC, while continuing to protect the environment and preserve the independence of statutory decision makers. ABMPs are already based on science, with technical input from experts, including statutory decision makers.

Environmental Appeal Board Decisions

There were four Environmental Appeal Board decisions released in the month of May:

[Environmental Management Act](#)

- [StewardChoice Enterprises Inc. v. Director, Environmental Management Act](#) [Preliminary Issue of Jurisdiction – Appeal Dismissed]
- [Nickomekl Enhancement Society; Semiahmoo Fish and Game Club; Little Campbell Hatchery; Little Campbell Watershed Society; Frank Mueggenburg; IronGait Ventures Inc.; Randy Ryzak; Pritpal Sandhu; Gabriel Farms Ltd.; Carl and Inge Thielemann; Sonja Kroecker; East Kensington Elementary P.A.C.; Loblaws Ltd.; Patricia Rush v. District Director, Environmental Management Act](#) [Stay Decisions – Granted with Directions]

[Water Act](#)

- [Bridge Creek Estate Ltd. v. Assistant Regional Water Manager](#) [Order – Extension confirmed]
- [Bridge Creek Estate Ltd. v. Assistant Regional Water Manager](#) [Order – Extension confirmed]
- [Bridge Creek Estate Ltd. v. Assistant Regional Water Manager](#) [Order – Extension confirmed]

Visit the Environmental Appeal Board [website](#) for more information.

FORESTRY AND ENVIRONMENT

Act or Regulation Affected	Effective Date	Amendment Information
Carbon Tax Act	May 19/16	by 2016 Bill 14, c. 10, sections 2, 7 to 15 only (in force by Royal Assent), Finance Statutes Amendment Act, 2016

Cutting Permit Postponement Regulation (112/2016)	May 13/16	by Reg 112/2016
Greenhouse Gas Industrial Reporting and Control Act	May 19/16	by 2016 Bill 19, c. 15, section 14 only (in force by Royal Assent), Greenhouse Gas Industrial Reporting and Control Amendment Act, 2016
Environmental Management Act	May 19/16	by 2016 Bill 25, c. 21, sections 6 to 9 only (in force by Royal Assent), Miscellaneous Statutes (General) Amendment Act, 2016
Exemption Regulation (120/2016)	NEW May 19/16	see Reg 120/2016
Logging Tax Act	RETRO to Jan. 1/16	by 2016 Bill 14, c. 10, sections 31 and 32 only (in force by Royal Assent), Finance Statutes Amendment Act, 2016
	May 19/16	by 2016 Bill 14, c. 10, section 33 only (in force by Royal Assent), Finance Statutes Amendment Act, 2016
Protected Areas of British Columbia Amendment Act, 2016	May 19/16	by 2016 Bill 15, c. 14, section 1, 3 and 4 only (in force by Royal Assent), Protected Areas of British Columbia Amendment Act, 2016
Wildfire Act	May 19/16	by 2016 Bill 12, c. 11, sections 27 to 30 only (in force by Royal Assent), Forests, Lands and Natural Resource Operations Statutes Amendment Act, 2016
Wildlife Act	May 19/16	by 2016 Bill 12, c. 11, sections 31, 25, 39 to 41 and 44 only (in force by Royal Assent), Forests, Lands and Natural Resource Operations Statutes Amendment Act, 2016

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