



EnviroFor Reporter

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ENVIROFOR NEWS:

Fall 2016 Session of the BC Legislature Cancelled

Parliament was originally scheduled to start the fall session Monday (October 3), but notice of the cancellation came the same day the session was to begin. The next session is scheduled to begin in the spring, just prior to the upcoming provincial election on May 9, 2017.

New Video Tutorials Published

- [Alerts \(13 mins\)](#) Did you know that there are four different types of alert services found on Quickscribe? This new YouTube video will show how easy it is for you to set up custom alerts that will notify you of upcoming and recent changes and new annotations posted to laws of your choosing.
- [Historical Research Tools \(11 mins\)](#) This video will introduce you to a number of powerful historical research tools found on Quickscribe.

These and other videos (including the recent [General Overview](#) tutorial video) are accessible via the help menu, located on the top menu bar when you first login. A video that covers the new search functions in Quickscribe is in the works and will be available shortly.


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](#).

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.

[\[Previous Reporters \]](#)

Decision to Approve Pacific Northwest LNG Facility a Boost to Industry

The Liberal government's decision to approve the Pacific Northwest LNG Project (Project) demonstrates that the federal government is prepared to make decisions on proposed resource development projects to get Canada's resources to market. The September 27, 2016, [Decision Statement](#) [PDF] approving the Project signals to industry, investors and the public that Canada's natural resources can, and will, be developed in a responsible and sustainable manner. The decision was announced at a joint press conference in British Columbia held by three federal ministers (Environment and Climate Change Minister Catherine McKenna, Natural Resources Minister Jim Carr and Fisheries Minister Dominic LeBlanc) and BC Premier Christy Clark. The Project proposes to convert natural gas to liquefied natural gas (LNG) for export to Pacific Rim markets in Asia. This decision – after multi-year federal

and provincial environmental assessments – could spark significant economic development across the natural gas industry in BC. If the Project receives investment approval, it will enable one of Canada's largest resource development projects, with **up to \$36 billion** of new terminal facilities, pipeline infrastructure and upstream development. Read the [full article](#) by [Jeremy Barretto](#), [Thomas Mc Nerney](#), [Terri-Lee Oleniuk](#), [Shawn Denstedt](#), Q.C. of Osler, Hoskin & Harcourt LLP.

Ecofiscal Commission Report Says It's Time to Drop Costly Biofuels Subsidies

A blue-chip group of economists says federal and provincial government biofuel subsidies are an expensive experiment and it's time to let them expire. A study released Tuesday [October 4th] by Canada's Ecofiscal Commission finds that ethanol and biodiesel policies cost consumers and governments about \$640 million a year – while cutting Canada's greenhouse gas emissions by about three million tonnes annually. Put another way, the report says that every tonne of carbon dioxide reduced by using ethanol costs at least \$180 while biodiesel reductions cost at least \$128. And even those high price tags, states the report, may severely under-represent the true cost per tonne of CO₂ reductions when the full life-cycle emissions of biofuels are taken into account. The biofuels industry lobby group, Renewable Industries Canada, was consulted by the commission during the report's preparation but called the study's conclusions "flawed and skewed." The report comes a day after the federal Liberal government announced it would impose on provinces and territories a mandatory carbon price of \$10 a tonne starting in 2018, increasing to \$50 a tonne in 2022, if those jurisdictions refuse to adopt their own carbon price or cap-and-trade plan. Read the full [Vancouver Sun article](#).

AME Issues Important Environmental Regulatory Reviews and Health & Safety Update

The Association for Mineral Exploration issued the following Update on its public site:

Situation

Following last year's federal election result, and the provincial Auditor General's report, both governments are currently reviewing environmental procedures and regulations with a view to strengthening protections and enhancing public confidence in regard to environment, health and safety. Protecting the environment and health and safety are very important to AME members. Your input into government's reviews is critical so that any potential changes contemplated to regulations will also result in more timely and cost-effective decision-making and improved procedures for the mineral exploration and development industry.

Read the full AME [article](#).

Act or Regulation Affected	Effective Date	Amendment Information
Mineral Tenure Act Regulation (529/2004)	Sept. 1/16	by Reg 50/2016
Petroleum and Natural Gas Act	Sept. 1/16	by 2015 Bill 15, c. 4, sections 31 to 33 only (in force by Reg 191/2016), Miscellaneous Statutes (Signed Statements) Amendment Act, 2016
Renewable and Low Carbon Fuel Requirements Regulation	Sept. 1/16	by Regs 50/2016 and 190/2016

Forest and Environment News:

Where does the Softwood Lumber Agreement Currently Stand?

The [2006 Softwood Lumber Agreement](#) expired on October 12, 2015. While that agreement mandated export measures on Canadian softwood lumber exports destined for the United States, it also protected those lumber exports from the potential imposition of onerous import measures by the U.S. Currently, a 12-month post-termination stand-still period protects Canadian softwood lumber exports from U.S. import measures. However, that residual protection will soon expire. On August 18, 2016, Martin Moen, Canada's Chief Negotiator, provided an [update report](#) to the Standing Parliamentary Committee on International Trade. According to his oral report, if a replacement agreement is not reached by October 12, 2016, there is a "high risk" that U.S. producers will petition the U.S. Department of Commerce for the imposition of high countervailing and antidumping duties. As in the past, these attempts likely will be made on the grounds that Canadian provinces are subsidizing the industry by setting

stumpage values that do not reflect market rates and that Canadian exporters are dumping softwood lumber in the U.S. at unfairly low prices. Read the [full article](#) published on the law firm Bull, Houser & Tupper LLP website.

Report urges better BC Planning on Water

British Columbians should still be worried about drought, water quality and better water planning, says a new report, even though the relatively mild summer failed to cause any water shortage crises. A University of Victoria POLIS Project on Ecological Governance [report released \[September 21st\]](#) said the province should act now to build resistance to drought and floods, protect water for drinking and recreation, ensure future sustainability, more accurately map B.C.'s watersheds and better include water issues in planning natural resource and economic development projects. "The report is trying to say British Columbia, British Columbians and in fact many Canadians for a long time haven't really thought about water issues a whole lot," said Oliver Brandes, project co-coordinator. "Sure they crop up, the drought of 2015 we think about for a bit, we respond and sometimes it's enough. Sometimes it goes away. And then we forget." Read *The Vancouver Sun* [article](#).

Logging Violations Cut through Scenic Mountainside in Port Alberni – Twice

Investigation launched by watchdog finds logger violated government standards on two occasions

A heavily logged mountainside in Port Alberni has watchdogs concerned the BC government failed to notice clear violations of provincial forestry practices. [An investigation](#) launched by BC's Forest Practices Board found a scenic mountainside on the Port Alberni Inlet was over-logged – twice – according to [provincial "visual quality" standards](#), and the ministry of forests was warned of the violations, but failed to act. "The government's enforcement of visual management in that instance was not adequate or appropriate," said Tim Ryan, director of the FPB. The area was cut by foresters from the [Tseshaht First Nation](#). According to the report, in 2011, logging left large scars across the landscape visible from the Port Alberni Harbour – a practice that is not allowed in the area, [according to legislation](#). Read the CBC [article](#).

Environmental Appeal Board Decisions

There were five Environmental Appeal Board decisions released in the month of September:

[Environmental Management Act](#)

- [MTY Tiki Ming Enterprises Inc. v. Director, Environmental Management Act](#) [Final Decision – Appeal Dismissed]
- [West Fraser Mills Ltd.; Catalyst Paper Corporation; Zellstoff Celgar Limited Partnership; Domtar Inc.; Nanaimo Forest Products Ltd. \(aka Harmac\); Kruger Products LP.; Neucel Specialty Cellulose Ltd.; Canfor Pulp LP; Canadian Forest Products Ltd.; Mackenzie Pulp Mill Corporation v. Regional Director, Environmental Management Act](#) [Jurisdiction Confirmed – All Appeals; 28 Appeals Allowed]
- [Greater Vancouver Sewerage and Drainage District v. Director, Environmental Management Act](#) [Preliminary Application – Denied]

[Wildlife Act](#)

- [Darren DeLuca vs. Deputy Regional Manager, Recreational Fisheries and Wildlife Programs](#) [Final Decision – Appeal Dismissed]
- [Darren DeLuca vs. Deputy Regional Manager, Recreational Fisheries and Wildlife Programs](#) [Application for Evidence to be Received in Confidence – Allowed]

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

Act or Regulation Affected	Effective Date	Amendment Information
Kitsumkalum-Kitselas Designated Area No. 1 (229/2016)	NEW Sept. 20/16	see Reg 229/2016
Permit Regulation (253/2000)	Sept. 1/16	by Reg 50/2016
	Sept. 20/16	by Reg 222/2016
Pound Districts Regulation (66/81)	Sept. 1/16	by Reg 50/2016

Weed Control Act	Sept. 1/16	by 2016 Bill 5, c. 4, sections 12 and 13 only (in force by Reg 191/2016), Miscellaneous Statutes (Signed Statements) Amendment Act, 2016
Water Sustainability Act	Sept. 1/16	by 2016 Bill 5, c. 4, section 11 only (in force by Reg 191/2016), Miscellaneous Statutes (Signed Statements) Amendment Act, 2016
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