



EnviroFor Reporter

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ENVIROFOR NEWS:

Important Access Information

It has come to our attention that some Quickscribe users have not updated their bookmarks to reflect the fact that Quickscribe moved from HTTP to HTTPS a few years ago. **Please ensure that you and your colleagues are accessing Quickscribe via <https://www.quickscribe.bc.ca/login.html>** (note the "s" on https), otherwise you may experience some performance issues relating to how quickly the laws load on your page.

Alert Enhancements

We recently added some functionality that will make it easier for you to access information on the Quickscribe database via links in your Quickscribe email alerts – even if you are not currently logged into Quickscribe. When you select a link in an email alert, such as our new [Keyword Alert](#), you will now be taken directly to the source information on Quickscribe once you are authenticated.

Latest Annotations

New annotations have recently been added to the Quickscribe site.

- [Anita Mathur](#), BC Oil & Gas Commission – [Oil and Gas Activities Act](#)

Watch this 20-minute [YouTube video](#) to learn more about annotations including how to receive alerts when new annotations are published to the laws that matter most to you. To view and follow annotation contributors, select "[Annotations](#)" via the left navigation, then select the "[experienced legal professionals](#)" link under the large star icon, then "Follow User" adjacent to any "expert annotator".

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.

[\[Previous Reporters \]](#)

CATEGORIES

[ENERGY & MINES](#)
[FORESTRY & ENVIRONMENT](#)
[OCCUPATIONAL HEALTH & SAFETY](#)

ENERGY AND MINES NEWS

Canadian Energy: Senate Passes Bill C-48 and C-69

On June 21, 2019 the Senate passed [Bills C-48](#) and [C-69](#), after a prolonged and contentious debate in both the upper and lower chambers. Bill C-48, which imposes a ban on oil tankers off British Columbia's Northern Coast, passed in substantially the same form as originally tabled in the House of Commons. Bill C-69, which

significantly overhauls the federal regulatory approval process, passed with 99 amendments that were approved by House of Commons. Both Bills received royal assent on the same day.

The passage of both bills marks the end to a controversial Parliamentary saga that has generated anxieties from western provinces and certain industries that view both pieces of legislation as further frustrating an already fledgling natural resources industry. Premier Kenny has reiterated his commitment to launching a constitutional challenge to both bills, on the grounds that it represents an unconstitutional intrusion into provincial power and prejudicially targets provincial industries in Alberta. Read the [full article](#) by Chidinma Thompson, Matti Lemmens and Brett Carlson on *The Resource*, the BLG Energy Law Blog.

BCOGC Industry Bulletins

The following BCOGC bulletins were issued in June:

- [INDB 2019-10 Requirements for Submission of As-Drilled Survey Plans](#)
- [INDB 2019-11 Weather Contributes to Low Stream Flow Conditions in Northeast B.C.](#)
- [INDB 2019-12 Updates to the Application Management System](#)
- [INDB 2019-13 Changes to Interim Measures](#)
- [INDB 2019-14 Updates to Canadian Standards Association's CSA Z662-19](#)
- [INDB 2019-15 Corporate Amalgamation eSubmission Update](#)
- [INDB 2019-16 Permitting Changes During Interim Moratorium for Caribou Recovery](#)

Visit the [BCOGC website](#) to view these and other bulletins.

Gas Companies Refuse to Cough up Profit Margins to BC Inquiry

The companies behind most of BC's major gas stations are refusing to provide details about their profit margins to a government-ordered inquiry into retail gasoline prices. Husky Energy, Suncor Energy and Shell Canada – with a combined almost 500 gas stations under retail brand names that include Petro-Canada and Esso – declined to give the independent BC Utilities Commission information about their retailing margins, which would show how much money they make per litre of gasoline at the pump.

Husky called the information "commercially sensitive and confidential," while Suncor replied that it "is not prepared to provide its retailing margins at controlled sites as this information is competitively sensitive." "Due to the confidential and commercially sensitive nature of such information, Shell is not in a position to provide specific information regarding its retail and wholesale gasoline and diesel retail margins," Shell Canada said in its written submission to the commission. Read the *Vancouver Sun* [article](#).

ENERGY AND MINES

Act or Regulation Affected	Effective Date	Amendment Information
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There were no amendments this month.

FORESTRY AND ENVIRONMENT NEWS

Superintendent Chosen For Professional Governance Office

The Government of British Columbia has announced that Paul Craven will lead the new Office of the Superintendent of Professional Governance.

The office will oversee five regulatory bodies to ensure qualified professionals are acting in the public interest.

Craven brings significant experience to the role of superintendent, having previously served in the BC Environmental Assessment Office as executive director of strategic services and compliance. He will oversee professional regulators for agrologists, biologists, foresters, engineers, geoscientists, and applied science technicians and technologists in BC who work in a range of fields, including the natural resources sector. Read the BC Government [news release](#).

Update on the new Fisheries Act – the Senate Bids Farewell to the "Deeming Provision"

On May 27, 2019 the Standing Senate Committee on Fisheries and Oceans released its report on [Bill C-68](#), the

new federal [Fisheries Act](#) (the "Act"). [A previous article](#) discussed the Act's broader protections for fish and fish habitat, including changes to the definition of "fish habitat". Of particular interest was the introduction, at the House Committee stage, of a "deeming provision" that deemed water flow (previously understood to be a component of habitat) to be fish habitat itself:

2(2) For the purposes of this Act, the quantity, timing and quality of the water flow that are necessary to sustain the freshwater or estuarine ecosystems of a fish habitat are deemed to be a fish habitat.

The proposed change in definition prompted expressions of concern even before Bill C-68 came before the Senate Committee. The Minister of Fisheries, Oceans and the Canadian Coast Guard acknowledged this in his speech introducing Bill C-68 at the Senate:

I also know there has been a lot of concern in relation to the flow amendment in proposed section 2(2). That amendment was made in the house committee by MP Elizabeth May. Again, as indicated at second reading, we are open to amendments that will strengthen the bill to provide better certainty for proponents while also ensuring that fish and fish habitat are protected.

Read the [full article](#) by Michael Finley with Gowling WLG.

The Role of Forest Professionals in Compliance and Enforcement

– from ABCFP – BC Forest Professional Magazine:

The recently published special investigation, Appropriateness of Government's Compliance and Enforcement Framework for [FRPA](#) and the [Wildfire Act](#), has raised a number of questions and concerns with the program. One of those questions is where forest professionals fit within the program.

After its mandate expanded in 2012, CEB (Compliance and Enforcement Branch) specifically focused on hiring staff with education in natural resource law enforcement. These staff are educated in interpreting and applying legislation but, in general, are not experienced with forest practices or natural resource management. Forty per cent of natural resource officers (NRO) interviewed for the Board's report described themselves as having education and experience in law enforcement, not natural resource management.

In general, older staff tended to be forest professionals and many interviewees expressed concern that this resource is disappearing with retirements. So, with a decreasing number of forest professionals, how will CEB provide confidence to the public that the *Forest and Range Practices Act* (FRPA) and the *Wildfire Act* are being appropriately enforced? Read the [full article](#) by Christine Armour, RPF, Manager of Audits and Investigations with the Forest Practices Board, published in the ABCFP BC Forest Professional Magazine.

FORESTRY AND ENVIRONMENT

Act or Regulation Affected	Effective Date	Amendment Information
Mountain Caribou Designated Area No. 1	NEW June 20/19	see Reg 136/2019
Private Managed Forest Land Council Regulation (182/2007)	July 1/19	by Reg 55/2019
Professional Governance Act	NEW June 1/19	c. 47, SBC 2018, Bill 49 , (in force by Reg 107/2019)
Professional Governance General Regulation (107/2019)	NEW June 1/19	see Reg 107/2019
	June	

Wildfire Regulation (38/2005)

24/19

by [Reg 143/2019](#)

OCCUPATIONAL HEALTH AND SAFETY NEWS

After a Disaster, Restoration Contractors Pick up the Pieces

The jobsites of fire and flood restoration contractors are unlike most. They could be facing raw sewage floating in knee-deep water, mould layered over walls, pathogens from a crime scene, or rooms filled with toxic chemicals from burnt plastics, carpets, wood, and fabrics.

Once emergency responders have finished their work, restoration contractors and insurance adjusters are some of the first people to enter a home or building after a disaster such as a fire or flood. The aftermath of a fire or flood can leave serious health hazards for contractors – particulates, electrical hazards, rotting and structural damage, lingering odours from smoke, mould and mildew, plus exposure to asbestos, lead, mercury, and biohazards, to name a few. These potentially hazardous exposures are preventable with proper controls in place. Read the [full article](#) by Marnie Douglas in the May/June 2019 edition of *Worksafe Magazine*.

Extending coverage to Ministry of Social Development and Poverty Reduction Unpaid Work Experience Program

– from WorkSafeBC

On April 10, 2019, the Board of Directors approved extending coverage under [Section 3\(7\)\(b\)](#) of the [Workers Compensation Act](#) to participants of the Unpaid Work Experience Program. This program was developed by the Ministry of Social Development and Poverty Reduction to assist unemployed and underemployed British Columbians gain valuable work skills in a work environment. Access to the complete resolution can be found through the WorkSafeBC website [article](#).

OCCUPATIONAL HEALTH AND SAFETY

Act or Regulation Affected	Effective Date	Amendment Information
Occupational Health and Safety Regulation (296/97)	June 3/19	by Reg 14/2019

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