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ENVIROFOR NEWS:

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ENERGY AND MINES NEWS

Federal Government Launches \$750-Million Emissions Reduction Fund for the Canadian Oil and Gas Industry

On October 29, 2020, the federal government announced the launch of a \$750-million Emissions Reduction Fund to reduce methane and GHG emissions. Administered through Natural Resources Canada, the Fund provides up to \$675 million to eligible onshore oil and gas companies (Onshore Program) and up to \$75 million to eligible offshore oil and gas companies (Offshore Program). The Fund aims to reduce methane emissions from the Canadian oil and gas industry by providing project financing for adoption of clean technologies.

The Onshore Program opened its first cycle of applications on October 29, 2020. The Offshore Program is expected to commence its application cycle sometime in November 2020. In this blog, we provide an update summarizing the background and the key features of the Fund. Read the [full article](#) by Thomas W. McInerney, Sharon G.K. Singh, Parker McKibbin and Kenryo Mizutani with Bennett Jones LLP.

Change is the Only Constant: Navigating the Energy Transition and Commitments to "Build Back Better"

COVID-19, plummeting oil prices, economic downturns and a global realization, and desire, that the way in which the world is supplied with, and consumes, energy must undergo a transition from today's model. Over the coming months, Fasken's Global Energy Group, in a series of special bulletins titled "*Energy in Transition*", will look at the challenges and opportunities facing the global energy sector as the world looks to a green and zero carbon emissions economy.

Even before the COVID-19 catastrophe, fundamental shifts were being experienced in the energy sector. Norway's sovereign wealth fund is divesting from four large Alberta companies involved in the oilsands for reasons apparently relating to the ethical implications of carbon emissions. Enbridge Inc., North America's largest pipeline company, is shifting its asset mix to reflect the energy transition underway by investing increasingly larger proportions of its capital to natural gas and renewable energy projects. While investors in the

energy sector have been placing an increasing focus on environmental, social and governance (ESG) factors, the COVID-19 pandemic has also brought significant questions of energy supply, dependency and security to the fore. Read the [full article](#) published by Fasken Martineau DuMoulin.

Abbotsford Developers Could be Required to Install Electric Vehicles Chargers into New Buildings

Townhouse and apartment developers in Abbotsford may soon be required to include electric-vehicle charging outlets for every new residential unit they build. Many Metro Vancouver municipalities already require builders to outfit parking stalls with EV infrastructure beyond rudimentary 120-volt plugins. Now, Abbotsford is considering whether to follow suit, with staff recommending that each new multi-family parking space created be able to charge electric vehicles overnight. Although such a requirement would cost developers up front, a staff presentation says it is far cheaper to outfit parking stalls at construction rather than retrofitting them on demand. With BC having passed [legislation](#) requiring all vehicles sold in the province to be zero-emission by 2040, such a move would spare stratas and building owners down the line. Read the [full article](#) by Tyler Olsen in *BC Local News*.

ENERGY AND MINES

Act or Regulation Affected	Effective Date	Amendment Information
Fuel Price Transparency Regulation (52/2020)	Nov. 1/20	by Reg 213/2020
Zero-Emission Vehicles Act	Nov. 1/20	by 2019 Bill 28, c. 29, sections 17 and 18 only (in force Reg. 196/2020), Zero-Emission Vehicles Act
Zero-Emission Vehicles Regulation (196/2020)	Nov. 1/20	by Reg. 196/2020

FORESTRY AND ENVIRONMENT NEWS

BC Court's Rejection of Necessity Defence a Blow to Fighting Climate Change, Environmentalists Say

The B.C. Court of Appeal's decision to prevent two Trans Mountain pipeline protesters from raising the "defence of necessity" in disobeying an injunction is a blow to those hoping to fight against further climate change, environmentalists say.

But Harry Wruck, a lawyer for Ecojustice based in Vancouver, says there is "no question that the defence of necessity is still open to a climate change protester in the right circumstances." Read the [full article](#) published in the *Canadian Lawyer Magazine*.

What's Coming? The Code – Bylaw 9, the ABCFP's New Code of Ethical and Professional Conduct

Two years ago, the Government of British Columbia began the process of bringing in a new professional governance model called the [Professional Governance Act](#) (PGA). During this time, Association of BC Forest Professionals staff have worked diligently to adapt ABCFP policy framework to align with the provisions within the PGA, which will likely come into legal force in the coming months at the same point the existing [Foresters Act](#) is repealed.

Under the PGA, authority and process for approving ABCFP Bylaws rests with the Government of British Columbia and the Office of the Superintendent of Professional Governance. Section 57(2) of the PGA contains 12 ethical principles regulators under the PGA must incorporate into their Code of Ethics. Read the full article by Mike Larock, RPF and published in the fall edition of the [BC Forest Professional](#).

Federal Government Releases Revisions to Strategic Assessment of Climate Change

On July 16, 2020, Environment and Climate Change Canada (ECCC) released its Strategic Assessment of Climate

Change (SACC). The SACC provides detailed guidance to those project proponents required to assess climate change impacts within a federal impact assessment under the [Impact Assessment Act](#), SC 2019, c 28, s 1 (IAA). On October 6, 2020, ECCC released a revised version of the SACC to add clarity on how net-zero plans and offset credits will be considered in the impact assessment process.

We provided an in-depth analysis on the SACC in [Federal Government Releases Strategic Assessment of Climate Change](#). Here we provide an update summarizing the relevant revisions to the SACC released on October 6, 2020. Read the [full article](#) published by Bennett Jones LLP.

Canadian Environmental Protection Act Amendments

A recent amendment to the [Canadian Environmental Protection Act, 1999](#) adds "mitotane", an essential therapeutic drug, to the List of Toxic Substances in Schedule 1 of the act, as it meets the criterion for a toxic substance as set out by the act. An ecological assessment conducted by the Department of the Environment and the Department of Health found that there is a potential for mitotane to cause ecological harm to aquatic organisms when it is released down the drain to water via wastewater treatment systems. However, its essential use as a therapeutic drug in Canada will not be limited, as there are very few patients using the drug at any given time. Schedule 1 was also amended to remove the substance "BNST" because new available information indicates it has a lower potential to cause ecological harm than previous information had indicated.

Environmental Appeal Board Decisions

There was one Environmental Appeal Board decision in the month of September:

[Environmental Management Act](#)

- [GFL Environmental Inc. v. District Director, Environmental Management Act](#) [Application to Recuse – Denied; Application to Cross-Examine – Denied]

[Water Sustainability Act](#)

- [William Di Pasquale v. Assistant Water Manager](#) [Final Decision – Appeal Granted in Part]

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

FORESTRY AND ENVIRONMENT

Act or Regulation Affected	Effective Date	Amendment Information
Zero-Emission Vehicles Act	Nov. 1/20	by 2019 Bill 28, c. 29, sections 17 and 18 only (in force Reg. 196/2020), Zero-Emission Vehicles Act
Zero-Emission Vehicles Regulation (196/2020)	Nov. 1/20	by Reg. 196/2020

OCCUPATIONAL HEALTH AND SAFETY NEWS

New COVID-19 Guidelines & Notices

In recent weeks, the BC government has updated and/or introduced the following new orders and guidelines aimed at reducing the spread of COVID-19:

- Order – [Gatherings and Events – October 30, 2020](#)
- Order – [Food and Liquor Serving Premises – October 9, 2020](#)

BOD Decision – Policy Amendments to Implement the *Workers Compensation Amendment Act, 2020 (Bill 23)*

At its October 2020 meeting, WorkSafeBC's Board of Directors approved amendments to 45 policies in the *Rehabilitation Services & Claims Manual*, Volume II, the *Assessment Manual*, and the *Prevention Manual*, to ensure policy is consistent with 32 amendments to the *Workers Compensation Act*, which came into effect on August 14, 2020, as a result of [Bill 23](#). Of the 34 policy amendments brought into effect on October 21, 2020, 18 are housekeeping changes that do not change the application of the policies. Read the WorkSafe BC [news](#)

[release.](#)

Federal Government Invests for BC Farm Workers – COVID-19

The federal government is investing \$4.9 million under the Emergency On-Farm Support Fund to help British Columbia (B.C.) farmers better protect the health and safety of farm workers during the COVID-19 pandemic. "Everyone needs to feel safe and supported when they go to work. Since the start of the COVID-19 pandemic, protecting the health of all farm workers who are working hard to feed Canadians has been a top priority. With this program, British Columbia farmers will have the support they need to ensure the right measures are in place to safeguard their employees' health and safety and limit the spread of the virus," said Marie-Claude Bibeau, minister of agriculture and agri-food. The federal funding will be delivered by the Investment Agriculture Foundation of British Columbia (IAF). Read the [full article](#) published by the Canadian Occupational Safety.

WorksafeBC OHS Guidelines Revised

– from WorkSafeBC:

A number of new, revised and retired guidelines were announced by Worksafe BC on October 20, 2020. The changes impact the WCA Guidelines regarding G-P2-85 and OHSR Guidelines concerning

- Part 8 Personal Protective Clothing and Equipment
- Part 14 Cranes and Hoists
- Part 23 Oil and Gas
- Part 31 Firefighting

For further details on these and other updates, please visit the [WorkSafeBC Updates & Decisions page](#).

OCCUPATIONAL HEALTH AND SAFETY

Act or Regulation Affected	Effective Date	Amendment Information
Elevating Devices Safety Regulation (101/2004)	Oct. 31/20	by Reg 184/2019

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