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ENVIROFOR NEWS:

Legislative Session Resumes

The BC legislature resumed Monday [October 4th] and is scheduled to run through to November 25th. The government is expected to introduce a handful of new bills this session, including new legislation that it claims will change the way forests are managed in BC. The government also intends to continue focusing efforts to assist businesses impacted by the pandemic and will likely introduce legislation to address recent anti-vaccine protests that have taken place in front of hospitals and schools. If you would like to be alerted to new Bills or legislation that include subject matter of interest, we recommend using the customizable [Keyword Alert](#) tool located in the [My Alerts](#) page.

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

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ENERGY AND MINES NEWS

Mining Giant Rio Tinto's Control of Nechako River Waterflow in BC Challenged by Local First Nations

Mining giant Rio Tinto's control over the Nechako River watershed in Northern BC is being challenged by three impacted First Nations and the Regional District of Bulkley Nechako. According to a Memorandum of Understanding signed between the regional district and the Saik'uz, Stellat'en and Nadleh Whut'en First Nations, the parties want to see a new water flow regime for the river "that benefits all people within the watershed," plus the establishment of a new river governance regime. The Nechako River was dammed at its source on the eastern edge of the Kitimat Ranges in the early 1950s to provide power to the Alcan aluminum smelter in Kitimat that is now owned by Australian company Rio Tinto. As a result, communities were consumed by the 230 km reservoir system west of the dam, while the original flow of the river to Prince George – where it enters the Fraser River – was reduced by two thirds. Read the *Vancouver Sun* [article](#).

Recent BCOGC Bulletins

The BCOGC has recently issued the following bulletins:

- [INDB 2021-26](#) – Transfer of Permit Applications Submission Changes

- [INDB 2021-27](#) – Emergency Management Regulation Amendments

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

ENERGY AND MINES

Act or Regulation Affected	Effective Date	Amendment Information
Emergency Management Regulation (217/2017)	Sept. 1/21	by Reg 226/2021

FORESTRY AND ENVIRONMENT NEWS

Six Months Remain for Groundwater Users to Apply for Licence

A deadline for select groundwater users is less than six months away. March 1, 2022, is the deadline to apply for a water licence for those who were using groundwater from a well or dugout on or before Feb. 29, 2016, for non-domestic purposes such as irrigation, commercial or industrial use. A water licence is not required for a household well or groundwater used for domestic purposes, such as watering lawns and gardens. Domestic groundwater users are encouraged to register their well for free. Existing groundwater users who have not applied by the deadline will be unlicensed and must stop using groundwater after March 1, 2022, until a licence is obtained. They will be treated as a new user and will not receive recognition for their historical date of first use. That historical date is important because during water shortages, older licences get priority access to water. Missing the deadline could be costly and may include fines for unlicensed use of groundwater. Read the government [news release](#).

BC Government Expected to Introduce Old-growth Logging Reforms

The Opposition Liberals and Greens are expecting the BC government to introduce policy reforms to old-growth logging during the current six-week legislative session, and the forests minister says changes are coming. Katrine Conroy says the [Forestry Act](#) will be amended and changes will go beyond the issue of old-growth logging that has seen more than 1,100 arrests at Fairy Creek. Read the CTV News [article](#).

Climate Change Cited as Reason to Deny Injunction Extension over Logging in BC

Teal Cedar Products Ltd. has applied for a one-year extension to its Fairy Creek injunction. Public concerns over climate change should play a large part in deciding whether a British Columbia forestry company is granted an injunction extension against protests over the logging of old-growth forests, a court heard Wednesday [September 15]. The B.C. Supreme Court must weigh the environmental importance of protecting old-growth trees in the Fairy Creek area of Vancouver Island as opposed to considering the economic interests of Teal Cedar Products Ltd., which has applied for a one-year extension to the injunction, lawyer Steven Kelliher said. Read the CBC News [article](#).

Marine Protected Area Network off BC Coast Could Provide a Template: West Coast Environmental Law

The federal government's plan to conduct public consultations for a Marine Protected Area network off the coast of British Columbia could provide a template for how to manage oceans in the face of climate and ecological uncertainty, says Michael Bissonnette, a staff lawyer with West Coast Environmental Law. Read the [full article](#) by [Zena Olijnyk](#) published by *Canadian Lawyer*.

Environmental Appeal Board Decisions

The following Environmental Appeal Board decisions were made recently:

[Environmental Management Act](#)

- [Mount Polley Mining Corporation v. Director, Environmental Management Act](#) [Final Decision – Appeal Dismissed]

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

FORESTRY AND ENVIRONMENT

Act or Regulation Affected	Effective Date	Amendment Information
Professional Governance General Regulation (107/2019)	Sept. 13/21	by Reg 239/2021

OCCUPATIONAL HEALTH AND SAFETY NEWS

"Technically, That's Fraud": BC Doctor Outlines Criteria for Vaccine Exemption Letters

Shortly after BC's vaccine passport system was announced, Dr. Shane Barclay said, the requests for medical letters for vaccine exemptions started to come in. "It took quite a bit of time to cover the reasons why and convince people they didn't meet the criteria," said Barclay, a general practitioner and medical director at Sun Peaks Community Health Centre. In [a letter](#) to his patients this week, Barclay said no exemption letters will be written unless they met the criteria set out by health authorities. Read the CTV News [article](#).

BC Rejects Recommendation to Allow WorkSafeBC to Make Special Payments to Workers for Its Errors

BC Ombudsperson Jay Chalke conducted an investigation into errors made by WorkSafeBC in terminating monthly injury-benefit payments to a cabinetmaker who had lost the tips of some of the fingers on his left hand. The BC government has rejected a call by the BC Ombudsperson to permit WorkSafeBC to voluntarily make payments to an injured worker for mistakes made by the provincial safety insurance agency. BC Ombudsperson Jay Chalke conducted an investigation into errors made by WorkSafeBC in terminating monthly injury-benefit payments to a cabinetmaker who had lost the tips of some of the fingers on his left hand. The cabinetmaker, only identified as Mr. Snider, was forced to go back to work in 2011 when his payments ended even though the grip in his left hand was impaired. A week after he returned to the job, he more seriously injured his hand, when a thumb and three of his fingers were fully or partially cut off by a saw blade. A WorkSafeBC review division ultimately found that safety agency was wrong to have terminated the injured worker's benefits after the first injury. Read the *Vancouver Sun* [article](#).

BC Human Rights Commissioner Issues Guidance on Proof of Vaccination amid COVID-19

Since the initial release of the BC Office of the Human Rights Commissioner's guidance on proof of vaccination amid the COVID-19 pandemic, there has been an upward trend among BC employers implementing mandatory vaccination policies, a lawyer says. In some cases, they put such policies in place because they have been required to, while in other cases they have chosen to do so, says Monty Verlint, a labour and employment law partner at Littler Mendelson P.C. Read the [full article](#) by [Bernise Carolino](#) published by *Canadian Lawyer*.

WorkSafeBC Cracks Down on Fall Protection Violations

WorkSafeBC has issued a number of fines to companies flouting working at heights regulations, exposing workers to dangerous and potentially deadly falls. Rana Siding and Gutters Ltd. was recently fined \$2,851.95 by WorkSafeBC. During an inspection of a worksite in Surrey, BC, where the firm was installing gutters at a three-storey townhouse complex under construction, WorkSafeBC noticed a worker installing gutter pipes from the top of a ladder – with no system of fall protection in place. This means that the worker was exposed to a fall risk of about 4.9 metres (or 16 feet). Read the [full article](#) by Maia Foulis, published on the Canadian Occupational Health and Safety website.

New Public Health Orders

The Public Health Office (PHO) recently issued the following Orders, Notices & Guidance:

Orders:

- [Face Coverings \(COVID-19\) – September 28, 2021 \(PDF, 308KB\)](#)
- [COVID-19 Vaccination Status Information and Preventive Measures Order – September 27, 2021 \(PDF, 513KB\)](#)
- [Gatherings and Events – September 10, 2021 \(PDF, 417KB\)](#)

- Food and Liquor Serving Premises – September 10, 2021 (PDF, 402KB)
- [Post-secondary Institution Housing COVID-19 Preventive Measures – September 9, 2021 \(PDF, 440KB\)](#)
- [COVID-19 Vaccination Status Information and Preventive Measures Order – September 9, 2021 \(PDF, 500KB\)](#)
- [Face Coverings \(COVID-19\) – September 2, 2021 \(PDF, 308KB\)](#)
- [Residential Care Staff COVID-19 Preventive Measures PHO Order – September 2, 2021 \(PDF, 444KB\)](#)

Medical Health Officer Orders:

- [Gathering and Events Regional Measures \(COVID-19\) Order for Fraser Health Authority – September 28, 2021 \(PDF, 352KB\)](#)
- [Gatherings and Events – Interior Health COVID-19 Order – September 13, 2021 \(PDF, 472KB\)](#)
- [Gatherings and Events COVID-19 Order for Northern Health Authority – September 7, 2021 \(PDF, 106KB\)](#)

Medical Health Officer Notices:

- [Notice of Repeal of the Food and Liquor Serving Premises – Central Okanagan COVID-19 Order – September 13, 2021 \(PDF, 383KB\)](#)
- [Notice of Repeal of the Mandatory Masks/Face Coverings – Interior Health COVID-19 Order – September 1, 2021 \(PDF, 384KB\)](#)

Guidance:

- [Valid contraindications and deferrals to COVID-19 vaccination – September 15, 2021 \(PDF, 211KB\)](#)

Visit the [PHO website](#) to view these and other related orders and notices.

OHS Policies/Guidelines – Updates

WorkSafeBC recently issued the following OHS Updates:

OHS Guidelines – Occupational Health and Safety Regulation

Editorial revisions were made to the following guidelines (Published September 30, 2021).

- Part 5 Chemical Agents and Biological Agents
 - [G5.86 Water supply](#)
- Part 29 Aircraft Operations
 - [G29.0 Aircraft operations – Jurisdiction](#)

Check the [WorkSafe BC Updates page](#) to explore these and other important OHS updates.

OCCUPATIONAL HEALTH AND SAFETY

Act or Regulation Affected	Effective Date	Amendment Information
Elevating Devices Safety Regulation (101/2004)	Sept. 30/21	by Reg 184/2019
Occupational Health and Safety Regulation (296/97)	Sept. 1/21	by Reg 139/2021

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