



EnviroFor Reporter

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ENVIROFOR NEWS:

Expansion of Supplemental Notes

In October 2021, Quickscribe introduced a new [Supplemental Notes](#) feature that provides helpful background information about each section of law. We recently expanded this feature to allow us to place notes adjacent to bills, as well as on the "last updated" reference typically found on the table of contents of a law. Work is also underway to gradually incorporate "explanatory notes" to supplemental notes that get assigned to the section level. Explanatory notes are found on First Reading bills and provide a brief technical summary of an amendment – basically what an amendment does to a section. We believe that these explanatory notes, in conjunction with other supplementary information and Hansard (debates) will provide you with the layers of information you need to interpret the law more effectively.

PDF Section Printing Issue

We are aware that some users are experiencing issues printing off select sections of laws on Quickscribe. We are actively investigating this issue and hope to have a solution in place shortly. In the meantime, you may opt to use the main PDF tool located on the top (grey) menu, which will display a full PDF for the law. You can then print off the pages you require.

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

Canada Introduces 2030 Emissions Reduction Plan and Offset Credit Regulations

Environment and Climate Change Canada (ECCC) has published the [Greenhouse Gas Offset Credit System Regulations](#), the legally binding framework of Canada's first national carbon offset system and a step towards addressing the federal government's emission reduction goals, outlined in the 2030 Emissions Reduction Plan.

We recently wrote about the development of the 2030 Emissions Plan and a federal carbon offset system on [February 28, 2022](#). This Alert serves to update you on more recent developments.

On March 29, 2022, the Government of Canada (GOC) released the [2030 Emissions Reduction Plan](#). The 2030 Plan is the first version of a series of plans that the GOC will pass as directed by the 2021 [Canadian Net-Zero Emissions Accountability Act](#). In accordance with the requirements of the Act, the federal government is required

to provide updated emissions reductions plans in the milestone years of 2030, 2035, 2040, and 2045, the ultimate goal being to cut Canadian emissions to 40 percent below 2005 levels by 2050. Read the [full article](#) by Jonathan Fraser, Jennifer Cleall, Q.C., Michael Styczen, P.Eng. and Deanna R. Reitman with DLA Piper.

British Columbia and Tahltan Nation Enter into Landmark Consent-Based Decision-Making Agreement

On June 6, 2022, the Tahltan Nation and the Province of British Columbia (the Province) entered into the first consent-based decision-making agreement (the [Agreement](#)) [PDF] negotiated under B.C.'s [Declaration on the Rights of Indigenous Peoples Act](#) (the Declaration Act). The landmark Agreement provides an important precedent for government, industry and First Nations as federal and provincial governments adopt and implement legislation incorporating consent-based decision-making in the project assessment and approval process. Read the [full article](#) by Maureen Killoran, QC, Martin Ignasiak, Sander Duncanson, Sean Sutherland and Ashley Light with Osler, Hoskin & Harcourt LLP.

B.C. Mines Ministry Has Improved 'With Minor Exceptions,' Says Auditor General

British Columbia's auditor general has found that while the government has made progress on environmental oversight of major mining operations, there are concerns about the cost of cleaning them up when they close.

Michael Pickup told a news conference Tuesday that his office found the Mines Ministry has improved its "oversight activities, with minor exceptions."

His report highlights concerns about the costs of closing down large mines, noting the government holds \$2.3 billion in securities to reclaim the operations, but the estimate for cleanup is \$3.45 billion. Read the [CTV News article](#).

Partial Settlement with West Moberly First Nation Over \$16-billion Site-C Project

In an announcement released Monday [June 27], the province said the deal that includes an undisclosed one-time payment from B.C. Hydro and ongoing payments for 70 years, and 2,000 hectares of land, was a "partial" settlement to West Moberly First Nations' civil claim against the other parties.

West Moberly First Nations chief Roland Wilson said he was not in the mood to celebrate, as the settlement ended their fight to halt the controversial mega-project. Read the [Vancouver Sun article](#).

The Future of Mining: How Will the Mining Industry Adapt to a Changing World?

In the years ahead, the mining industry will experience unprecedented change on all fronts – particularly as companies embrace new environmental, social, and governance targets. With net zero on the horizon, the mining sector will be leading the exploration and production of critical minerals to meet the demands of new technologies, evolving regulations, and the shifting global economy. Explore the [Mining in Focus](#) video series from Gowling WLG.

Fortis B.C., Suncor to Partner on Port Moody Hydrogen Pilot Project

Fortis B.C. Energy Inc. says it will partner with Suncor Energy Inc. and Hazer Group Ltd. to build a hydrogen pilot project in Port Moody.

The \$11-million pilot project will also be supported with grant funding from the provincial government's Clean B.C. Industry Fund.

The project will be located at Suncor's Burrard Terminal site and will produce hydrogen from natural gas. The carbon byproduct produced will be stored as solid synthetic graphite that can be sold for manufacturing or industrial use. Read the [Vancouver Sun article](#).

Recent BCOGC Bulletins

The BCOGC has recently issued the following bulletins:

- [INDB 2022-08](#) – Removal of Access to Crown land for Offsite Investigation Application Form
- [INDB 2022-09](#) – Data Issue with Leak Detection and Repair (LDAR) Site Selection
- [INDB 2022-10](#) – Dormancy and Shutdown Regulation Notification and Follow-up Obligations
- [INDB 2022-11](#) – Core Facility Opens for In-Person Bookings in July

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

ENERGY AND MINES

Act or Regulation Affected	Effective Date	Amendment Information
Applicability (Accessible British Columbia) Regulation (129/2022)	NEW June 6/22	see Reg 129/2022
Direction to the British Columbia Utilities Commission Respecting Load Attraction and Low-Carbon Electrification (156/2022)	NEW June 27/22	see Reg 156/2022
Hydro and Power Authority Regulation (152/2022)	NEW June 27/22	see Reg 152/2022
Ministry of Energy and Mines Act	June 2/22	by 2022 Bill 17, c. 14, section 17 only (in force by Royal Assent), Miscellaneous Statutes Amendment Act, 2022

FORESTRY AND ENVIRONMENT NEWS

Proposed Amendments to 2016 Great Bear Rainforest Land Use Order in the Great Bear Rainforest

The Ministry of Forests is proposing amendments to the [2016 Great Bear Rainforest Land Use Order](#) established by legal order pursuant to Sec 93.4 of the [Land Act](#). The 2016 Great Bear Rainforest Land Use Order is built upon the principle of continuous improvement and with monitoring and periodic reviews required in 2021, 2026 and then every ten years.

The proposed amendments are organized around four key themes: First Nations, Aquatic Habitat, Biodiversity and Wildlife. Specifically, amendments will include an increase in oversight by First Nations of forest planning and harvest activity including stronger protection and stewardship of Indigenous cultural heritage and use of forest resources. Requirements were strengthened for protection of important fisheries watersheds, maintenance of watershed health, and stewardship of fish-bearing rivers and streams and other important aquatic habitats and riparian forests. Improvements in the way Landscape Reserve Designs are being created to enable First Nations to take a stronger role in their development and expedite the protection of important forest values including rare and at-risk old growth. As well, increased requirements for the protection and stewardship of habitat for regionally important wildlife, particularly in relation to grizzly bears, Kermode (Spirit) bears and black bears. Read the [full notice](#) in the Gazette Part I, Volume CLXII, No. 23.

Environmental Compliance Audits: Five Tips to Protect Your Company

With growing attention on Environmental, Social and Governance initiatives and escalating penalties for non-compliance with environmental laws, it is all the more important for companies to ensure compliance with environmental regulatory requirements. One way your company can satisfy stakeholders while appropriately managing risks of potential enforcement is to conduct a regular Environmental Compliance Audit ("ECA".) In this article we discuss the key features of ECAs and their rising importance in managing your company's environmental compliance and risk. Read the [full article](#) by [Mark Youden](#), [Harry Dahme](#), [Wally Braul](#), [Maya Stano](#) and [Quinn Rochon](#) with Gowling WLG.

Government Enforcement of Old Tree Harvesting on a Quadra Island Woodlot

In the spring of 2020, a Quadra Island resident (the complainant) noticed that old trees had been harvested in woodlot licence W2031. The complainant believed that the woodlot licensee was not permitted to harvest old

trees, therefore filed a complaint with the Compliance and Enforcement Branch (CEB) of the Ministry of Forests in the spring of 2021.

CEB looked into the matter and found that the licensee had harvested the old trees legally. Visit the [Forest Practices Board website](#) to read this article and obtain access to the full report.

Interior Appraisal Manual Amendments

Quickscribe is in the process of consolidating the latest changes to July 1st 2022 version of the Timber Pricing Branch publication – [Interior Appraisal Manual](#). We anticipate having these changes published and available for you to view by this Friday, July 8th, so feel free to check back then to view the latest version.

Environmental Appeal Board Decisions

The following Environmental Appeal Board decisions were made recently:

[Environmental Management Act](#)

- [Norman Tapp v. Director, Environmental Management Act](#) [Final Decision – Appeal Dismissed]
- [West Coast Reduction Ltd. v. District Director, Metro Vancouver Regional District](#) [Consent Order – Permit Amended]
- [Peace River Coal Inc. v. Director, Environmental Management Act](#) [Preliminary Decision on Method of Hearing – To Proceed By Way of Written Submissions]
- [Gibraltar Mines Ltd. v. Director, Environmental Management Act](#) [Preliminary Decision: Request for Order – Granted]
- [Beacon Pacific Properties Ltd. v. Director, Environmental Management Act](#) [Application For Dismiss – Granted; Appeal Dismissed]

[Integrated Pest Management Act](#)

- [Dr. Evan Frangou, Diana Smardon, Jane Elizabeth Rollins, Joanna Wilkinson, Karen Forbes, Louise Sawyer, Kelly Lahti, and Katy Young v. Administrator, Integrated Pest Management Act](#) [Preliminary Decision – Appeals Summarily Dismissed]

[Mines Act](#)

- [Sunrise Resources Ltd. v. Chief Inspector of Mines](#) [Preliminary Decision on Limitation Period – Invalid In Part]

[Water Sustainability Act](#)

- [Judith Goplen v. Assistant Water Manager](#) [Final Decision – Appeal Dismissed]

[Wildlife Act](#)

- [Timothy James v. Deputy Regional Manager, Regional Fisheries and Wildlife Programs](#) [Consent Order – Resolved]

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

Forest Appeals Commission Decisions

No Forest Appeals Commission decisions were made recently.

Visit the Forest Appeals Commission [website](#) for more information.

FORESTRY AND ENVIRONMENT

Act or Regulation Affected	Effective Date	Amendment Information
Closed Areas Regulation (76/84)	July 1/22	by Reg 157/2022
Designation and Exemption Regulation	June 23/22	by Reg 143/2022

(168/90)	July 1/22	by Reg 157/2022
Hunting Regulation (190/84)	June 27/22	by Reg 157/2022
	July 1/22	
Limited Entry Hunting Regulation	July 1/22	by Reg 157/2022
Motor Vehicle Prohibition Regulation (196/99)	July 1/22	by Reg 157/2022
Professional Governance Act	June 2/22	by 2022 Bill 21, c. 19, sections 2 to 8, 10, 11, 14, 16, 17, 19 to 45, 47 to 52 and 56 only (in force by Royal Assent), Professional Governance Amendment Act, 2022
Protected Areas of British Columbia Act	June 6/22	by 2022 Bill 3, c. 2, section 6 only (in force by Reg 131/2022), Protected Areas of British Columbia Amendment Act, 2022
	June 15/22	by 2022 Bill 3, c. 2, section 5 only (in force by Royal Assent), Protected Areas of British Columbia Amendment Act, 2022
Refusal of Cutting Permit or Road Permit Regulation (252/2018)	June 27/22	by Reg 151/2022
Required Consent (Eskay Creek Project) Regulation (139/2022)	NEW June 16/22	see Reg 139/2022
Water Sustainability Act	June 2/22	by 2022 Bill 21, c. 19, sections 65 and 66 only (in force by Royal Assent), Professional Governance Amendment Act, 2022
Wildlife Act Commercial Activities Regulation (338/82)	July 1/22	by Reg 157/2022
Wildlife Act General Regulation (340/82)	July 1/22	by Reg 157/2022

OCCUPATIONAL HEALTH AND SAFETY NEWS

2022 New or Revised ACGIH Threshold Limit Values and B.C. Exposure Limits

The [Occupational Health and Safety Regulation](#) provides that, except as otherwise determined by WorkSafeBC, an employer must ensure no worker is exposed to a substance exceeding the Threshold Limit Values (TLVs) prescribed by the [American Conference of Governmental Industrial Hygienists](#) (ACGIH). Each year, the ACGIH publishes a list of substances for which they have set new or revised TLVs. When the new or revised TLVs for substances are adopted, these TLVs are referred to as B.C. Exposure Limits (ELs). Read the full WorkSafeBC [article](#).

11 Ways Natural Lighting Increases Safety in the Workplace

While working in natural lighting is not a privilege afforded to every worker, it potentially should be because there are multiple advantages. Certainly this is something that OHS professionals may want to consider as there are many ways in which natural lighting can increase health and safety in the workplace. A recent Harvard Business Review story shared research by its HR advisory firm, Future Workplace, called 'The Employee Experience'. The research revealed that employees want natural light. Polling 1,614 workers, the study found that North American employees enjoy access to natural light and views of the outdoors more so than other perks. Read the [full article](#) by Maia Foulis with Canadian Occupational Safety.

RCMP, WorkSafeBC Investigating Workplace Accident in BC

The Royal Canadian Mounted Police (RCMP) is investigating a "workplace accident" involving an excavator which happened at a work site in Burnaby, B.C., last Friday morning [June 17], according to a report. The incident took place at around 8 a.m. on 4th Avenue near Burnaby Road. "Police are engaged with WorkSafe BC to determine the circumstances of the accident involving a man and [an] excavator," the RCMP said in an emailed statement to CTV News. Read the [full article](#) by Jim Wilson with Canadian Occupational Safety.

Permanent Psychological Disability Benefits Policy Review

On May 25, 2022, WorkSafeBC's Board of Directors approved policy changes to remove procedures specific to the assessment of permanent psychological disability benefits. The amended policies apply to all decisions made on or after July 1, 2022. You may also review the [complete Resolution](#).

Proposed Amendments to Schedule 2, Non-Traumatic Hearing Loss

Our Policy, Regulation and Research Department is releasing a discussion paper on proposed amendments to Schedule 2, Non-Traumatic Hearing Loss, to stakeholders for comment. Schedule 2 of the [Workers Compensation Act](#) is used to determine compensation for workers who have developed hearing loss gradually over time as a result of exposure to occupational noise. The schedule, which was last updated over 40 years ago, is now considered outdated as it no longer reflects the current scientific and medical literature, and requires revision. As part of this review, amendments to policies that relate to updating outdated scientific information are also proposed. You're invited to provide feedback on the draft policy amendments until 4:30 p.m. on Friday, August 19, 2022. Read [more](#) on WorkSafe BC.

New Public Health Orders

The Public Health Office (PHO) recently issued the following orders and guidance:

Order:

- [Health Professionals COVID-19 Vaccination Status Information and Preventative Measures – June 10, 2022 \(PDF, 477KB\)](#)

Guidance:

- [Guidance for Courthouse Users During the COVID-19 Pandemic – June 30, 2022 \(PDF, 384KB\)](#)
 - [Courthouse Public Health Incident and Communication Response Protocol – June 30, 2022 \(PDF, 357KB\)](#)

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

OHS Policies/Guidelines – Updates

Guidelines – OHS Regulation:

June 22, 2022

- Part 5 Chemical Agents and Biological Agents
 - [Table of Exposure Limits for Chemical and Biological Substances](#)
The table has been updated to reflect changes to OHS Policy R5.48-1 (amended June 22, 2022). Deletions are shown as strikethrough; additions and revisions are highlighted in green.

June 28, 2022

The following guideline was revised:

- Part 21 Blasting Operations
 - [G21.8.1 Continuing professional development – Blasters](#)

Policies – OHS Regulation:

June 22, 2022

OHS Policy R5.48-1 has been amended to reflect the current exposure limits for substances listed on the new or revised Threshold Limit Values for 2022 from the American Conference of Governmental Industrial Hygienists (effective June 22, 2022).

- [R5.48-1 Controlling Exposure – Exposure Limits](#)

Check the [WorkSafeBC website](#) to explore these and other important OHS updates.

OCCUPATIONAL HEALTH AND SAFETY

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

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