



Vol: XV – Issue: 3 – March 2022

ENVIROFOR NEWS:

Recent Legislative Activity

The following government bills, introduced in February, received Royal Assent on March 10:

- [Bill 2](#) – Municipalities Enabling and Validating (No. 4) Amendment Act, 2022 (*partially in force*)
- [Bill 3](#) – Protected Areas of British Columbia Amendment Act, 2022 (*partially in force*)
- [Bill 4](#) – Skilled Trades BC Act (*not yet in force*)
- [Bill 5](#) – Workers Compensation Amendment Act, 2022 (*partially in force*)

Several more bills were introduced during March and the first week of April, with some reaching Royal Assent on March 31. The status of each of these bills is as follows:

- [Bill 8](#) – Attorney General Statutes (Hague Convention on Child and Family Support) Amendment Act, 2022 (*partially in force*)
- [Bill 9](#) – Attorney General Statutes Amendment Act, 2022 (*partially in force*)
- [Bill 11](#) – Commercial Liens Act (*not yet in force*)
- [Bill 12](#) – Property Law Amendment Act, 2022 (*second reading*)
- [Bill 13](#) – Passenger Transportation Amendment Act, 2022 (*first reading*)
- [Bill 14](#) – Wildlife Amendment Act, 2022 (*first reading*)
- [Bill 16](#) – Transportation Amendment Act, 2022 (*first reading*)
- [Bill 17](#) – Miscellaneous Statutes Amendment Act, 2022 (*first reading*)
- [Bill 18](#) – Supply Act (No. 1), 2022 (*in force*)
- [Bill 19](#) – Employment Standards Amendment Act, 2022 (*in force*)
- [Bill M201](#) – British Columbia Transit Amendment Act, 2022 (*first reading*)
- [Bill M202](#) – Equal Pay Reporting Act (*first reading*)
- [Bill M203](#) – Assessment (Split Assessment Classification) Amendment Act, 2022 (*first reading*)
- [Bill M204](#) – Crown Land Residential Lease Act, 2022 (*first reading*)
- [Bill M205](#) – Name Amendment Act (No. 2), 2022 (*first reading*)
- [Bill Pr 401](#) – Sea to Sky University Amendment Act, 2022 (*first reading*)

If you wish to be notified when these or other changes come into force, check out Quickscribe's customizable alerts via the [My Alerts](#) page. Quickscribe alerts are included with your subscription so feel free to select the alerts that work best for you!

Fourth Vaccine Doses Announced, Vaccine Passports to End

A second vaccine booster program is being rolled out for seniors in long-term care and assisted living facilities. Invitations will also be sent out to other seniors over 70 and Indigenous people over 55, as well as immunocompromised people.


Starting April 8, proof of vaccination will no longer be required for most public settings, though individual businesses and organizations will have the option to continue to require it. The Workplace Safety Order will expire, meaning that businesses will be able to transition back to a communicable disease plan. Post-secondary residence vaccination requirements will also end. Read the government [news release](#) for more information.

Hundreds of Gender-based Words Removed from Provincial Regulations

On March 30, the provincial government issued [Orders in Council 157/2022](#) and [158/2022](#), which amend many regulations by replacing gendered language with non-gendered alternatives. Within the next few days, Quickscribe will be publishing these updated regulations to the site.

Tip: [Log in to EnviroFor Online](#) prior to clicking Reporter links.

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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

2030 Emissions Reduction Plan

On March 29, 2022, the Government of Canada released the first of a series of emissions reduction plans, entitled "2030 Emissions Reduction Plan – Canada's Next Steps for Clean Air and a Strong Economy" (the ERP) under the [Canadian Net-Zero Emissions Accountability Act](#). The Act, which establishes in law Canada's 2030 emissions reduction target of 40 to 45 percent below 2005 levels and net-zero by 2050, requires Canada to set emissions reduction targets at five-year intervals and to publish credible plans to meet such targets (a more detailed overview of the Act and its requirements can be found in our previous insight, [Federal Government Introduces Bill C-12 to Mandate 2050 Net-Zero Emission Requirements](#)). Accordingly, the ERP lays out a high level sector-by-sector approach for Canada to reach its climate targets. Read the [full article](#) by Claire Lingley, [Erik Coates](#), [Brad Gilmour](#), [Thomas McInerney](#) and [David Macaulay](#) with Bennett Jones LLP.

BC Government Creates Hydrogen Office to Woo Energy Investors

Province has 40 hydrogen projects proposed or under construction.

The government of British Columbia has launched a new office to oversee the expansion of certain energy projects in the province. Premier John Horgan announced the creation of the B.C. Hydrogen Office during a Thursday [March 31] press conference. He said it will act as a "one-stop shopping" spot for hydrogen project investors looking to do business in the province. The plan is also for office staff to help streamline decisions on hydrogen projects and proposals. There are currently 40 hydrogen projects proposed or under construction in BC right now. According to the province, they represent \$4.8 billion in proposed investment. Read the CBC [article](#).

Vaughn Palmer: Secrecy over Site C Could Be Why NDP Willing to Cut Deal with First Nation

Opinion: West Moberly First Nations had won access to a secret government report on Site C. Now a lawsuit that would've discussed parts of that report is on hold pending negotiations.

BC Hydro's latest update on Site C includes major news on the litigation front, with the adjournment of a legal action that was expected to shine an unflattering spotlight on the controversial project. Read the [Vancouver Sun opinion article](#).

Provinces Release Strategic Plan for the Deployment of SMRs

On March 28, 2022, the governments of Ontario, Saskatchewan, New Brunswick and Alberta (the "Provinces") agreed to a [joint strategic plan](#) (the "Strategic Plan") that outlines the path forward for small modular reactors ("SMRs") in the Provinces. As noted in our [2022 Power Perspectives publication](#), the Strategic Plan represents the third and final deliverable identified by the Provinces in their interprovincial memorandum of understanding on SMR development (the "Inter-Provincial MOU"). The Inter-Provincial MOU was first agreed to by the governments of Ontario, Saskatchewan and New Brunswick in December 2019, with Alberta joining the group in April 2021. Through the Inter-Provincial MOU, the Provinces agreed to collaborate on the advancement of SMRs as a clean energy option to address climate change and regional energy demands, while continuing to support economic growth and innovation. Read the [full article](#) by Chris Boettcher, Audrey Bouffard-Nesbitt, Gaetan Thomas, Stephen Furlan and Sean C. O'Neill with McCarthy Tétrault LLP.

Recent BCOGC Bulletins

The BCOGC has recently issued the following bulletin:

- [INDB 2022-06](#) – Cyber Security Threat Heightened

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

ENERGY AND MINES

Act or Regulation Affected	Effective Date	Amendment Information
Agricultural Mineral Land Regulation (458/78)	Mar. 30/22	by Reg 76/2022
Direction No. 8 to the British Columbia Utilities Commission (24/2019)	Mar. 7/22	by Reg 56/2022
Improvement Financing Regulation (236/2012)	Mar. 11/22	by Reg 59/2022
Mineral Land Tax Adjustment Regulation (825/74)	Mar. 30/22	by Reg 76/2022
Mining Rights Compensation Regulation (19/99)	Mar. 30/22	by Reg 76/2022
Natural Gas Price Act Regulation No. 2 (241/90)	Mar. 30/22	by Reg 76/2022
Oil and Gas Processing Facility Regulation (48/2021)	Mar. 5/22	by Reg 48/2021
Surrender of Interests in Mineral Land Regulations (826/74)	Mar. 30/22	by Reg 76/2022

FORESTRY AND ENVIRONMENT NEWS**Majority of First Nations Agree to Old Growth Deferrals**

Of the 188 First Nations who responded so far to the BC government's request for a response to its plans to protect at-risk old growth forests from logging, 75 have agreed with the deferral plan, according to the Ministry of Forests. Seven have said no to the plan, and more than 60 said they want more time before responding to the government's plan to make old growth off limits to logging in their traditional territories. Originally, in November 2021, when the BC government announced its plans for a moratorium on old growth logging, it announced 2.6 million hectares of old growth forest would be "deferred." Read the [BIV article](#).

Wildlife Amendment Act Introduced

[Bill 14](#), the *Wildlife Amendment Act, 2022* was introduced in the legislature on March 9. The proposed amendments are intended to address First Nations concerns by making it a requirement to consider and protect relevant Indigenous knowledge. It also introduces a process to recognize traditional practices and hunting agreements between First Nations.

A New Tool for Victims of Environmental Contamination

The BC Supreme Court has provided some guidance on injunctive relief available in environmental contamination cases. In [Ward v. Cariboo Regional District](#), the plaintiffs owned a rural residential property near Williams Lake

that used a gravity sewage system operated by the Cariboo Regional District. The property suffered from two floods in 2015 and 2020, which resulted in raw sewage flooding the property. After the first flood, the District paid to restore the plaintiffs' basement and chlorinate the plaintiffs' well, but they did not take any steps to remove the sewage from the pasture or ponds. The District denied liability for the second flood. Read the [full article](#) by [Richard E. Bereti](#) and [Nicola Virk](#) with Harper Grey LLP.

BC Climate Plan Fails to Detail How It Will Hit Emission Targets, Allege Court Documents

A B.C. environmental group has launched a judicial review against the provincial government alleging it has failed in its legal duty to disclose detailed emission reduction plans to fight climate change. In court documents filed March 30, 2022, in the Supreme Court of British Columbia, Sierra Club BC took aim at the province's [CleanBC Roadmap](#) to 2030, released last year as part of the Ministry of Environment and Climate Change Strategy's [plan to cut emissions](#) by 40 per cent by 2030. Read the [BIV article](#).

Taan Forest Ltd. Partnership & Taan Forest Ltd. – TFL 60 and FLC A87661

An audit of Taan Forest Limited Partnership's tree farm licence 60 and Taan Forest Ltd.'s forest licence A87661 on Haida Gwaii has found the company complied with almost all requirements of the [Forest and Range Practices Act](#) (FRPA) and the [Wildfire Act](#). The audit examined forestry activities carried out between September 2019 and September 2021. Activities included harvesting on 36 cutblocks, construction of 45 kilometres and maintenance of more than 1,700 kilometres of road, planting on 54 cutblocks and ensuring forests are regenerating on more than 170 cutblocks. These activities were assessed for compliance with [FRPA](#), the [Wildfire Act](#), applicable regulations and legal orders. Read the full Forest Practices Board [news release](#).

March Forest Safety Newsletter

The 2022 spring edition of the FSN is now [available for downloading](#).

Changes to Lasqueti Island and Mt Wesley Region Scenic Areas and VQOs

Effective March 15, former scenic areas and Visual Quality Objectives (VQOs) for Lasqueti Island and the Mount Wesley region were cancelled. New scenic areas and VQOs were established for both as set out in the maps attached to [Ministerial Order No. 77/2022](#). View these and other South Island Natural Resource District Ministerial orders and maps made under the [Government Actions Regulation](#) on the Quickscribe EnviroFor site [here](#).

Environmental Appeal Board Decisions

The following Environmental Appeal Board decisions were made recently:

[Wildlife Act](#)

- [Mountainside Quarries Group Inc. v. Resource Manager, Ministry of Forests, Lands, Natural Resource Operations and Rural Development](#) [Summary Dismissal – Dismissed]

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

Forest Appeals Commission Decisions

The following Forest Appeals Commission decisions were made recently:

[Wildfire Act](#)

- [North Enderby Timber Ltd. and Canadian Cedar Oil Technologies Ltd. v. Government of British Columbia](#) [Final Decision – Appeals Allowed in Part]

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

FORESTRY AND ENVIRONMENT

Act or Regulation Affected	Effective Date	Amendment Information
Administrative Penalties (Integrated Pest Management Act) Regulation (134/2014)	Mar. 30/22	by Reg 76/2022

Bacterial Ring Rot Regulation (92/59)	Mar. 30/22	by Reg 76/2022
British Columbia Housing Management Commission Regulation (490/79)	Mar. 30/22	by Reg 76/2022
Class C Parks Regulation (227/67)	Mar. 30/22	by Reg 81/2022
Designation and Exemption Regulation (168/90)	Mar. 30/22	by Reg 76/2022
Domestic Bacterial Ring Rot Regulation (93/59)	Mar. 30/22	by Reg 76/2022
Enforcement Regulation (262/2016)	Mar. 30/22	by Reg 76/2022
Fish and Seafood Licensing Regulation (261/2016)	Mar. 30/22	by Reg 76/2022
Forest Service Road Use Regulation (70/2004)	Mar. 30/22	by Reg 76/2022
Fort St. John Pilot Project Regulation (278/2001)	Mar. 30/22	by Reg 76/2022
Freshwater Fish Regulation (261/83)	Mar. 30/22	by Reg 76/2022
Greenhouse Gas Emission Reporting Regulation (249/2015)	Mar. 30/22	by Reg 76/2022
Hazardous Waste Regulation (63/88)	Mar. 30/22	by Reg 76/2022
Hunter Safety Training Regulation (53/98)	Mar. 30/22	by Reg 76/2022
Landfill Gas Management Regulation (391/2008)	Mar. 30/22	by Reg 76/2022
Little Cherry Control Regulation (34/83)	Mar. 30/22	by Reg 76/2022
Livestock Identification Regulation (69/81)	Mar. 30/22	by Reg 76/2022
Livestock Regulations (67/81)	Mar. 30/22	by Reg 76/2022

Log Salvage Regulation for the Vancouver Log Salvage District (220/81)	Mar. 30/22	by Reg 76/2022
Metal Dealers and Recyclers Regulation (101/2012)	Mar. 14/22	by Reg 61/2022
Municipal Wastewater Regulation (87/2012)	Mar. 30/22	by Reg 76/2022
Open Burning Smoke Control Regulation (152/2019)	Mar. 30/22	by Reg 76/2022
Organic Matter Recycling Regulation (18/2002)	Mar. 30/22	by Reg 76/2022
Performance Based Harvesting Regulation (175/95)	Mar. 30/22	by Reg 76/2022
Permit Regulation (253/2000)	Mar. 30/22	by Reg 76/2022
Permit Regulations (79/71)	Mar. 30/22	by Reg 76/2022
Protected Areas of British Columbia Act	Mar. 10/22	by 2022 Bill 3, c. 2, sections 1 to 4 only (in force by Royal Assent), Protected Areas of British Columbia Amendment Act, 2022
Range Regulation (116/2005)	Mar. 30/22	by Reg 76/2022
Scaling Regulation (446/94)	Mar. 30/22	by Reg 76/2022
Solid Fuel Burning Domestic Appliance Regulation (218/2016)	Mar. 30/22	by Reg 76/2022
Spotted Owl Designated Area No. 2 (54/2022)	NEW Mar. 3/22	see Reg 54/2022
Stillwater Pilot Project Regulation (96/2001)	Mar. 30/22	by Reg 76/2022
Summit Creek Campground and Recreation Area Regulations (164/73)	Mar. 30/22	by Reg 76/2022
Timber Marking and Transportation Regulation (253/97)	Mar. 30/22	by Reg 76/2022
Water Sustainability Regulation (36/2016)	Apr. 1/22	by Reg 84/2022

Waste Discharge Regulation (320/2004)	Mar. 30/22	by Reg 76/2022
Weed Control Regulation (66/85)	Mar. 30/22	by Reg 76/2022
Wildfire Regulation (38/2005)	Mar. 30/22	by Reg 83/2022
Woodlot Licence Regulation (68/2006)	Mar. 30/22	by Reg 76/2022

OCCUPATIONAL HEALTH AND SAFETY NEWS

Proposed Policy Amendments Regarding Industry Group Movement

WorkSafeBC adopted a new rate-setting model on January 1, 2019. Policy changes are needed to align policy with the current model and ensure WorkSafeBC's timely ability to place and move industry groups into appropriate rate groups. Our Policy, Regulation and Research Department is releasing a discussion paper, with options on proposed amendments to policy relating to industry group movement, for public consultation. You're invited to provide feedback on the options until **4:30 p.m. on Friday, June 3, 2022**. Read the [full news release](#) and discussion paper published by WorkSafeBC.

Keep Wearing Masks, Advise Researchers

A group of researchers advising the Canadian government is recommending that workers and the general population continue to wear face masks even if provincial governments have been lifting this restriction. According to the Coronavirus Variants Rapid Response Network (CoVaRR-Net), the BA.2 subvariant is expected to soon start spreading across Canada, and therefore mask use is important, CBC reported. Read the [full article](#) by Jim Wilson with Canadian Occupational Safety.

Workers Compensation Act Amendments for Asbestos Safety Now Partially in Force

As reported last month, amendments to the [Workers Compensation Act](#) were introduced in [Bill 5](#), the *Workers Compensation Amendment Act, 2022*. These amendments establish a requirement for asbestos abatement contractors to be licensed to operate in BC, and authorize WorkSafeBC to create a mandatory safety training program for workers and contractors who work with materials that may contain asbestos. The bill received Royal Assent on March 10.

Creating a Mentally Healthy Workplace

COVID-19 has brought to the forefront the need for employers to prioritize wellness and mental health in the workplace – both to ensure workplace safety and promote productivity and job satisfaction. Under human rights legislation, employers must also accommodate mental disabilities. While not intended to provide an exhaustive review, employers should bear in mind the following factors when dealing with mental health issues in the workplace, whether brought on by the pandemic or otherwise: Read the [full article](#) by Michael Murphy published on the Canadian Bar Association *National*.

New Public Health Orders

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

Orders:

- [Workplace Safety Order – March 10, 2022 \(PDF, 395KB\)](#)
- [Food and Liquor Serving Premises – March 10, 2022 \(PDF, 490KB\)](#)
- [Gatherings and Events – March 10, 2022 \(PDF, 499KB\)](#)
- [Health Professionals COVID-19 Vaccination Status Information and Preventative Measures – March 7, 2022 \(PDF, 457KB\)](#)
 - [Medical Deferral Form – March 23, 2022 \(PDF, 693KB\)](#)

Notices:

- [Notice of Repeal of the Overnight Camps for Children and Youth Order – March 11, 2022 \(PDF, 194KB\)](#)
- [Notice of Repeal of the Post-Secondary Institution Housing Preventive Measures Order – March 11, 2022 \(PDF, 215KB\)](#)
- [Notice of Repeal of the Face Coverings Order – March 10, 2022 \(PDF, 232KB\)](#)

Guidance:

- [Guidance for Courthouse Users During the COVID-19 Pandemic – March 24, 2022 \(PDF, 384KB\)](#)
- [Ministry of Health – Overview of Visitors in Long-Term Care and Seniors' Assisted Living – March 18, 2022 \(PDF, 589KB\)](#)

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

OHS Policies/Guidelines – Updates

Guidelines – OHS Regulation:

March 1, 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 March 1, 2022). Deletions are shown as strikethrough; other changes are highlighted in green.

March 10, 2022

The following guidelines were retired:

- Part 6 Chemical Agents and Biological Agents – Pesticides
 - [G6.83 Equipment - Mobile equipment](#)
 - [G6.85 Posting warning signs](#)

Policies – OHS Regulation:

March 1, 2022

This update includes amendments (to the Table of Exposure Limits for Excluded Substances) effective March 1, 2022. A strikethrough version of the amendments is also available.

- [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
Elevating Devices Safety Regulation (101/2004)	Mar. 31/22	by Reg 184/2019
Workers Compensation Act	Mar. 10/22	by 2022 Bill 5, c. 3, sections 2, 4 to 7 and 12 only (in force by Royal Assent), Workers Compensation Amendment Act, 2022

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