



# EnviroFor Reporter

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## ENVIROFOR NEWS:

### Spring Session Wrap-up

The BC Legislative session came to an end on June 3rd. The session focused primarily on affordability, healthcare and the most recent controversial announcement to replace the provincial museum. There were a total of 26 government bills introduced, 22 of which were passed. A reminder that you can check the status of these and other bills via the [Bills page](#) or by using the Status Checker – available through the [Historical Research Tools](#) page.

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[FORESTRY & ENVIRONMENT](#)

[OCCUPATIONAL HEALTH & SAFETY](#)

## ENERGY AND MINES NEWS

### B.C. Outlines Newly Released

#### Oil & Gas Royalty Framework

On May 19, 2022, the Province of British Columbia (the Province) released its new oil and gas royalty framework. The new framework will replace the current royalty framework that has been in place for 30 years. By [Order in Council No. 263](#) [B.C. Reg. 117/2022], the [Petroleum and Natural Gas Royalty and Freehold Production Tax Regulation](#), B.C. Reg. 495/92 is amended effective September 1, 2022 to allow for a transition between the current framework and the new framework. [For your convenience, Quickscribe has published an [early consolidation](#) of the regulation as it will read on September 1st.] A general summary of the Province's new policy including the transition provisions is set out below. Read the [full article](#) by [Rick Williams](#), [Peter A. Bryan](#), [Emily Pitre](#) and [Roark Lewis](#) with Borden Ladner Gervais LLP.

### Coastal GasLink Fined for Environmental Infractions

The Environmental Assessment Office (EAO) says it has issued a fine of \$170,100 to Coastal GasLink for non-compliance of its certificate in relation to improper erosion and sediment control.

It is the second such fine issued to CGL during the construction of the 670-kilometre natural gas pipeline, which will provide natural gas to the LNG Canada plant in Kitimat. Read the [BIV article](#).

### B.C. Releases Action Plan to Implement

#### UNDRIP With New Commitment to

#### Modernize Mineral Tenure Act

The British Columbia government recently unveiled its finalized [Declaration on the Rights of Indigenous Peoples](#)

[Act Action Plan](#) (the "Action Plan") to support the implementation of the [United Nations Declaration on the Rights of Indigenous Peoples](#) ("UNDRIP"). The Action Plan details 89 actions to advance the rights of Indigenous peoples in the province from 2022 to 2027, and was developed pursuant to B.C.'s [Declaration on the Rights of Indigenous Peoples Act](#) (the "Declaration Act").

The themes and goals of the Action Plan are effectively the same as the Draft Action Plan for Consultation ("Draft Action Plan"), although there have been some changes to the desired outcomes and specific actions. Some of the most notable new action items added include but are not limited to:

- Modernizing the [Mineral Tenure Act](#) in consultation and cooperation with First Nations and First Nations organizations;
- Identifying policy or legislative reforms supporting Indigenous water stewardship, including shared decision making; and
- Co-developing policies, programs and initiatives that address cumulative effects.

Read the [full article](#) by [Bryn Gray](#) and [Alana Robert](#) with McCarthy Tétrault LLP.

### **New Low Carbon Fuels Act**

Bill 15 was tabled in the legislature on May 9, and sets out the new [Low Carbon Fuels Act](#) to replace the [Greenhouse Gas Reduction \(Renewable and Low Carbon Fuel Requirements\) Act](#).

The new Act is intended to modernize and expand the scope of the Low Carbon Fuel Standard. The proposed changes include adding aviation and marine fuels to the standard, authorizing compliance credits for projects that remove carbon dioxide from the air, requiring some revenue reinvestment by utilities in low-carbon projects, and allowing parties other than fuel suppliers, such as businesses and communities, to earn and trade low-carbon fuel credits. The Bill received Royal Assent on June 2, 2022 and will come into force by regulation at an unknown future date.

### **B.C.'s LNG Industry Reignites Expectations, Even as Challenges Remain**

*B.C. is at the cusp of LNG exports, but continues to lose ground against U.S., Australian competitors while plant is under construction.*

Concerns about energy security prompted by Russia's attack on Ukraine are helping reignite discussions about B.C.'s prospects for liquefied natural gas exports at the industry's first major convention in Vancouver since 2019. 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

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

## **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**

### **Minor Changes Proposed for *Environmental Management Act***

On June 2nd, the BC government introduced Bill 26, [Environmental Management Amendment Act, 2022](#).

According to Ministry of Environment and Climate Change Strategy Minister George Heyman, the intent of this Bill is to correct an unintended omission of a [subsection reference in Part 9 of the Environmental Management](#)

[Act](#) that should have been added as a result of previous amendments by [Bill 17](#) in 2019.

Bill 17 added a number of investigative tools from the [Criminal Code](#) of Canada, including orders, warrants and authorizations. Inadvertently, a subsection reference was omitted, and the effect being that conservation officers no longer had the authority to detain, in specific circumstances, seized items for up to 12 months.

Bill 26 was introduced at the end of the current spring session and is expected to be debated when parliament resumes in the fall.

### **Canadian Wildlife Corridors Ranked Third Best in The World, Finds Study**

All sloths aside, mammals need to move. Without space, finding food, water and a mate is a dismal prospect, and in the worst cases, could spell the end of a species.

But in a world dominated by one species (humans) and the fractured landscapes it creates, which countries are best at keeping animal crossings open?

It's a question researchers from the University of British Columbia set out to answer in research published Thursday in the journal [Science](#). Read the [BIV article](#).

### **BC Proposes Changes to Regulatory Regime Governing Soil Relocation**

The BC government has released the [Regulating Soil Relocation Final Policy Direction Paper](#) (the Policy Paper), which outlines proposed changes to the [Contaminated Sites Regulation](#) under the province's [Environmental Management Act](#). The amendments follow consultation around the province's intentions paper in early 2021 and may have significant impacts on property developers and the construction industry.

Bill 3 (the [Environmental Management Amendment Act, 2020](#)) was passed in March 2020 but is not yet in effect. Once it comes into force (which the Policy Paper indicates is anticipated to be later in 2022), it will amend the [Environmental Management Act](#) to enable a new process for relocating soil that, amongst other things, will extend regulatory requirements to uncontaminated soil. Read the [full article](#) by Max Collett and Alexander Baer with Norton Rose Fulbright.

### **Hunters Go to Court Over Ban on Grizzly Bear Hunt**

B.C. hunting guides and outfitters, led by Ron Fleming and his wife, Brenda Nelson, of Love Bros. & Lee are seeking certification of a class action lawsuit against the government, arguing the ban has caused them undue financial harm and was not warranted by conservation concerns.

In their petition to the BC Supreme Court, they argue that the decision to outlaw the grizzly bear hunt in B.C. has been devastating to the more than 100 guide outfitters in B.C. that relied on grizzly bear hunting as part of their business. Read the [BIV article](#).

### **Environmental Appeal Board Decisions**

The following Environmental Appeal Board decisions were made recently:

#### [Environmental Management Act](#)

- [P.N.D. Construction Ltd. v. Director, Environmental Management Act](#) [Preliminary Issue of Jurisdiction – Summarily Dismissed]
- [Beacon Pacific Properties Ltd. v. Director, Environmental Management Act](#) [Application For Dismiss – Granted; Appeal Dismissed]

#### [Integrated Pesticide Management Act](#)

- [Dr. Evan Frangou and Diana Smardon & Jane Elizabeth Rollins, Joanna Wilkinson, Karen Forbes, Louise Sawyer, Kelly Lahti, and Katy Young v. Administrator, Integrated Pest Management Act](#) [Interim Stay Decision – Granted in Part]

#### [Water Sustainability Act](#)

- [Laurentius \(Larry\) Koller v. Assistant Water Manager](#) [Final Decision – Appeal Dismissed]

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
Hunting Regulation (190/84)	May 20/22	by <a href="#">Reg 119/2022</a>
Limited Entry Hunting Regulation (134/93)	May 20/22	by <a href="#">Reg 119/2022</a>

## OCCUPATIONAL HEALTH AND SAFETY NEWS

### Board of Directors Approves Amendments to the Occupational Health and Safety Regulation

At its March 2022 meeting, WorkSafeBC Board of Directors approves amendments to Part 3, Reassignment of refused work and Parts 1, 16, and 28, Housekeeping amendments [Occupational Health and Safety Regulation](#). The Amendments will come into law on August 22, 2022. Read the full WorkSafeBC [news release](#).

### Asbestos-related Violations Lead to Fine for BC Employers

WorkSafeBC has fined four employers in British Columbia over violations related to asbestos in the workplace. 1027850 B.C. Ltd./Sutton-Max Realty & Property Management was fined \$5,250.00 for violations it committed at its Langley workplace, a pre-1990 house undergoing restoration work after flooding. WorkSafeBC inspected the site and observed that flooring and sections of drywall had been removed, both potential asbestos-containing materials (ACMs). WorkSafeBC determined that a hazardous materials survey had not been completed prior to work beginning. Read the [full article](#) by Jim Wilson with Canadian Occupational Safety.

### 2022 June Public Hearing on Proposed Amendments to the Occupational Health and Safety Regulation

WorkSafeBC is holding a virtual public hearing on proposed amendments to the [Occupational Health and Safety \(OHS\) Regulation](#). The virtual hearing will cover proposed changes to the following parts of the OHS Regulation:

- Part 3 – Minimum Levels of First Aid
- Parts 14 and 19 – Inconsistent Crane Misadventure and Zone-Limiting Devices in Tower Cranes

The virtual public hearing will be streamed live on June 21, 2022, in two sessions. The first will be from 11 a.m. to 1 p.m. and the second from 3 to 5 p.m. Read the full WorkSafeBC [news release](#).

### Worker Dies after Ammonia Leak at Ice-making Plant (Kamloops)

A worker died after an ammonia leak at an ice-making facility in an industrial area of Kamloops, B.C. on Thursday [May 26], according to reports. The incident happened inside the Arctic Glacier Ice building at 790 Sarcee St. East in Mount Paul Industrial Park around 10:30 a.m. PT. Fire crews initially responded to a sighting of smoke in the area, which later turned out to be a release of ammonia. Five paramedic ground crews and two supervisors attended the scene. Read the [full article](#) published by Jim Wilson with Canadian Occupational Safety.

### New Public Health Orders

The Public Health Office (PHO) recently issued the following notice:

- [Notice of Repeal of Industrial Projects within the Northern Health Authority Region – May 6, 2022 \(PDF, 176KB\)](#)

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

**OHS Policies/Guidelines – Updates**

Guidelines – OHS Regulation:

May 9, 2022

The following guideline was revised:

- Part 8 Personal Protective Clothing and Equipment
  - [G8.11\(1\) Safety headgear](#)

May 12, 2022

The following guidelines were revised:

- Part 8 Personal Protective Clothing and Equipment (Respirators)
  - [G8.33\(2\)-1 Approved respirators](#)
  - [G8.34-3 Maximum use concentration and IDLH](#)

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

**OCCUPATIONAL HEALTH AND SAFETY**

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