



EnviroFor Reporter

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EnviroFor News

Introducing the New HTML Feature on Quickscribe

We're excited to introduce a new feature on Quickscribe that simplifies your workflow: the ability to generate a clean HTML version of any law on demand. This enhancement makes it effortless to copy and paste relevant sections into your reports without the hassle of reformatting. You can find this feature on the top left navigation bar that appears when you open any law on Quickscribe. This feature was developed in response to client feedback, underscoring our commitment to continually improving our made-in-BC service. We welcome any further suggestions or feedback to make Quickscribe even more user-friendly.

Quickscribe 2024/2025 Update

As we bid farewell to 2024, the Quickscribe team would like to extend our warmest wishes to you this holiday season. Your continued support inspires us to enhance and evolve this made-in-BC service. Looking ahead to 2025, we're thrilled to share some exciting developments on the horizon. One of our major plans for the coming year is the introduction of a cutting-edge AI feature. Designed to streamline your workflow, this innovative tool will enhance efficiency and productivity, just in time for the new spring session. Stay tuned for more updates, and thank you for being a valued part of the Quickscribe community. Happy holidays and best wishes for a prosperous new year!

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



View the [PDF version](#) of the Reporter.

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Want to Track Federal Laws?



For notification of federal amendments, we recommend using our Section Tracking tool to keep informed on changes to federal laws. Look for the paw icon adjacent to the sections you wish to track.

Looking for Previous Reporters?

We have archived the Quickscribe Reporter going back to 2004. Visit the historical [Reporter archives page](#).

EnviroFor Reporter Categories

[ENERGY & MINES](#)

[FOREST & ENVIRONMENT](#)

[OCCUPATIONAL HEALTH & SAFETY](#)



ENERGY & MINES NEWS

Emissions Cap: Government of Canada Introduces Draft Regulations for Oil and Gas

On November 4, 2024, the Government of Canada released proposed regulations under the [Canadian Environmental Protection Act, 1999](#) (CEPA) that, if adopted, will impose a cap on greenhouse gas (GHG) emissions from the upstream oil and gas sector and the LNG sector ([Emissions Cap Regulations](#)). The proposed Emissions Cap Regulations, which follow the [Regulatory Framework to Cap Oil and Gas Sector GHG Emissions](#) initially introduced by the federal government in December 2023, propose a cap-and-trade system aimed at reducing emissions from the oil and gas sector to 35% below 2019 levels by 2030-2032.

The federal government states that the proposed Emissions Cap will incentivize the oil and gas sector to invest in decarbonization strategies to attain significant emissions reductions and that the cap includes sufficient flexibility to enable continued production growth in the sector. Read the [full article](#) by Humna Wasim, Nicole Bakker, Lana Finney and Dufferin Harper with Blakes.

CRA Relief and Proposed Amendments Mitigate Bare Trust Reporting Burden on Energy Companies

On October 29, 2024, the Canada Revenue Agency (CRA) [issued a release](#) stating that it will not require bare trusts to file trust returns for the 2024 tax year, continuing the administrative exemption that was [granted for the 2023 tax year](#). The CRA's recent announcement follows on the heels of [proposed amendments](#) to the *Income Tax Act* (Canada) (the Proposed Amendments) released in August that, among things, would provide targeted reporting relief for bare trusts meeting certain criteria.

The CRA's administrative relief and the Proposed Amendments should be welcomed by many oil and gas companies who would otherwise be faced with the daunting task of filing a considerable number of bare trusts returns for the first time. Care should, however, be taken in assessing on-going eligibility for such relief. Read the [full article](#) by Spencer Brown and Jared Mackey with Bennett Jones LLP.

Alaskan Tribes Take B.C. to Court Over Northwest Gold Mine

A group of Indigenous tribes in Alaska has launched a legal challenge of a gold mine in northwest B.C., a project the group says threatens the Nass and Unuk rivers.

Ecojustice, a Canadian environmental law charity, on behalf of a consortium of 15 Alaskan tribes called the Southeast Alaska Indigenous Transboundary Commission (SEITC), has applied to B.C.'s Supreme Court for judicial review of the Environmental Assessment Office's decision that Seabridge Gold's KSM mine near Stewart, B.C., has been "[substantially started](#)." Read the [CBC article](#).

Offshore Wind: Canada's Future as a Clean Energy Superpower

Canada, with its vast coastline stretching over 243,000 kilometers, possesses immense potential for offshore wind energy development. Despite this natural advantage, the country has been slow to harness its offshore wind resources compared to other nations. However, recent initiatives and policy changes indicate a growing interest in this renewable energy sector.

As of 2024, Canada has no operational offshore wind farms. The country's wind energy sector has primarily focused on onshore development, with over 16,900 MW of installed capacity as of Dec. 31, 2023 accounting for approximately 5.8 per cent of electricity generation. There are three major regions in Canada for offshore wind energy. Atlantic Canada, particularly Nova Scotia and Newfoundland and Labrador, are at the forefront of offshore wind development due to their strong wind resources and shallow continental shelves. In British Columbia, the Pacific coast offers significant potential, although deeper waters may require floating turbine technology. There is also the Great Lakes, which boast 3800 km of freshwater coastline. Ontario has in the past explored the possibility of offshore wind in the Great Lakes, which could provide clean energy to densely populated areas proximate to the shores. Specifically, the Greater Toronto and Hamilton Area, which is home to close to one third of Canada's population, borders Lake Ontario. Read the [full article](#) by John A.D. Vellone and Kristyn Annis with Borden Ladner Gervais LLP.

Can Big Oil Be Made to Pay Like Big Tobacco?

The bills are coming due. Over the past 15 years, Canada's annual cost of insurance claims related to extreme weather events has risen to nearly \$2 billion. That's up from between \$250 million and \$400 million from 1983 to 2008.

A 2022 report from the Canadian Climate Institute warned that Canada must brace for annual disaster recovery costs of \$17 billion by 2050. B.C. spent at least \$770 million on wildfire suppression in 2023, after the province's worst-ever wildfire season (so far). Alberta's drought and wildfire expenses for fiscal 2023-24 came to \$2.9 billion.

Governments aren't shouldering these costs alone, either. Extreme weather events, which are increasing in severity and frequency due to climate change, helped drive a 7.7 per cent average spike in home insurance rates across the country this year.

Climate change threatens to make almost everyone poorer. So, naturally, some governments and individuals are looking to the courts to make fossil fuel companies pony up. And they just got billions of dollars worth of encouragement. Read the [full article](#) by Doug Beazley in the *CBA National*.

Updates to Natural Resource Taxes

The following updates to natural resource taxes were recently posted:

Mining taxes

- **November 21, 2024**

Interest rates have been updated for [mineral tax](#), [mineral land tax](#), and [mine and inspection fee](#). [Mineral tax historical revenue summary](#) has been updated.

For more information, visit the BC government [website](#).

BC Energy Regulator Announcements

The following BC Energy Regulator announcement was posted recently:

- [DIR 2024-02](#) – Water Use Suspensions Lifted for Select Sources in the Fraser, Peace and Liard River watersheds

Visit the BC-ER [website](#) for more information.



ENERGY & MINES

Act or Regulation Affected	Effective	Amendment Information
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Date

There were no amendments this month.



FOREST AND ENVIRONMENT NEWS

BCBC Urges Action on Challenges Facing B.C.'s Forestry Sector

The Business Council of British Columbia (BCBC) is calling for immediate action to address the challenges facing the province's forestry sector, saying it contributes significantly to the economy and public services. The industry, B.C.'s second-largest export earner, has been hit hard by policy changes, declining annual allowable cuts, tariffs on softwood lumber, and price volatility, the group said in a statement.

BCBC highlighted the sector's vital role in supporting families and communities, noting its \$17 billion contribution to GDP over the past decade, alongside 100,000 jobs and \$7 billion in government revenue. Urban areas like Vancouver and Surrey also benefit, with over \$1 billion spent annually in forestry-related supply chains. Read the [full article](#) published by Canadian Forest Industries.

Funding Announcement for Verified Impact Projects in Canada

This month, the Forest Stewardship Council® Canada is launching two new projects, under the Climate and Landscape Solutions Program area, thanks to a generous three-year grant from Environment and Climate Change Canada (ECCC). The projects goals are two-fold – to increase understanding of how FSC forests can contribute to Canadian conservation and biodiversity goals and improve the resilience of forests to drought, fire and climate change – and – to support forest managers in the implantation of enhanced forest management standards to unlock new revenue streams/value.

Through the ECCC grant, pilot programs will be run to test how these standards contribute to fire and carbon management and biodiversity conservation. The pilots also seek to incorporate Traditional Ecological Knowledge from Indigenous rights holders to improve forest resilience. Read the FSC news [bulletin](#).

Government of Canada Introduces Federal Plastics Registry

The Government of Canada is establishing a Federal Plastics Registry (the Registry) as part of its comprehensive plan to achieve zero plastic waste by 2030. This initiative aims to improve plastic waste management through data collection, transparency, and harmonization of extended producer responsibility (EPR) policies nationwide. The Registry will require companies involved in the lifecycle of plastics to report annually on various aspects of their plastic products, from production to end-of-life management, and will impact a broad swathe of businesses across the country.

The Registry is being implemented under the [Canadian Environmental Protection Act](#), further to a [Section 46 notice](#) published in the Canada Gazette, Part I, on April 20, 2024. The Section 46 notice mandates reporting for calendar years 2024 to 2026. Read the [full article](#) by Ingrid Anton and Victoria Asikis with Norton Rose Fulbright Canada LLP.

Canada's Proposals for Implementing a Modernized CEPA

On Oct. 2, 2024, Environment and Climate Change Canada (ECCC) published three proposals for implementing changes to the [Canadian Environmental Protection Act](#) (CEPA), one of Canada's core environmental laws regulating toxic substances and pollution. All three proposals relate to the CEPA modernizations made in June 2023, which we first wrote about when [Bill S-5](#), the *Strengthening Environmental Protection for a Healthier Canada Act*, was enacted, marking the first major update to CEPA in over 20 years.

The proposed framework for implementing the right to a healthy environment (referred to as the "implementation framework" for the rest of the article) is required under CEPA to uphold and protect this newly legislated right, while ECCC's proposed Watch List Approach for monitoring substances of concern, and the Chemicals Plan of Priorities are both key strategies for supporting the federal government's Chemicals Management Plan. Read the [full article](#) by Rick Williams, Gabrielle K. Kramer, Franz Martin Lopez and Jonah Kahansky with Borden Ladner Gervais LLP.

Environmental Appeal Board Decisions

The following Environmental Appeal Board decisions were made recently:

[Water Sustainability Act](#)

- [Tony Quattrin v. Assistant Water Manager](#) [Dismissal Order – Appeals Dismissed]
- [Ralph Anderson v. Assistant Water Manager](#) [Dismissal Order – Appeal Dismissed]

[Wildlife Act](#)

- [Tony Quattrin v. Director of Wildlife](#) [Dismissal Order – Appeals Dismissed]

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

Forest Appeals Commission Decisions

The following Forest Appeals Commission decision was made recently:

Forest and Range Practices Act

- [Tolko Industries Inc. v. Government of British Columbia](#) [Preliminary Decisions Regarding an Application for Document Production, Request for a Costs Order, and Method of Hearing – Determinations]

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



FOREST AND ENVIRONMENT

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



OCCUPATIONAL HEALTH AND SAFETY NEWS

Safety-critical Workers Have “Diminished Expectation of Privacy” in Alcohol and Drug Testing

The Federal Court of Appeal recently issued a decision that may bolster the case for pre-placement and random alcohol and drug testing for workers in safety-critical roles. Courts and arbitrators have long held that such testing is only permissible where safety considerations outweigh the privacy interests of workers subjected to testing. In *Power Workers’ Union v Canada (Attorney General)*, [2024 FCA 182](#), the Court of Appeal held that employees in safety-critical positions have a “diminished expectation of privacy” as it relates to testing. A lesser privacy interest may mean testing is easier to justify for safety-critical roles. Read the [full article](#) by Emma Hamer with Norton Rose Fulbright.

Explosion at BC Oil Waste Facility Injures Two Workers, Leads to \$42K Penalty Occupational Health and Safety Regulation

A Calgary-headquartered company has been penalized more than \$42,000 after an explosion injured two workers at a BC facility that accepts waste from oil fields. The explosion occurred at about 5:10 p.m. on June 24, 2024, at a [facility](#) about 13 kilometres northeast of Dawson Creek run by Secure Energy Inc. & Secure Energy Services Inc. et al. At the time, a contractor was installing safety chains inside a shaker building – where tanks separate liquids from solids. “Welding work was done above the shaker tank where the presence of a flammable or explosive substance was,” reads an incident report from WorkSafeBC, “and an explosion occurred.” Read the [BIV article](#).

New Occupational First Aid Requirements: Spotlight on Drills

[As referenced in previous Reporter]

On November 1, 2024, significant changes to the [Occupational Health and Safety Regulation](#) (OHSR) came into effect regarding the provision of occupational first aid. Among these changes is the introduction of mandatory first aid drills, a key update that has generated questions from forestry employers. This article explains how to conduct effective first aid drills under the new requirements. Read the [full article](#) published in the December issue of Forest Safety News.

First Aid in Forestry Operations

BCFSC has [added a resource page](#) with links, videos, and downloadable documents to support forestry operations in developing and implementing the right First Aid program. A First Aid program is meant to provide quick, effective first response to an injured worker. When an incident occurs, every moment counts. The time between the incident and First Aid treatment can significantly affect the outcome. [This page](#) is intended to support forestry operations in developing and implementing the right First Aid program. We suggest using WorkSafeBC’s resources as a starting point and then supplementing them with BCFSC’s forestry-specific materials.

Mental Health Meets the Law

Workplace mental health is no longer a side note in Canadian organizations – it’s a legal and operational priority. As employees face unprecedented challenges post-pandemic, employers are adapting to meet their needs. A recent panel at [the OHS Law Masterclass](#) brought together experts from law, corporate strategy, and public service to discuss the evolving demands of psychological health and safety in the workplace. The conversation illuminated the complex interplay of legal obligations, proactive leadership, and cultural shifts driving this critical agenda. Read the [full article](#) by Shane Mercer with Canadian Occupational Safety.

BC Supreme Court Awards Damages to Worker Injured by Defective Bear Banger

The Supreme Court of British Columbia has awarded damages to a worker injured by a defective bear banger, finding the distributor negligent in the product’s design, testing, and recall process. The accident occurred while Justin Muss, a gas field operator, worked in a remote area near Fort St. John, BC. After observing a bear approaching, he used a Star Blazer bear banger to scare it away. The device detonated prematurely while in his hand, resulting in immediate injuries, including hearing loss, tinnitus, and sensitivity to loud sounds, known as hyperacusis. Read the [full article](#) by Angelica Dino with *Canadian Lawyer*.

BC Mushroom Farm Fined \$152,000 for Lack of First-aid Attendant on Site

An Abbotsford mushroom farm found to be operating without a first-aid attendant has been fined \$152,309 by WorkSafeBC, the government regulator for occupational health and safety policies. WorkSafeBC inspected Highline Mushrooms West Limited mushroom growing facility and determined “there was no qualified first-aid attendant available on site. The firm failed to

ensure it provided first-aid attendants and services adequate for promptly rendering first aid to workers. This was a repeated violation,” the Sep. 24 order states. Read the BIV [article](#).



OCCUPATIONAL HEALTH AND SAFETY

Act or Regulation Affected	Effective Date	Amendment Information
Occupational Health and Safety Regulation (296/97)	Nov. 1/24	by Reg 132/2023

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Email: info@quickscribe.bc.ca

Website: www.quickscribe.bc.ca

Toll Free: 1-877-727-6978 | Phone: 1-250-727-6978