

May 4, 2018

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via e-mail: [nathan.braun@gov.bc.ca](mailto:nathan.braun@gov.bc.ca)

Dear Nathan:

**Re: Preliminary Comments about Environmental Assessment Revitalization**

The Canadian Association of Petroleum Producers (CAPP), and its members, appreciate the opportunity to provide input to the Government of British Columbia's Environmental Assessment (EA) Revitalization. We understand that this initiative is intended to:

- Enhance Public Confidence;
- Advancing Reconciliation with First Nations; and
- Protecting the Environment while Supporting Sustainable Economic Growth.

CAPP has a significant interest in EA as a means of providing the public and First Nations with assurance of responsible and timely development of natural resources in British Columbia. In order to achieve this outcome, the design and administration of the EA process must be undertaken in a thoughtful and disciplined manner that clearly establishes the intent and expectations for all aspects of the process.

CAPP and its members place the highest value on building and maintaining the trust of British Columbians and the investment community. We share the government's view that timely and predictable regulatory review processes help foster trust and build relationships between project proponents and Indigenous groups, local communities and British Columbians broadly. CAPP acknowledges the government's desire to enhance the opportunities for affected stakeholders and First Nations to meaningfully participate in all stages of EA through a process that is robust transparent, timely and predictable, but any changes must also provide proponents the assurance that regulators will make timely and informed decisions based on relevant information and science.

With this perspective in mind, we offer some preliminary comments for your consideration:

- **Refine Analytic Approach to Inform Problem Definition and Identification of Solutions:** Multiple streams of input through the EA Advisory Committee as well as First Nations and Direct engagement, are informing the EA Revitalization. All input requires an additional layer of detail to offer geographic and demographic insights into the feedback. This analysis supports problem definition to inform the development of more appropriate tools to achieve the government's desired outcomes of the review in ways that may be distinct from changes to the EA process itself. Additional analysis may indicate when tools to enhance awareness or map sensitivities for development planning would be more beneficial.
- **Provide Certainty in Timelines for the EA Process:** Specify timelines for all phases of the EA process for different categories of projects defined on the basis of project size, complexity and locational risk. This approach would increase certainty, predictability and accountability of all parties – the public, proponents, EAO and First Nations.
- **Enable Request for Class EA for Common, Low-Risk Project Types:** Some project types are well-understood in terms of potential impacts. Class EAs should be enabled to ensure more orderly development, and efficient use of resources by the EAO and project proponents.
- **Leverage Existing Planning Tools in EA:** Many planning tools have been developed to describe regional impact and strategic assessment (regional plans, plans developed by First Nations, area-based analysis, and cumulative effects pilots). A list of accepted regional impact and strategic assessments relevant to EA should be developed and maintained as evergreen. Project EAs should not duplicate regional impact and strategic assessments nor be delayed to conclude such assessments.
- **Consider Negative and Positive Impacts:** EAs should consider predicted environmental, social, cultural and economic changes – both positive and negative – in context. The public interest determination should be based upon the most substantive risks and opportunities posed by a proposed project.
- **Clarify Indigenous Inclusion and Engagement:** Aside from the early engagement phase, the phases for engaging Indigenous communities and striving to achieve consensus should be specified. It is not apparent within this proposed EA process where Indigenous inclusion would occur.
- **Achieve Timely Consensus:** The Government has described this process as striving for consensus. The project proponent needs clarity about how non-consensus would be efficiently resolved in the context of the EA process.

A 2016 WorleyParsons Canada study<sup>1</sup> of EA practices worldwide observed that, while Canada has an EA process that is one of the most thorough and comprehensive, it also "...currently has one of most expensive, time and resource consuming EA processes in the world." These observations

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<sup>1</sup> WorleyParsons 2016, International Review of Environmental Assessment Processes.

need to be strongly considered as the BC government moves to complete the EA revitalization, particularly in the context of equivalency.

In CAPP's view, there is a need to use the input received to define what problem we are trying to fix through the EA process in order to propose meaningful and relevant changes. Should you have any questions or require further clarification regarding this submission, please contact Sherry Sian at (403) 267-1149. Thank you.

Sincerely,



Sherry Sian  
Manager, Environment

Cc: Ines Piccinino, ADM, BC Ministry of Energy, Mines and Petroleum Resources