

SUBSTITUTION OF ENVIRONMENTAL ASSESSMENTS IN BRITISH COLUMBIA

In 2013, the BC Environmental Assessment Office and the Canadian Environmental Assessment Agency signed a memorandum of understanding that the two governments use to manage the substitution of environmental assessments in BC.

Substitution is enabled by the *Canadian Environmental Assessment Act, 2012*. Under substitution, where both federal and provincial environmental assessments are required, there can be a single review process (the provincial one) and two decisions (federal and provincial).

Successive governments in British Columbia have actively pursued a “one project, one assessment” approach to environmental assessments in the province. To date, British Columbia is the only jurisdiction to receive substitution – a testament to the rigour and the thoroughness of the Province’s environmental assessments.

The LNG Canada Export Terminal is the first project to be granted an environmental assessment certificate following a substituted environmental assessment.

WHAT IS A SUBSTITUTED ENVIRONMENTAL ASSESSMENT?

Many proposed projects in BC require both a provincial environmental assessment and a federal one.

Substitution means that instead of doing two separate assessments on the same project, the BC Environmental Assessment Office conducts a single assessment that meets both provincial and federal requirements.

In addition to technical experts from the provincial government, municipalities and Aboriginal groups, experts from federal departments participate in the substituted assessment.

The federal minister and provincial ministers make separate decisions on whether to approve the project based on the environmental assessment report prepared by the Environmental Assessment Office.

WHY DOES THE PROVINCE REQUEST SUBSTITUTION?

Using a single environmental assessment reduces duplication and increases efficiencies for everyone

involved in the environmental assessment, while ensuring a rigorous and thorough review that assesses all the potential effects of a proposed project.

Companies, communities, Aboriginal groups and governments alike save time, money and resources by only having to participate in one environmental assessment for a project.

WHAT IS THE DIFFERENCE BETWEEN SUBSTITUTION AND EQUIVALENCY?

Under equivalency, a designated project would be exempted from the application of the *Canadian Environmental Assessment Act, 2012*. As such, only a single environmental assessment is conducted (BC’s) and a single decision made (BC’s) about whether the proposed project should be granted approval. No federal approval decision is made.

WHO DECIDES IF A SUBSTITUTED ASSESSMENT WILL BE DONE?

In general, the Province requests substitution for most proposed projects that require an environmental assessment by both levels of government.

The Province must make the request in writing. The decision on whether to grant substitution is made by the federal Minister of the Environment.

Should the federal minister determine that it is in the public interest to have a review panel conduct the assessment for a project, it cannot be substituted. Other projects that may not be suitable for substitution involve those that are exclusively on federal lands or where significant trans-boundary impacts are anticipated.

As well, federal environmental assessments conducted by the National Energy Board and the Canadian Nuclear Safety Commission cannot be substituted to a province.

ARE OTHER PROJECTS UNDERGOING SUBSTITUTED ENVIRONMENTAL ASSESSMENTS?

So far, the federal government has agreed to substituted environmental assessments for a number of proposed projects.

A copy of the memorandum of understanding and the full list of substituted projects are available on the Environmental Assessment Office’s website at www.eao.gov.bc.ca/substitution.html