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Sierra Club Canada

## Conservatives to deregulate Environmental Assessment

OTTAWA—The Conservative government intends to deregulate environmental assessment of development projects by replacing the Canadian Environmental Assessment Act with a much weaker, more limited law says Sierra Club Canada.

“Environment Minister Jim Prentice intends to deregulate federal environmental assessment in much the same way that George Bush deregulated the financial services industry and Mike Harris deregulated control of drinking water supplies,” said Stephen Hazell, executive director of Sierra Club Canada. “Does anyone truly believe that the tar sands and mining industries are going to do a better job assessing their projects without federal oversight? In the absence of effective laws, are Syncrude and Imperial Oil likely to care more for the environment than Goldman Sachs cared for their clients’ investments?”

“The government’s bill is about getting the feds out of environmental assessment; it is not about reducing overlap and duplication. Duplication of effort has largely been eliminated due to the efforts of the Canadian Environmental Assessment Agency as well as the Major Projects Management Office established by the Harper government a year ago,” said Will Amos, Ecojustice lawyer and Sierra Club Canada board director. “The government appears to be using the economic stimulus package and public anxiety over the economy as a smokescreen to dismantle federal environmental assessment.”

According to a federal report obtained by Le Devoir and other information obtained by environmental groups: ° a new environmental assessment bill to replace CEAA would be introduced into the House of Commons in March or April; ° all four of the so-called triggers for environmental assessment (regulatory approval, property transfer, funding, federally managed projects) would be eliminated; ° a short list of categories of projects subject to federal environmental assessment would be set out in a schedule to the new bill; ° environmental assessments would be carried out by the Canadian Environmental Assessment Agency, or by the National Energy Board or Canadian Nuclear Safety Commission (for pipeline and nuclear projects respectively); ° Environment Canada, Fisheries and Oceans Canada and other federal agencies would no longer have environmental assessment responsibilities; and ° provincial assessments could substitute for those federal assessments that are required. “Our knowledge of the contents of the proposed legislation is incomplete,” said Hazell. “For example, we don’t know if the government plans to eliminate public hearings for large projects and funding for public participation in environmental assessments. We don’t know whether the government plans to change constitutionally entrenched environmental assessment provisions of aboriginal claims laws, or drop requirements to assess the cumulative effects of projects.”

The Canadian Environmental Assessment Act was enacted by the Conservative government of Brian Mulroney in 1992. The federal report does not commit the government to public consultations on the new bill, but officials have confirmed that elements of the legislation will be presented at the next meeting of the multistakeholder Regulatory Advisory Committee on February 2 and 3.

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