
FACTSHEET

Ministry of Environment
Environmental Assessment Office

What federal environmental review changes mean to British Columbia

Canadian Environmental Assessment Act 2012

- On July 6, 2012, the Federal Budget Implementation Act came into effect which included changes to the Canadian Environmental Assessment Act. This amounted to an entire repeal and replacement of the former Canadian Environmental Assessment Act.
- Changes include:
 - Substitution and equivalency provisions.
 - Changes to federal triggers and timelines for federal environmental assessments.
 - Removing the requirement for federal environmental assessments at the ‘screening’ level.
- B.C. is pursuing the substitution and equivalency provisions, which have the potential to enhance the efficiency and effectiveness of the environmental assessment process. B.C.’s goal continues to be: “One project, one process.”
- B.C.’s Environmental Assessment Office is a neutral agency that examines potential adverse environmental, economic, social, health and heritage effects during the full lifecycle of major project proposals in British Columbia.
- The province has a fairness and service code to give project representatives, First Nations and other members of the public an understanding of what to expect during the course of a provincial environmental assessment.

Federal EA Triggers under the Former Canadian Environmental Assessment Act:

- Under the former Canadian Environmental Assessment Act, a federal environmental assessment could be required for any one of the following four reasons:
 - When a federal authority proposed a project.
 - When a federal authority granted money or other financial assistance.
 - When a federal authority sold, leased or otherwise disposed of land or any interest in land.
 - When a federal authority exercised a regulatory function over a project.
- Among the three types of federal reviews in the former Canadian Environmental Assessment Act (review panels, comprehensive studies and screenings), the screening-level review made up the majority of the environmental assessments under the former Act.

- Screenings differed from other types of federal environmental assessments in a variety of ways including variable time, length and depth of analysis.
- Screenings did not require public participation and the federal “responsible authority” was not usually the Canadian Environmental Assessment Agency. The responsible authority could include other agencies such as the Canada Post, the CBC or Foreign Affairs.
- In total, there were 512 projects in B.C. for which the federal government had originally intended to undertake screening assessments
- Of the 512, 492 projects that will no longer receive a federal environmental assessment under the screening category.
- All 492 of those former screenings fall below the B.C. Environmental Assessment Act’s thresholds for environmental review.
- While they do not meet the conditions for review under the B.C. Environmental Assessment Act, many still require other provincial approvals through permits and relevant regulatory requirements and legislative approvals before these projects can begin.
- A further 19 of those projects were formerly subject to joint provincial and federal assessments.
- Two of these 19 projects, the Kutcho Zinc-Copper-Silver-Gold Mine project and the Vancouver Airport Fuel Delivery project, will continue to have joint provincial and federal environmental reviews. The other 17 will have full provincial environmental assessments.
- The remaining project (the Kitimat Disposal at Sea project) will have an environmental assessment conducted by federal agencies.
- Of the 500 plus project screening assessments the federal government had indicated they no longer undertake, over 80 per cent of them were originally triggered by non-environmental factors.

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