



RESPONSE TO PETITION

Prepare in English and French marking 'Original Text' or 'Translation'

PETITION No.: **421-01656**

BY: **MR. McLEOD (NORTHWEST TERRITORIES)**

DATE: **SEPTEMBER 22, 2017**

PRINT NAME OF SIGNATORY: **THE HONOURABLE CATHERINE MCKENNA**

Response by the Minister of Environment and Climate Change

SIGNATURE

Minister or Parliamentary Secretary

SUBJECT

Environmental Assessment and review

ORIGINAL TEXT

REPLY

B.C. Hydro is the proponent of the 1100-megawatt hydroelectric dam (Site C) on the Peace River in northeast British Columbia. The former Conservative Government approved the Site C Project in the fall of 2014 and set legally binding conditions with which B.C. Hydro must comply. Permits were subsequently issued in fall 2015 allowing the Project to start construction.

One of the major priorities set by the government when it first took office was to restore credibility to Canada's environmental assessment processes. It immediately began working to modernize and significantly improve how environmental assessments are conducted and how major project decisions such as Site C are made. The government committed to taking the time necessary to get it right. It also determined that an interim approach and principles were required to provide greater certainty as to how it would be guided in the application of its discretionary decision-making authorities for projects being assessed during the review of environmental assessment processes.

On January 27, 2016, the government announced an interim approach and principles. The principles are:

- Decisions will be based on science, traditional knowledge of Indigenous peoples, and other relevant evidence;
- The views of the public and affected communities will be sought and considered;
- Indigenous peoples will be meaningfully consulted and, where appropriate, impacts on their rights and interests will be accommodated;
- Direct and upstream greenhouse gas emissions linked to the projects under review will be assessed; and

- No project proponent will be asked to return to the starting line – reviews will continue within the current legislative framework and in accordance with treaty provisions, under the auspices of relevant responsible authorities and Northern regulatory boards.

In August 2016, I established an Expert Panel to conduct a review of environmental assessment processes associated with the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). On March 31, 2017, after seven months of engagement across the country, the Expert Panel provided its report to me and it is now available to the public.

On June 29, 2017, the Government released a discussion paper on the review of environmental and regulatory processes for public comment. The discussion paper drew from extensive public consultations, Expert Panel reports and parliamentary studies conducted over the past 12 months and outlined potential reforms being considered to rebuild trust and modernize Canada's environmental and regulatory processes.

We are now reviewing all feedback received to help inform potential legislative, regulatory and policy changes. For more information please visit www.canada.ca/environmentalreviews.

In the meantime, as previously outlined in the principles, project reviews will continue within the current legislative framework and in accordance with treaty provisions. This includes not revisiting projects such as Site C that were reviewed and approved by the previous government.

Legally binding conditions are in place for the Site C Project, which include mitigation measures and follow-up requirements with which B.C. Hydro must comply throughout the life of the Project. The Canadian Environmental Assessment Agency is active in verifying compliance for the Project, conducting on and off-site compliance verification and monitoring inspection activities to ensure compliance with conditions included in the Decision Statement.

Our Government is committed to creating an environmental and regulatory process that creates a path for good projects to proceed in partnership with Indigenous peoples and effective, science-based, enforceable conditions, with clear timelines. We are equally committed to a renewed Nation-to-Nation relationship with Indigenous Peoples based on recognition of rights, respect, cooperation and partnership. Canada is working in partnership with Indigenous communities, the provinces, territories and other vital partners, to fully implement the recommendations of the Truth and Reconciliation Commission, including the implementation of the United Nations Declaration on the Rights of Indigenous Peoples. With respect to the Project, Canada will continue to consult with potentially affected Indigenous groups, and where appropriate, accommodate when it considers conduct that might adversely impact potential or established Aboriginal or treaty rights during the regulatory phase.