

Jonathan Wilkinson - Speaking Notes

Environmental Assessment Launch

February 8th 2018

Victoria, BC

Introduction

Hello everyone.

Let me start by acknowledging that we are gathering today on the unceded Coast Salish territory including the traditional territories of the Songhees (Song-hees) and Esquimalt (es-KWIE-malt) Nations, among others.

I'd also like to thank you all for being here – because today's announcement is very important to me and to all British Columbians.

Overview

Today we are keeping our promise to Canadians.

We are putting in place **better rules** to protect our environment and build a stronger economy.

After **14 months** of hearing from provinces and territories, Indigenous peoples, companies, environmental groups, and Canadians across the country, we are making **real changes**.

The legislation we are introducing in Parliament today aims to **restore public trust** in how the federal government makes decisions about major projects, like mines, pipelines and hydro dams.

These better rules are designed to protect our environment while improving investor confidence, strengthening our economy and creating good middle-class jobs.

We are working to build on the strong economic growth and record job numbers that we've seen since we've formed government.

Why Change is Needed

Our government understands the importance of the resource sector to our economy. Over \$500 billion dollars in major resource projects are planned across Canada over the next decade.

These projects would mean thousands of well-paying jobs across the country, and they would provide an economic boost for nearby communities and our economy as a whole.

But we can't get there without better rules to guide our decisions about resource development.

Unfortunately, the Harper government made changes to the environmental assessment system that eroded public trust in how those decisions are made.

Canadians became concerned that project approvals were based on politics rather than robust science.

They were concerned that changes were putting our fish, waterways and communities at risk and were not taking into account the climate impacts of projects.

They were concerned that the views of communities and Indigenous peoples were not being heard, and they were concerned that decisions were not transparent.

This lack of trust resulted in polarization and paralysis.

Projects stalled and resource development became a lightning rod for public opposition and court challenges.

Billions of dollars of investment was put in jeopardy, raising concerns for investors and shareholders.

Ironically, the Harper government's changes made it a lot more challenging for good projects to get built.

Weaker rules hurt both our environment and economy.

How We Got There

Since we formed government, we have worked very hard to restore public trust while providing certainty to business.

In January 2016, we introduced **interim principles** to guide how our government would review proposed major projects until we could put better rules in place.

We knew we couldn't keep approving projects under the Harper government's flawed rules – but we also knew we couldn't put our economic development on hold for years while we worked on the new rules.

Our interim principles were the first part of delivering on one of our high-priority platform commitments: to review and fix Canada's environmental assessment process, and to restore confidence in how decisions about resource development are made.

Those interim principles made it clear:

- That decisions would be based on robust science, evidence and Indigenous traditional knowledge.
- That we would seek to hear and understand the views of Canadians and communities that could be affected by proposed projects.
- That Indigenous peoples would be meaningfully consulted.
- That decisions would take into account the climate impacts of proposed projects.
- And that no project already under review would be sent back to the starting line.

But we didn't stop there.

In November 2016, we announced a **\$1.5 BILLION-dollar Oceans Protection Plan**.

Through that historic investment we are creating a world-leading marine safety system, while protecting our coastlines and clean waters for generations to come.

Then, in December 2016, after a year of negotiations with provinces, territories and Indigenous leaders, we announced the first-ever **made-in-Canada climate plan**.

Our climate plan builds on the actions of provinces and territories, and provides a clear roadmap as to how we will cut carbon pollution and move together towards a cleaner future.

Using the interim principles, and building on the foundations of our Oceans Protection Plan and climate action plan, we moved forward, **approving a number of major projects worth billions of dollars to the Canadian economy.**

The projects we approved are in the national interest, and because of the steps we have taken to date, we are confident they can be built in a way that protects our environment and communities.

Changes Going Forward

The new rules we are introducing today build on the improvements we've already made, and on the feedback we received from Canadians.

We heard loud and clear that Canadians want a better system they can trust to protect our environment and ensure good projects get built.

And we heard from investors and project proponents want a clear, predictable and timely process.

That is what our new system provides.

A. REBUILDING TRUST

First, it will rebuild trust.

When it comes to resource development, you can't get very far if people don't trust the rules and the way governments make decisions.

The same goes for companies – they need to know what's expected of them from the start, and that the process will be predictable, timely and evidence-based.

That's why our top priority with the changes we're proposing is increasing transparency and rebuilding trust.

Going forward –

- We are **increasing public participation** in project reviews – so that Canadians can help shape the project design, provide input into the project plan, and assess the science used to make decisions.
- We have created a **new early engagement phase**, to ensure that:
 - Indigenous peoples' rights are recognized and respected, and that we work in partnership from the outset.
 - And communities will have their voices heard from the start.
- And we're creating a **single agency** – the Impact Assessment Agency of Canada – that will lead all impact assessments for major projects, to ensure the approach is consistent and efficient.

The Agency will work with and draw expertise from other bodies like the Canadian Energy Regulator (currently the National Energy Board), the Canadian Nuclear Safety Commission and Offshore Boards.

But the final decision on major projects will rest with the Minister of Environment and Climate Change, or with the federal cabinet, because our government is ultimate accountable to Canadians for the decisions we make in the national interest.

We will ensure that all projects are held to a **high standard**, because that's what Canadians expect and deserve.

B. TRANSPARENT, SCIENCE-BASED DECISIONS

Second, decisions on projects will be transparent, and guided by **robust science, evidence and Indigenous traditional knowledge**.

The results of scientific reviews **will be made public**. This will allow members of the public and scientists to review and comment on the scientific advice used in impact assessments and decision-making.

We will **increase Canadians' access to science and evidence**, and decision statements, including the rationale for those decisions, will be made public.

C. SUSTAINABILITY

Third, we're expanding project reviews to assess what matter to Canadians.

The new impact assessment will look at a project's potential impacts not just on our environment, but also it's health, social and economic impacts over the long-term.

We will require a gender-based analysis for every review.

And we will also consider how projects are consistent with our environmental obligations and national climate plan.

TO support that, we will undertake a strategic assessment of climate change in the months ahead, to provide guidance for individual project reviews.

We will also do proactive regional assessments to evaluate big picture issues and the cumulative effects of development, as well as to provide the context for impact assessments.

And when making decisions, we will consider whether companies are using the best available technologies and practices to reduce impacts on the environment.

D. INDIGENOUS FOCUSED

Fourth, we will **advance Canada's commitment to reconciliation**, and get to better project decisions by recognizing Indigenous rights, and working in partnership from the start.

We will ensure early and ongoing opportunities for engagement with Indigenous peoples, with the aim of securing free, prior and informed consent through processes based on mutual respect and dialogue.

We will make it mandatory to consider Indigenous traditional knowledge alongside science and other evidence.

Indigenous jurisdictions will have greater opportunities to exercise powers and duties under the new Impact Assessment Act.

And we will increase the funding available to support Indigenous participation and capacity development related to assessing and monitoring the impacts of projects.

E. TIMELY & PREDICTABLE PROCESS

Fifth, project reviews should be completed through a timely and predictable process.

Companies will benefit from a more efficient and predictable process from start to finish.

The new **early planning and engagement phase** will provide clarity on what's required, and more certainty about the process ahead.

Shorter legislated timelines for the project review phase will be rigorously managed to keep the process on track.

A more timely process will lead to more timely decisions.

F. ONE PROJECT, ONE REVIEW

Finally, we will streamline the process and coordinate with the provinces and territories to reduce red tape for companies and avoid duplicating efforts in reviewing proposed projects.

Our goal is one project, one review.

The new Impact Assessment Agency of Canada will draw on the expertise of other life-cycle regulators like the new Canadian Energy Regulator (which will replace the National Energy Board), and work in cooperation with provinces and territories and Indigenous jurisdictions.

Revising the Project List

Today, we are also announcing that **we are seeking Canadians' feedback** on changes to the Project List regulations that define the types of projects that will be subject to impact assessment.

The project list aims to **make it easier for everyone to understand when the new rules will apply**, providing certainty that both Canadians and companies need and expect.

The Harper government's project list was a grab bag of projects developed in a non-transparent way, and based on political motives, not the public interest.

The project list is meant to identify the types of **projects that post significant risks** to the environment in areas that fall under federal jurisdiction.

Our proposed changes will be based on **clear criteria** – such as environmental thresholds, to ensure that project reviews include consideration of our climate change commitments and environmental obligations.

We will be consulting with Canadians on what types of projects should be on the list.

The proposed changes aim to make **the project list more robust and effective**, and to fill gaps left by the previous reforms to environmental assessment law.

The new rules proposed today must still be passed by Parliament. Until the new rules come into effect, existing laws and interim principles for project reviews will continue to apply to projects under review.

Protecting Fish and Navigation

In terms of changes to other laws, we are also proposing changes to the Canadian Navigable Waters Act, and as was announced by Minister LeBlanc earlier this week, to the Fisheries Act, to better protect waterways, fish and fish habitat.

The Canadian Navigable Waters Act will restore navigation protection for every navigable waterway in Canada.

With the changes we're proposing, Indigenous peoples and recreational boaters can continue to travel Canada's vast network of rivers, lakes and canals.

And our better rules will deliver greater transparency about proposed projects that could affect navigation, to make it easier for Canadians to have a say in projects that concern them.

These measures will restore and better protect the right to travel on all navigable waters in Canada, including those that are most important to Canadians and to Indigenous peoples.

The additional changes we are proposing to the Fisheries Act and impact assessments for major projects mean that Canada's rivers, lakes and other water bodies are fully protected from the impacts of resource development.

Funding

Of course, none of these proposed changes mean much without providing the extra capacity needed to deliver on our commitments.

That's why we're investing up to \$1.01 billion over five years to support:

- the proposed changes to impact assessments and the Canadian Energy Regulator;
- increased scientific capacity in federal departments and agencies;

- changes required to protect water, fish and navigation; and
- increased Indigenous and public participation.

Conclusion

We know that the changes we are announcing today will not satisfy everyone.

People who tend to distrust business and want no project to go ahead will say we're doing too little to protect our environment.

And those who want every project to go ahead whatever the environmental cost will say we're doing too little to support resource development.

But the rules we're announcing today reflect what we heard overwhelmingly and consistently from Canadians over the past year and a half, and they reflect just good common sense.

Canadians want a modern environmental and regulatory system that will protect the environment, support Indigenous reconciliation, attract investment and ensure good projects can go ahead, while creating new jobs and economic opportunities for the middle class.

They understand that better rules will makes us more competitive, not less.

Because Canadians know, as do smart businesses, that in the modern world the environment and the economy must go together.

Thank you