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## **Exemptions from federal environmental review for oil and gas projects unjustified, say environmental groups**

*Ensuring federal assessment of high-carbon projects is critical if Canada is to step up Paris Agreement ambitions at COP 24*

OTTAWA – Some of Canada's largest and most polluting industrial projects may get a free pass on federal review under a new law if the government capitulates to industry demands, warn leading environmental groups. The groups are calling on Canada to expand the list of projects it reviews to ensure that greenhouse gas emissions and other environmental damage from proposed industrial development are minimized.

Bill C-69, which includes the *Impact Assessment Act*, has been subject to intense lobbying in the Senate to weaken or kill the Bill. In recent weeks, the oil and gas and nuclear industries have also begun claiming that their projects – some of Canada's riskiest – should be exempt altogether from the new law.

The *Impact Assessment Act* mandates the government to weigh the positive and negative impacts of projects that affect the environment, considering factors such as climate change, potential harm to watersheds and endangered species, public safety, and Indigenous rights, in order to minimize harms and boost benefits.

The environmental groups have developed a [comprehensive list](#) of major projects that should be reviewed under Bill C-69 if Canada is to meet its climate targets. Highlighted project categories include:

- All projects that propose to emit more than 50,000 tonnes of GHGs per year until 2030, descending to 5,000 tonnes by 2040, including in situ oil sands projects, cement plants, and oil and gas pipelines;
- All projects requiring permits under the *Fisheries Act* and *Canadian Navigable Waters Act*, including hydroelectric dams;
- Projects located in National Parks, National Wildlife Areas or other federal protected areas, including new roads, ski hills and tourist attractions;
- Construction or installation of nuclear reactors, including small modular reactors;
- Projects that impact species at risk and their critical habitat; and
- Projects that will induce further development, such as roads and transmission lines into relatively undeveloped areas.

## Quotes:

- “How can Minister McKenna claim that Canada is stepping up its ambitions with respect to the Paris Agreement, when her government does not even plan to assess how to reduce pollution from high-carbon projects such as in situ oil sands projects and cement plants?” says Stephen Hazell, Director of Policy and General Counsel at Nature Canada.
- “The purpose of impact assessment is to look before you leap,” says Anna Johnston, Staff Lawyer at West Coast Environmental Law Association. “In this era of catastrophic climate change and mass extinction, we need to ensure we are making wise decisions that minimize environmental harm and benefit communities. Impact assessment is the right tool to do that, but only if it applies across the board.”
- “Exempting high-carbon projects such as in situ oil sands from federal assessment would be ludicrous,” says Patrick DeRochie, Climate and Energy Program Manager at Environmental Defence. “That’s like saying you’re going to study the environmental impact of road vehicles, and then giving a free pass to SUVs and transport trucks.”
- “In addition to their misinformation campaigns to try and get the Senate to kill Bill C-69 or seriously water it down, these industry pressure groups are now working the bureaucracy to ensure that the new law would not apply to some of Canada’s most environmentally risky projects,” says Karine Péloffy, legal counsel for the Quebec Environmental Law Centre. “Exempting the oil and gas industry would result in Canada’s emissions exceeding even our weak, Conservative-era international targets which the new law seeks to uphold.”
- “Ultimately, it’s Canadians who pay when high-polluting projects are not subject to adequate review,” says DeRochie. “We have recently learned from the Alberta Energy Regulator that taxpayers may be on the hook for as much as \$260 billion to clean up the mess left by oil and gas companies in that province. Rigorous, evidence-based assessment is the first step in preventing that kind of regulatory failure.”
- “It is astonishing and unacceptable that the Canadian Nuclear Safety Commission is doing the bidding of the nuclear industry in lobbying to exempt so-called small modular reactors from assessment, especially given that these reactors have not yet been deployed in Canada and so are new technology,” says Hazell.
- “Canada needs environmental laws that are ready for the 21st century,” says Lindsay Telfer, National Director of the Canadian Freshwater Alliance. “We can’t afford for the federal government to turn a blind eye to projects that put our freshwater and community safety at risk.”
- “Environmental assessments should help us reach our international emissions reduction commitments to avert climate disaster,” said Joshua Ginsberg, a lawyer with Ecojustice. “We won’t be able to achieve our climate change-fighting ambitions unless we seriously assess all of the most carbon-intensive projects, including in-situ oil sands mining.”

[View the recommended entries to the project list.](#)

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