EAO | Environmental Assessment Office

BC's New Environmental Assessment Act and Climate Change Considerations

Presented at the Ontario Association For Impact Assessment Conference

Lindsay Luke, Project Assessment Director
BC Environmental Assessment Office
October 2019

BRITISH COLUMBIA

Legislation and Policy

BC Legislation

- *Environmental Assessment Act*
- *Carbon Tax Act*
- *Greenhouse Gas Industrial Reporting and Control Act*
- *Clean Energy Act*
- *Greenhouse Gas Reduction Act*

BC Policy

- Preliminary Strategic Climate Risk Assessment
- CleanBC Strategy

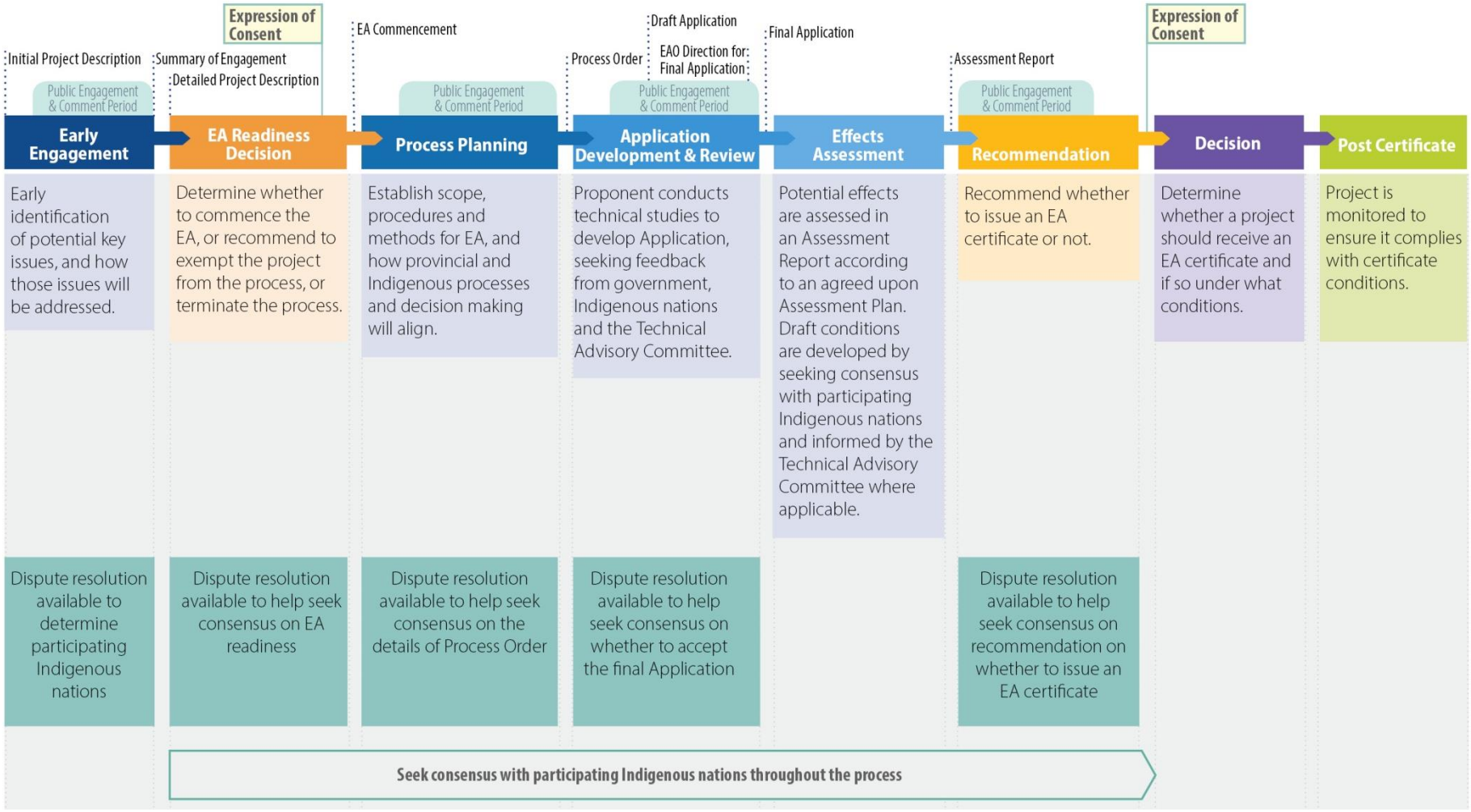
New EA Legislation

- Received royal assent November 27, 2018.
- Expected to be brought into force in fall 2019.
- Time for development of and engagement on the necessary regulations, policies and guidance to implement the new Act.

Objectives of new EA legislation

- Enhancing public confidence;
- Advancing reconciliation with Indigenous Nations; and
- Protecting the environment while offering clear pathways to sustainable project approvals.

New Environmental Assessment Process



EA Act: Key Assessment Matters

- Positive and negative direct and indirect effects of the reviewable project, including environmental, economic, social, cultural and health effects and adverse cumulative effects;
- Alternative means of undertaking the project;
- Greenhouse gas emissions, including the potential effects on the province being able to meet its targets under the *Greenhouse Gas Reduction Targets Act*; and
- Potential changes to the reviewable project that may be caused by the environment.

EA Process Considerations

Three ‘streams’ for consideration:

- Greenhouse gas emissions
- Effects of the environment on the project
- Effects assessment in a changing environment

Greenhouse Gas Emissions Considerations

What are the estimated GHG emissions of a project and what mitigation measures and project design changes are proposed to reduce the emissions?

- Identification of a project's direct and indirect GHG emissions
- Identification of mitigation opportunities and alternative means of carrying out the project
- Scalable analysis depending on estimated GHG emissions:
  - Analysis proportionate to the potential quantity of emissions
  - Requirements to develop further monitoring and/or mitigation if GHG emissions may be required

Effects of the Environment on the Project

How susceptible is the project to current and predicted climate change?

- Discussion of the feasibility and justification of a project given climate change projections.
  - Project location, operational requirements (e.g., high in-stream flows), duration of project.
- Evaluation of the risk of the project to climate change (i.e., probability and consequence of potential hazards).
- Scalable assessments for projects that are determined to have a low risk of potential effects due to climate change.
- Some higher risk projects may require further analysis and mitigation, which may include an adaptation management plan.

Effects Assessment Stream

How are changing environmental conditions considered in the assessment of biophysical components (i.e., resilience of environmental components to climate change)?

- Assessment of potential effects on identified VCs relative to a climate-adjusted baseline, where data available.
- Incorporation of climate models or projected trends into the effects assessment, where appropriate.
- Inclusions of risks, uncertainties, and data limitations.

Effects Assessment Stream

Examples from current practice:

Water quantity

- Consideration of reduced and changing instream flows
  - Fish and fish habitat
  - Water quality
  - Vegetation
  - Project design (water requirements, mitigation)

Scenarios may be used to identify possible variability.

Next steps

- Maintain ongoing engagement with stakeholder groups to develop and update guidance.
- Finalize draft guidance for implementation when the new Act comes into force.
- Continue to integrate new and evolving policy from other government agencies.