



ANALYSIS

Overhaul of B.C. environmental assessment will fail: scientists

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The B.C. government's overhaul of its environmental assessment regime is in danger of failing to accomplish what it promises – to restore public confidence in the way government manages natural resources, and to protect the environment.

That conclusion comes from a group of independent academic environmental scientists who have torn apart the proposed new Environmental Assessment Act that was tabled earlier this month.

It's a further hit for a government that has taken more than a few on its green credentials.

Environment Minister George Heyman tabled the new act to replace a set of rules written by the B.C. Liberal government in 2002. The legislation promises to speed up the approval process by ensuring that potential hurdles are identified early. For the first time, climate change will be considered in decision-making under the proposed law, and it adopts a higher level of consultation with Indigenous communities.

In an essay released Thursday, the Environment Minister said his new measures “will restore the public's trust in the way government manages our natural resources,” with a “strong and transparent environmental-assessment process, based on science.”

But scientists from the province's top research universities disagree.

What the bill fails to do is fix fundamental flaws that exist in B.C.'s environmental-assessment process today, say the more than 180 university academics and science professionals who have signed the letter that will be sent on Monday to Premier John Horgan.

“We are concerned that the proposed process lacks scientific rigour, with significant consequences for the health and environment of all British Columbians,” they wrote. “The continued lack of scientific independence, peer review, and transparency in the evaluation of a given project's risk to the environment will serve only to further undermine public confidence.”

They remind the Premier that the public expects a robust system to protect the environment, to ensure B.C. doesn't see another disaster like the one at the Mount Polley mine. In 2014, the tailings pond at the mine breached, spilling approximately 25 million cubic metres of waste water and tailings into nearby water systems and lakes in central British Columbia. An expert panel concluded that the failure of the dam was a preventable accident due to a flawed dam design.

Beyond Mount Polley, the B.C. environmental-assessment process has come under fire for approving projects that failed to pass a federal environmental assessment. When the B.C. government approved the Prosperity mine proposal – a project that would



B.C.'s approval of the Pacific Northwest LNG project, a proposed liquefied natural gas facility on Lelu Island near Prince Rupert is another example that undermined public trust, said Simon Fraser University scientist Michael Price, one of the authors of the letter to the Premier. Both B.C. and Canada initially accepted a proponent's report suggesting that the facility would not threaten juvenile-salmon habitat in the surrounding estuary.

"We're talking about Canada's second-largest sockeye salmon producing system, and the proponent's consultant couldn't find fish," he noted. "There was a bias in the information collected, and then you end up with a bias in the evaluation."

The federal review took three years and the proponents were forced to make costly amendments, before approval was granted by Ottawa. The backers have since walked away from the proposal.

The proposed B.C. Environmental Assessment Act will be called for debate on Tuesday. The concerned scientists propose three amendments: Rather than relying on project proponents, information used to assess risk should be collected, and interpreted, independently. Evidence should be subject to independent peer review, at arm's length from government. And the data used in decision-making should be made public.

"Otherwise, we will continue to have a lack of public trust," Mr. Price said in an interview.

The minority NDP government, which holds power with the support of the Green Party, has long branded itself as a champion on the environment. But, from the approval of the Site C dam and a massive LNG facility, to the continuance of logging old-growth forests and open-net fish farming, the New Democrats have not veered wildly from the path laid down by the Liberals.

Mr. Heyman has indicated it will take a full year to implement all the regulations associated with his new Environmental Assessment Act. There is time to make changes, if he wants to.

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