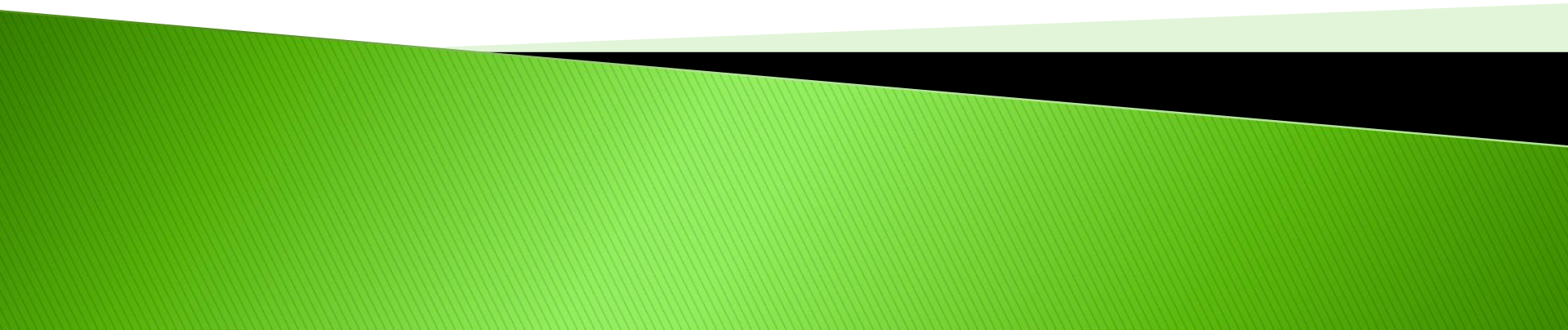


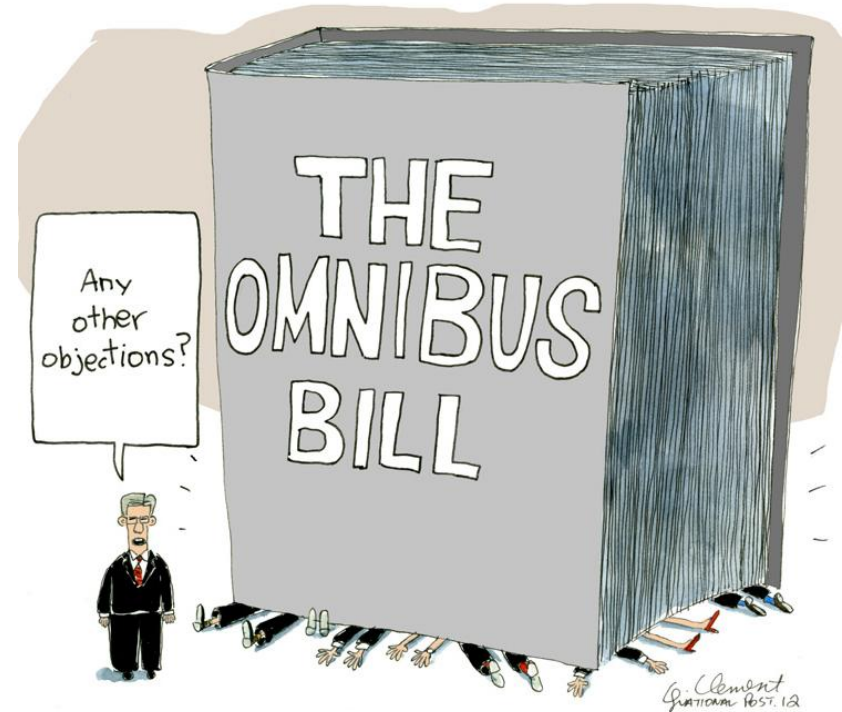
Changes to Federal Environmental Regulations

Sean MacArthur



Bill C-38

- Introduction and first reading in the House of Commons April 26th, 2012
- Passed through the House of Commons June 18th, 2012
- First reading in Senate June 18th, 2012
- Royal Assent achieved June 29th, 2012
- Won't see major regulation changes until Fall



Environmental Withdrawal

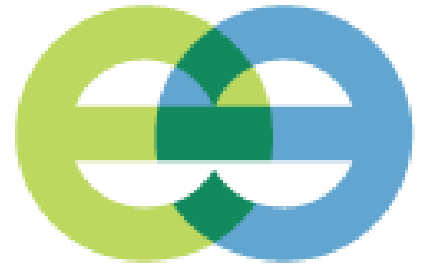
- Severe policy changes to *CEAA 2012* and *Fisheries Act*
- Officially withdrawn from *Kyoto Protocol Implementation Act*
- Decomposition of the *National Round Table on the Environment and the Economy*



National Round Table on the Environment and the Economy

- Established in 1988, legislated mandate in 1993
- Brought together hundreds of experts in; forestry, energy, water, air, GHG
- Produced numerous reports and recommendations over the years

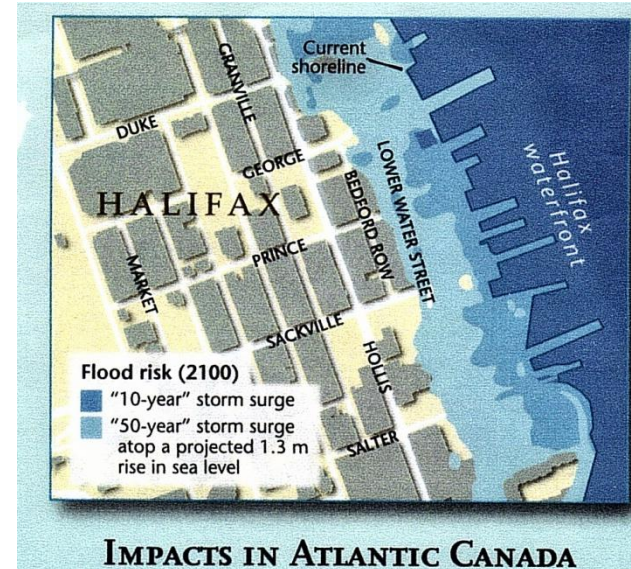
NRT



**NATIONAL
ROUND TABLE ON
THE ENVIRONMENT
AND THE ECONOMY**

Climate Change and Sea Level Rise

- Sea level rise leads to increased and more severe storms, floods, erosion
- University of East Anglia, UK, study shows 21st century was 0.44°C warmer than 1961–1990 period. 20th century was 0.24°C warmer
- EDM report estimates sea level rise of 1.3 feet by 2100 in Bras d'Or Lakes



Examples of some legislative changes

Fish Habitat Protection

Former Legislation

No work or activity shall be done that results in the harmful alteration of fish habitat

New Legislation

No work or activity shall be done that results in harm to fish that are part of a **commercial, recreational, or Aboriginal fisheries**, or to fish that support such a fishery

CEAA 1992 vs. 2012

Public Participation

Former Legislation

Ensure that there be opportunities for timely and meaningful public participation **throughout** the EA process

New Legislation

Ensure that opportunities are provided for meaningful public participation during an EA

CEAA 1992 vs. 2012

Environmental Protection

Former Legislation

Ensure that projects are considered in a careful manner before federal authorities take action in order to not cause significant adverse environmental effects

New Legislation

Protect components of the environment within the **legislative authority of Parliament** from significant adverse environmental effects caused by a project

Section 4(a) of the *Canadian Environmental Assessment Act*

Factors to be Considered in EA Renewable Resources

Former Legislation

Consider the capacity of renewable resources that will be effected by a project for future generations

New Legislation

Omitted

Species At Risk

Former Legislation

Permit allows work around species at risk for an established time frame and conditions

New Legislation

“Perpetual” permits could allow harmful work to continue around affected species

Section 73(9) *Species at Risk Act* repealed

Federal Authority's Reduced Involvement

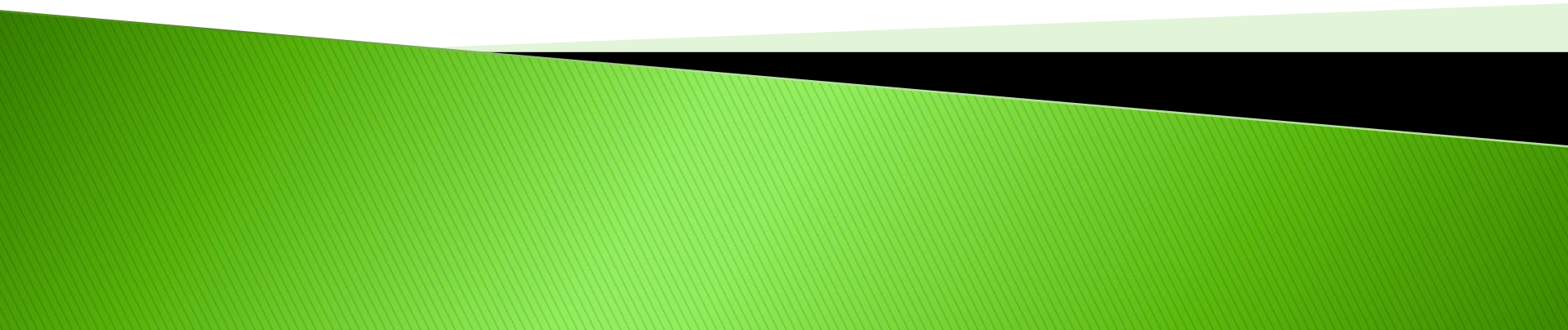
Former Legislation

Ensure that specialists or individuals with expert information or knowledge on the project are identified and coordinate Federal authorities' involvement with other jurisdictions

New Legislation

On request, make information or knowledge about specialists or expert information available to the responsible authority

Provincial Responsibilities Moving Forward?



Conversation Points

- Federal budget/Impact on the environment
- National Round Table on the Environment and the Economy report and relationship to EDM Development Standards study impacts
- Future role for Government of Nova Scotia