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FOR IMMEDIATE RELEASE

June 20, 2016

Environmental lawyers have high hopes for planned overhaul of environmental assessment in Canada

Federal government announces long-awaited review of environmental legislation

VANCOUVER, BC, Coast Salish Territories – The federal government today set in motion a process to rebuild and strengthen Canadian environmental laws, including the much-criticized system for conducting environmental assessments of major projects – a move welcomed by environmental lawyers who have been working for many years to champion this goal.

“Today’s announcement marks the beginning of a once-in-a-generation opportunity to establish a more inclusive, democratic, just, and science-based framework for making decisions that affect Canadians and the environment,” said Jessica Clogg, Executive Director and Senior Counsel, West Coast Environmental Law.

“With tensions running high over the fate of major projects like pipelines and dams, the stakes have never been higher as the government seeks to revamp the way environmental decisions are made in Canada,” said Clogg. “Collaboration with Indigenous peoples and civil society groups will be an essential part of achieving this goal.”

The multi-pronged initiative to revise environmental legislation and processes will include reviews of the *Canadian Environmental Assessment Act, 2012* (CEAA), the National Energy Board (NEB), the *Fisheries Act*, and the *Navigable Waters Protection Act*. The reviews for CEAA and the NEB will each be led by an independent panel, as recommended by West Coast Environmental Law, with panel members expected to be revealed later this summer.

During today’s announcement involving six cabinet ministers, Environment and Climate Change Minister Catherine McKenna announced the start of a 30-day public comment period on the terms of reference for the panel’s review of environmental assessment processes.

“We’ve seen how environmental assessments have gone wrong for risky projects like tar sands pipelines and LNG terminals – and how when that happens, nobody wins. This is a chance to build a law that truly safeguards the things Canadians value,” said Staff Counsel Anna Johnston.

In anticipation of this review process, West Coast Environmental Law hosted a unique gathering of experts in Ottawa in May to discuss ways to improve and strengthen environmental assessment in Canada. Attended by academics, legal experts, industry, practitioners, Indigenous representatives and ministry staff, the Environmental Assessment Reform Summit outcomes will inform submissions to the federal review process which has just commenced.

“The current system has polarized Canadians by driving a wedge between industry, government, NGOs and citizens with legitimate environmental concerns,” said Johnston. “We’re excited about this opportunity to get Canada back on track, to build a law through collaboration rather than division.”

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