



West Coast Environmental Law
200-2006 W. 10th Avenue
Vancouver, BC
V6J 2B3
604-684-7378
www.wcel.org

FOR IMMEDIATE RELEASE

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Environmental review panel ‘cause for optimism,’ lawyers say

Federal government announces four-member panel to review environmental legislation

VANCOUVER, BC, Coast Salish Territories – Environmental lawyers welcomed today’s announcement by the federal government of the four-member panel to review its environmental assessment processes under the *Canadian Environmental Assessment Act, 2012*. The law, which governs environmental reviews of projects like the controversial Kinder Morgan and Energy East oil tankers and pipelines projects, has been widely criticized by scientists, academics, lawyers and environmental groups as weak and undemocratic.

“This review marks the beginning of a rare opportunity to build a next-generation environmental assessment law for Canada,” said Jessica Clogg, Executive Director and Senior Counsel, West Coast Environmental Law Association. “With widespread conflict over projects like oil pipelines and dams, the stakes have never been higher. It’s time to establish more democratic and sound processes for how we make decisions that affect communities and the environment.”

The panel’s Terms of Reference give it a broad mandate to make the kinds of sweeping changes necessary to create a more inclusive, democratic, fair and science-based federal environmental assessment framework that upholds the Crown’s constitutional and international law obligations to Indigenous peoples. However, it has only until January 31, 2017 – just over five months – to conduct its review and report back to the Minister of Environment and Climate Change.

“The system is broken,” said Anna Johnston, Staff Counsel at West Coast Environmental Law Association and member of the Multi-Interest Advisory Committee (MIAC) established to assist the panel in its review. “We need to do more than just tinker with the existing law – we need to scrap it and build a visionary new system for dealing with complex, modern-day problems like climate change.”

In conducting the review, the panel has been tasked with travelling to communities across Canada to engage the public and Indigenous peoples in the review.

“It’s a huge task in a short amount of time, but we’re confident the panel will be able to deliver,” said Johnston.

“There has been a lot of thinking done about next-generation environmental assessment,” she said. “The knowledge is out there, but the panel will need to use every tool at its disposal to gather it up and turn that information into concrete recommendations for visionary change.”

In addition to the MIAC, the panel will be able to consult with experts. Additionally, the outcomes of a three-day Environmental Assessment Reform Summit hosted by West Coast Environmental Law in May will be made available to the panel in its review. Attended by academics, legal experts, industry, practitioners, Indigenous representatives and ministry staff, the Summit considered ways to improve and strengthen environmental assessment in Canada.

“It’s an exciting time,” Johnston said. “The current system has polarized Canadians by driving a wedge between industry, governments, NGOs and citizens with legitimate environmental concerns. With this review, we have an opportunity to get Canada back on track, to build a law through collaboration rather than division.”

For more information, please contact:

Anna Johnston | Staff Counsel, West Coast Environmental Law Association
anna_johnston@wcel.org, (604) 601-2508 (work), (604)340-2304 (cell)

Read the announcement from the Government of Canada at:

<http://news.gc.ca/web/article-en.do?mthd=tp&crtr.page=1&nid=1111029&crtr.tp1D=1>

For more information on the weakening of Canadian environmental assessment processes since 2011, see West Coast Environmental Law's report, *Canada's Track Record on Environmental Laws 2011-2015*:

[https://d3n8a8pro7vhm.cloudfront.net/envirolawsmatter/pages/281/attachments/original/1444781049/WC_EL_EnviroLaw_report_med1pg_fnl2_\(small\).pdf?1444781049](https://d3n8a8pro7vhm.cloudfront.net/envirolawsmatter/pages/281/attachments/original/1444781049/WC_EL_EnviroLaw_report_med1pg_fnl2_(small).pdf?1444781049)

For more information on the Environmental Assessment Reform Summit, see:

<http://www.envirolawsmatter.ca/easummit>