



SPEAK OUT AGAINST FEDERAL REGULATORY OVERREACH

The Issue

Efficient environmental assessment (EA) processes of major projects can help protect Canadians and our environment without compromising economic competitiveness. Unfortunately, Canada's EA processes are increasingly contentious and are becoming a barrier to investment in Canada's natural resources and infrastructure. Earlier this month, a government-convened expert panel released a series of recommendations on how to change the federal EA system. New legislation is expected in 2018.

The expert panel's proposed approach would increase the complexity of the federal environmental regulatory system, moving Canada even farther away from an efficient but rigorous assessment process that could balance environmental protection with economic growth. More specifically, the expert panel's recommendations would:

- Greatly expand the list of projects subject to a federal assessment process *in addition to* provincial or territorial processes, leading to increased costs and duplicated efforts without improving environmental outcomes.
- Overstep the constitutional division of responsibilities between the federal government and the provinces and territories, setting the stage for jurisdictional conflict and confusion.
- Invite participation in the assessment process by parties with no interest in the project, allowing individuals and groups who oppose development generally, or competitors seeking economic advantage through regulatory obstruction, to delay the proceedings.

Call to Action

The voice of business matters.

The expert panel's consultation process was dominated by individuals and organizations that have no concern for the competitive success of Canadian business, and it shows in these recommendations. We need your help to ensure that governments understand that environmental protection need not come at the expense of investment in Canada's economy.

We're asking you to spend **30 minutes** to submit a comment to the online portal www.letstalkea.ca before **May 5, 2017**. We recommend letting the Expert Panel know how your members would be impacted by an expanded, complex and inefficient federal environmental assessment process in the "Additional Comments" section.

Here are some of the key messages that can be reinforced in your commentary:

- The Canadian Chamber supports a rigorous environment assessment process that protects Canadians and our environment. A system that is clear, simple and timely is the best way to balance environmental protection with economic growth.
- While the expert panel report does contain helpful suggestions, overall the report is a move in the wrong direction, pushing Canada further away from an efficient but rigorous assessment process that could balance environmental protection with economic growth.
- The expert panel's proposed approach would likely expand the types of projects and activities subject to federal assessment in addition to provincial/territorial processes, leading to increased costs and duplicated efforts without improving environmental outcomes.
- The panel's proposed approach to impact assessments would invite unilateral federal intrusion into provincial/territorial jurisdiction, creating the potential for conflict and confusion.
- The panel recommends that every step of the assessment process be based on consensus, which is not a realistic approach. Instead, the focus should be on enhancing collaboration, inclusion, engagement and transparency within a fact-based quasi-judicial process.
- The cost and complexity of Canada's environmental regulatory processes is becoming yet another area of weighing down the competitiveness of the Canadian business. Canada's economy cannot afford a regulatory process that is a barrier to investment.

Please contact the Canadian Chamber's Director of Natural Resource and Environmental Policy, Katrina Marsh, kmarsh@chamber.ca, 1-800-661-2930, x223 with questions or comments.