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September 9, 2017

The Honourable Catherine McKenna
Minister of Environment and Climate Change Canada

Delivered by email: EC.MINISTRE-MINISTER.EC@CANADA.CA

Dear Minister McKenna:

Re: Feedback to the review of the Canadian Environmental Assessment Act

Thank you for the opportunity to discuss the review of the Canadian Environmental Assessment Act during our meeting in Vancouver on August 24. As time was limited during this meeting, we would like to elaborate on three important points:

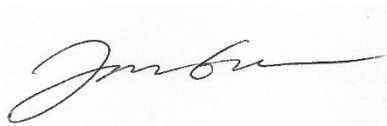
1. The need to include more projects under the CEAA. As you are aware, 2012 amendments to the CEAA reduced the number of projects that are assessed. As a result, the current legislation fails to cover too many projects that contribute direct and cumulative effects. The new legislation should re-instate former triggers, or at minimum all projects and activities within federal jurisdiction should be registered in a central EA database, in order to enable the tracking of potential direct and cumulative impacts. (We also be note that regional/strategic assessments and a related “traffic light” approach is a technically sound way to reduce the number of projects requiring assessment while managing cumulative effects.)
2. Using *Canada’s Policy for the Conservation of Wild Pacific Salmon* as part of a framework to manage cumulative effects in British Columbia’s salmon-bearing watersheds (which cover the majority of the province). The Prime Minister has committed to implementing this Policy by way of the Fisheries and Oceans mandate letter directive to act on the recommendations of the Cohen Inquiry. The Policy mandates upper and lower benchmarks for 400+ Conservation Units (genetically distinct and irreplaceable groups of salmon) under Strategy 1, and assessment of habitat status for each Conservation Unit under Strategy 2, thus providing a cumulative effects assessment framework. Strategy 4 of the Policy is about managing cumulative effects identified in Strategies 1-3 through Integrated Strategic Planning and Watershed Planning. The Watershed scale is spatially appropriate for planning around a range of values beyond salmon and could dovetail well with Regional/Strategic Assessments. Incorporating wild salmon and the Wild Salmon Policy in a CEAA framework for cumulative effects assessment and management is appropriate for British Columbia, because the health of Pacific salmon populations and their habitats provides an excellent proxy for other aspects of ecosystem health.

3. The need for robust and transparent science that incorporates local knowledge and feedback. The current model of assessment is akin to a “black box” where the professional consultant reports directly to the proponent. This relationship creates real or perceived bias and potential conflicts of interest, and has also resulted in well-documented instances of studies undertaken on the behalf of proponents that have not taken important data and local feedback into account. To solve this issue and to improve baseline data and provide meaningful tracking and avoidance of project effects, we propose at minimum: i) a centrally held databank and public registry, ii) appropriate regional-scale data collected in a regional/strategic EA to manage cumulative effects, and iii) all data collected for projects to be public. A further step that we fully support would be to have assessments completed under the supervision of a central authority rather than the project proponent, or to be subject to review by an independent panel.

In addition, we would like to re-iterate our support for mandatory Regional/Strategic Assessments, including clear criteria to trigger such assessments, as discussed during our meeting and as per comments provided to you in writing by West Coast Environmental Law.

Thank you for considering our feedback and for undertaking this important initiative.

Sincerely

A handwritten signature in black ink, appearing to read 'Tanis Gower', is written over a light-colored rectangular background.

Tanis Gower, RPBio
Biologist, Watershed Watch Salmon Society

Cc: Dr. Stephen Lucas, Deputy Minister of Environment and Climate Change Canada
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