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Oil industry, Notley opposition to Bill C-69 “wildly inaccurate,” environmental groups say

Pushback is an attempt to bypass crucial environmental oversight

OTTAWA - A number of Canada's leading environmental groups are calling out the oil and gas industry and other critics of Bill C-69 for what they say is false rhetoric about important improvements to key environmental laws.

“There has been a lot of rubbish circulating about Bill C-69,” says Anna Johnston, a staff lawyer with the West Coast Environmental Law Association. “A very small, very vocal group out of the oilpatch has been spreading wildly inaccurate claims in order to kill some critical fixes to our environmental laws.”

Bill C-69 introduces a new *Impact Assessment Act* to replace the existing *Canadian Environmental Assessment Act 2012 (CEAA 2012)*, and reconfigures the National Energy Board.

“These changes are not major,” says Josh Ginsberg, Director of Legislative Affairs at Ecojustice Canada. “The *Impact Assessment Act* is largely modelled on legislation we've had for decades, with some key improvements designed to enhance environmental protection while streamlining the process for proponents. And the *Canadian Energy Regulator Act* does not ‘kill’ the National Energy Board, as many are claiming. It simply gives the NEB a new name and adds some much-needed accountability measures.”

Critics of the Bill state that it directs the government to consider too many potential effects of proposals, like climate impacts. Last week, Alberta Premier Rachel Notley cautioned that the Bill may amount to jurisdictional overreach because it requires the government to consider the social and health effects of projects, a claim that lawyers say is unfounded.

“Nonsense,” says Stephen Hazell, director of conservation and general counsel with Nature Canada. “Canada has been assessing the social and health impacts of projects for decades. The Supreme Court of Canada has affirmed the federal government's constitutional authority to do so, and for almost 20 years our original environmental assessment law listed health and social considerations as factors to consider. This isn't new.”

The Bill has also been under fire for requiring consideration of the documented gendered impacts of resource development, for example when there is an influx of largely male workers to work on a project, something Johnston says is concerning.

“Natural resource development tends to disproportionately impact women. That’s a fact. To suggest that we wouldn’t try to avoid things like increased sexual assault and teen pregnancy is frankly quite shocking,” she says.

The previous federal government introduced *CEAA 2012* at the [request of the oil and gas industry](#), buried in omnibus “budget” Bill C-38 with no consultation or amendments.

“Climate polluters already tried in 2012 to game the project review process and silence public input, but their attempts backfired and led to the gridlock we see today,” says Patrick DeRochie, Climate and Energy Program Manager with Environmental Defence. “In 2015, Canadians handed the federal government a strong mandate to repair and strengthen their environmental safety net. The oil and gas industry is going to have to learn to play by the rules, just like everyone else.”

Bill C-69 follows more than two years of consultations, including public reviews by parliamentary committees and two independent expert panels. All affected industry sectors, environmental groups, the public and Indigenous peoples were invited to engage on multiple successive proposals before the Bill was drafted, and a House of Commons committee heard from over 100 witnesses.

“The petroleum industry may not have gotten everything it wanted, but neither did we,” says Lindsay Telfer, National Director, Canadian Freshwater Alliance “We are not supporting this legislation because it is exactly what we want, we are supporting it because it reflects a compromise we can live with, one that meets the needs of all sectors and Canadians.”

Bill C-69 is currently being reviewed by the Senate and is expected to pass early next year.

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