

February 27, 2019

Rt. Hon. Justin Trudeau, P.C., M.P.
Prime Minister of Canada
80 Wellington Street
Ottawa, ON K1A 0A2

Dear Prime Minister Trudeau:

Re: Improving Bill C-69, environmental protection and economic growth in Canada

During the recent meeting of Atlantic Premiers, we discussed our concerns regarding Bill C-69 and the proposed new impact assessment process.

The Council of Atlantic Premiers wrote to you in July and December 2017 in support of your efforts to review and improve environmental assessment and other regulatory processes. We continue to emphasize that Bill C-69 presents a real opportunity to improve assessment of resource projects while supporting the growth opportunities those projects provide. Nevertheless, we are concerned about the lack of change relative to issues previously identified by our jurisdictions.

Our assessment of Bill C-69 as it is currently drafted is that the significant changes being proposed to the scope and scale of federal environmental assessments in Canada will not meet the dual objectives of environmental protection and economic growth. The Bill is also inconsistent with the joint management principles of the Atlantic Accord Acts and introduces considerable discretion into decision-making processes that should be predictable and science-based.

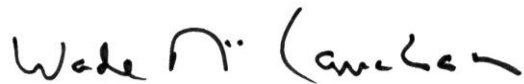
A particular concern to be addressed is that the Bill as drafted places final decision-making power in the hands of the Minister or Governor in Council and provides the opportunity to veto the results of thorough scientific assessment and review of evidence. This will have a significant negative impact for major project certainty and investment confidence and this approach should be amended. We also urge you to adopt the amendments that have been proposed by industry and stakeholder groups and governments, that are collectively intended to:

- Ensure that key items in an assessment are well defined at early stages in the process and that processes under the Act are given appropriate deference;
- Ensure that the assessment process is calibrated to exclude short-term projects and activities with proven mitigation strategies such as offshore exploration wells;
- Ensure that the nature and scope of public participation can be clearly established in the assessment process and not left ambiguous and open to challenge;

- Ensure that discretion in the Act to extend process timelines is used only in limited circumstances and that reasons are provided for doing so
- Allow positive impacts of projects, including economic impacts, to be considered in assessments; and,
- Require cooperation between the impact assessment agency and lifecycle regulators (i.e. the Offshore Petroleum Boards, the Canadian Energy Regulator, and the Canadian Nuclear Safety Commission) in assessments for projects regulated by those regulators and allow those projects to proceed under any of the process options in the Act.

We were pleased to discuss our concerns with you during the First Ministers' Meeting in December 2018, and agreed to work constructively through the legislative process to enhance the Bill, as you suggested. We remain committed to working with the Senate and your government, and we are optimistic that amendments to the Bill will improve the effectiveness and efficiency of the new assessment regime.

Sincerely,



Honourable Wade MacLauchlan
Chair, Council of Atlantic Premiers
Premier of Prince Edward Island

- c.c. Honourable Dwight Ball, Premier of Newfoundland and Labrador
Honourable Blaine Higgs, Premier of New Brunswick
Honourable Stephen McNeil, Premier of Nova Scotia
Honourable Catherine McKenna
Honourable Amarjeet Sohi
Honourable Bill Morneau
Honourable Lawrence MacAulay
Honourable Seamus O'Regan
Honourable Bernadette Jordan
Honourable Dominic LeBlanc
Honourable Ginette Petitpas Taylor
Geoff Townsend, Secretary to the Council of Atlantic Premiers