



Ministry of Energy and Mines

Mining & Minerals

The majority of reductions were achieved through streamlining and results-based revisions to the “Health, Safety and Reclamation Code for Mines in B.C.” (the Code) and related internal policy and procedure manuals. Results-based revisions to the Code streamlined the regulatory burden related to mining and exploration activities by making the regulations less prescriptive. The *Coal Act* and other related regulations were also streamlined.

Oil & Gas

Reductions were primarily achieved by the Oil and Gas Commission (OGC), which is responsible for regulating oil and gas activity and pipelines in BC. OGC regulatory policy has been streamlined and significant regulatory reforms are currently underway. The Oil and Gas Commission reductions were mainly achieved through the:

- consolidation and streamlining of forms;
- updating the Oil and Gas Handbook to an on-line document; and,
- transformation of checklists into the on-line Application Reference Book.

These changes have primarily reduced the regulatory burden on industry front-line application staff. The Applications Reference Book is a one-window guidance portal for completing applications and provides access to up-to-date oil and gas information for industry, stakeholders and the general public.

Electricity & Alternative Energy

Reductions have been made largely through repeal or modification of existing legislation or through changes required for the implementation of the province’s new energy policy, “*Energy for Our Future: A Plan for B.C.*”.

For example, revisions to the *Hydro and Power Authority Act* were completed to support implementation of the government's new energy plan, “*Energy for Our Future: A Plan for B.C.*” and to help increase investment in energy resource development. These reduced regulatory burden for both government and sector clients and also helped clarify BC Hydro's authority.

Specifically, the amendments:

- repeal obsolete requirements for independent power producers to provide information to BC Hydro;
- repeal obsolete sinking fund and auditor related requirements and redundant annual report requirements; and,
- eliminate serious commercial deficiencies for third parties in situations of partnership or joint venture with BC Hydro.

Ministry of Forests

Streamlining the Forest Practices Code of British Columbia Act and Associated Regulations

In its New Era document, Government promised to streamline the Forest Practices Code (FPC) to establish a new forest and range planning and practices framework, with tough penalties for non-compliance.

The *Forests Statutes Amendment Act (No. 2)*, 2002 which came into effect on December 17, 2002 streamlined the *Forest Practices Code of British Columbia Act* and associated regulations as part of the transition to the new, results-based *Forest and Range Practices Act*.

The Red Tape Reduction Task Force had identified the approval process for forest development as a specific priority that should be reviewed as part of the deregulation initiative. The *Forests Statutes Amendment Act (No. 2)*, 2002 removed joint decisions and joint actions from all Forest Practices Code regulations, eliminated the requirement for government review and approval of site plans and streamlined administration for other operational plans.

The streamlining amendments reduced the regulatory burden while continuing to maintain high environmental standards. The Act will remain in place until December 2005, when the *Forest Range and Practices Act* comes fully into effect.

Forest and Range Practices Act and Regulations Implementation

In its New Era document, government committed to establish a workable results-based code with tough penalties for non-compliance.

The *Forest and Range Practices Act* and regulations came into effect on January 31, 2004. This Act maintains high environmental standards on Crown forest and range lands and provides a more streamlined planning process for forest and range management. By using a results-based approach, the regulatory requirements from the existing Forest Practices Code are reduced by 55 per cent and the Ministry of Forests overall regulatory count drops by about 50 per cent.

Forestry Revitalization Plan

Government's New Era plan for revitalizing forestry in B.C. is outlined in the Forestry Revitalization Plan, introduced in March 2003. The plan is aimed at:

- creating new forest sector opportunities
- opening up market for B.C. forest products
- ensuring sustainable forest practices

The Forestry Revitalization Plan will create a forest sector that offers more opportunities for British Columbians. Its goals include a renewed, more dynamic forest sector that opens up opportunities for First Nations, new entrepreneurs and B.C. communities, removes barriers to regional job creation, and that can create and capitalize on innovations and successes. There will be room for new operators that can create jobs and other benefits for forest communities and the entire province will be better prepared to respond to new market demands.

Ministry of Sustainable Resource Management

Environmental Assessment

A new *Environmental Assessment Act* was brought into force on December 30, 2002, replacing the former process for evaluating and managing the adverse effects of major projects in British Columbia. The new Act introduces a much more flexible system, and allows review procedures to be tailored to project circumstances, and to focus more effectively on the strategic issues relevant to project acceptability.

The previous *Environmental Assessment Act* had been criticized as prescriptive and inflexible by industry. It prescribed a single review procedure which had to be followed for every project review. Accountability for the process was difficult to establish because reviews were steered by project committees of federal, provincial and local government agencies and First Nations. Overall review durations of several years were not uncommon, and the process was costly for both government and proponents.

Land and Water British Columbia

The land and water Policy and Procedure Re-write and Minor Legislative Change Amendment Project included the reviewing, reformatting and revision of all land and water policies, procedures and agreements. Recommendations were identified by the Red Tape Reduction Task Force to reduce red tape and address land and water application backlogs. The Re-write Project continues to support backlog reduction and streamlining application processing by updating existing protocol agreements, redefining responsibilities and business processes and updating strategic policy and operational procedures.

Agricultural Land Reserve

The adoption of the *Agricultural Land Commission Act* and Agricultural Land Reserve (ALR) regulation - replaced 3 Acts and 5 regulations with new single Act and regulation, effective Nov. 1, 2002

The Red Tape Reduction Task Force identified opportunity for deregulation for ALR as a priority, using a flexible, common sense approach. The objectives of deregulation were supported by reducing regulatory burden, streamlining, increased efficiency, increased timeliness of approvals, harmonization, industry self-regulation, results-based regulation, expanding uses permitted in the ALR and adopting new processes. For example:

- soil removal and fill applications/permits were replaced by a notice provision and conditions which reduced timelines and costs to industry
- streamlining procedures has reduced costs associated with the administration of the Agricultural Land Reserve
- the inclusion of accessory, value-added and compatible uses as permitted uses within the Agricultural Land Reserve, broadened economic opportunities for landowners

Ministry of Water, Land and Air Protection

Elimination of Overlap and Duplication with Federal Regulations

The Ministry of Water, Land and Air Protection has worked hard in the last three years to be innovative and improve the quality of its regulatory framework. Since 2001, the Ministry has completed a number of significant reforms which have contributed to the environmental and economic well-being of the province.

The implementation of the new *Environmental Management Act (EMA)* and the *Integrated Pest Management Act* will put in place innovative, risk and results-based frameworks, that are more responsive to social and economic conditions, as well as advances in science and technology.

These Acts will make a positive impact on the provincial economy by reducing business costs, encouraging investment and innovation, and increasing business certainty, while maintaining B.C.'s high environmental standards. These modern frameworks allow for the elimination of low to medium risk permits in favour of codes of practice and pest management plans. This new approach will mean that only high-risk activities will continue to require permits. The Red Tape Reduction Task Force indicated these areas as a priority for review.

The Ministry will continue to work to put in place regulations, codes of practice and management plans under these Acts.

The Ministry amended the Pulp Mill and Pulp and Paper Mill Effluent Control Regulation to set a new, scientifically-based limit to control AOX discharges from pulp mills. This amendment protects the environment, encourages investment in this sector, and protects thousands of jobs in communities around the province.

The Ministry repealed the *Weather Modification Act* because it was no longer needed. The Act required persons wishing to physically or chemically change the atmosphere, such as cloud seeding to make rain, to obtain a permit. Since the Act was created in 1973, only one permit application has ever been received.

The repeal of the Motor Vehicle Emissions Reduction Regulation (*Waste Management Act*) eliminated overlap between provincial and federal legislation. This has resulted in an improved business climate in the province as manufacturers and dealers now only have to comply with one set of emission standards.