

Scientists find government justification of new environmental policy unfounded

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Recent efforts by the Canadian government to curb the time allowed for environmental reviews over fears of adverse impact on economic development are misguided and unnecessary, according to research by scientists at the University of Toronto. Instead, the federal government's tinkering will only weaken environmental protection and not expedite economic growth.

The researchers found that most environmental regulatory reviews were already being completed within the arbitrary timeframes laid out in the 2012 legislation restricting the reviews of new developments.

"Even before the significant changes to federal environmental oversight introduced last year, the majority of submissions reviewed under the Fisheries Act in the previous 10 years were processed within one to two years," says Dak de Kerckhove, a PhD candidate in U of T's Department of Ecology and [Evolutionary Biology](#). "This is the same length of time prescribed by the newly revised Canadian Environmental Assessment Act."

The federal government has justified sweeping changes to the country's environmental protection policy by stating that the review process was slow and inefficient, but provided no evidence apart from the testimony of a handful of representatives of the resource extraction and energy sectors.

So, de Kerckhove and faculty members Ken Minns and Brian Shuter

examined environmental reviews from 2001 to 2011, comparing the number of requests for reviews in a particular year with the number of reviews completed in the same fiscal year. They found no evidence that regulatory review in Canada was inefficient, even when regulators had an ongoing load of over 600 projects for review at any given time.

"While it is possible that a minority of projects take longer to assess, we found no major backlogs in processing higher loads of reviews," says de Kerckhove. "And in comparison with the few examples available from the United States, Canada was much quicker at reviewing projects."

"Arbitrary changes would therefore not expedite the review of the majority of projects, and may instead rubber-stamp those few projects that actually merit more in-depth reviews because of their potential to cause greater environmental damages," he adds.

The researchers focused on the Fisheries Act for the study because it mandates a high load of environmental reviews, has been identified as a contributor to the potentially long federal review times, and has had its legislative powers reduced recently. The study, published in the *Canadian Journal of Fisheries and Aquatic Sciences*, is the first independent and empirical estimate of environmental regulatory review times in Canada under the act.

"Assessments can be timely as long as regulators have the resources needed to do the job well," says Minns. "But recent layoffs in the federal sector have drastically reduced the number of reviewers, which has been identified as the cause of regulatory delays for large scale projects such as the Enbridge Gateway Pipeline."

The researchers offer three recommendations to replace the latest attempt at restricting environmental oversight:

- develop a set of standardized environmental assessment methods at the federal level so as to provide regulators with uniform data for review;
- support efforts to streamline the administration of regulation across different jurisdictions and remove duplicated review processes among federal agencies with competing interests;
- conduct more empirical studies on review times to anticipate and mitigate sources of common delays during high economic activity, as is done in the construction sector.

"Governments should recognize that environmental oversight is a necessary and valuable component of the approval process for development projects, and that alternate options exist for managing the submission load aside from weakening [environmental protection](#)," says de Kerckhove.

"Everyone's interests should be properly assessed when economic activities overlap with ecological and social concerns in natural environments," says Minns.

More information: The article titled "The length of environmental review in Canada under the Fisheries Act" is published online in the *Canadian Journal of Fisheries and Aquatic Sciences* at [www.nrcresearchpress.com/doi/a ... 12-0411#UVntSFcTQbt](http://www.nrcresearchpress.com/doi/a...12-0411#UVntSFcTQbt)

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