Senator Woo,

It was great to see you on the flight back from Ottawa. I hope you had a restful weekend and that the red-eye back was not too tough.

As we discussed, I would like to bring to your attention the views of Vancouver Airport Authority on Bill C-69, Impact Assessment Act that is currently before the Senate.

As a community-based, not-for-profit organization Vancouver Airport Authority takes its environmental responsibilities seriously. We conduct environmental reviews of all development and construction activities at YVR and we have done so since assuming responsibility of YVR in 1992 from the federal government. We are a leader in safety, security and environmental management and we have imbedded these values into all initiatives. Our record in this regard is exemplary.

We support the need for an impact assessment act but would like to ensure that the legislation does not create unnecessary obligations for projects that do not pose any environmental risks. We consider certain sections of Bill C-69 highly problematic and need them to be addressed.

The proposed legislation includes airports as entities that would be subject to regulation. Specifically, we refer to Duties of Certain Authorities in Relation to Projects and sections 81-91 of the proposed Bill. We recommend the Bill be amended to remove airport authorities and that Section 81 (b) of the Bill be deleted to not regulate community-based, not-for-profit organizations unnecessarily.

We are also concerned with the ambiguity around certain terms within the legislation. For example, the current definition of “project” in Section 81 is broadly defined and may impose a review and assessment of many projects with no environmental risks. As it is written today, a new washroom inside an airport terminal building would require review.

We understand that Section 88 creates the ability to exclude a group of low risk projects, however, in the absence of the specific list of excluded projects we can only assume all projects will require posting to an Internet Site, environmental review and will demand staff time and resources. Other terms in this proposed legislation such as “indigenous knowledge” and “community knowledge” outlined in Section 84 are ambiguous, not defined and with no context of their intended meaning.
Section 86 requires that airport authorities post a notice on the new agency’s website on the intended determination of a project, and if appropriate, invite the public to provide comments respecting that determination. As currently written, airport authorities would be required to post information on many small projects that have little or no environmental risk causing unnecessary bureaucracy and delay. For context, in 2018, there were more than 250 projects under way at YVR—ranging from minor facility upgrades to terminal expansions.

We also have concerns with the amendments made by the House of Commons Standing Committee on Environment and Sustainable Development to Section 88 which removes the ability of authorities to develop their own class of projects and associated exclusion list and has transferred this power to the Minister. We believe that this power should remain with each authority as originally drafted, as each authority has a better understanding and knowledge of its site in developing site specific exclusions.

While the proposed legislation attempts to provide some consistency on the environment reviews of projects, we believe that the current form of the legislation has the effect of creating unnecessary additional obligations on projects undertaken by authorities, including airport authorities, which do not pose any environmental risks.

The Airport Authority has been working with the Canadian Environmental Assessment Agency on a draft Exclusion List and have expressed our concerns to Minister McKenna’s staff. We welcome the opportunity to clarify any questions you might have. Thank you for your consideration as you review the Bill.

With kind regards,

Craig Richmond
President and CEO