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An Overview of Canada's Environmental Assessment Regime

As the Liberal government takes up the reins in Ottawa, it has signalled a shift in its approach to energy, environment and natural resource development, particularly in the context of resetting relations with Aboriginal peoples. A look at the pledges in the Liberal campaign platform, combined with the expectations set out in Ministers' mandate letters, quickly establishes that the new federal government will review and likely revise some of the rules and processes underpinning regulatory decision-making on major projects in Canada. These changes could have implications for current and new projects in BC and other provinces.

In 2012 changes were made to the *Canadian Environmental Assessment Act*, *National Energy Board Act*, *Fisheries Act*, and *Navigation Protection Act* that affected which federal agency has responsibility for assessing major projects.[1] As it stands, there are now three responsible federal entities: the Canadian Environmental Assessment Agency (CEAA), the National Energy Board (NEB), and the Canadian Nuclear Safety Commission (CNSC). They have responsibility for assessing all reviewable major development proposals that may have "potential adverse environmental effects"[2] and fall under federal jurisdiction (such as federal lands, fish and fish habitat, migratory species, effects that impact on Aboriginal peoples).

Excerpt from Natural Resource Minister's Mandate Letter:

Work with the Minister of Environment and Climate Change, the Minister of Fisheries, Oceans and the Canadian Coast Guard, and the Minister of Indigenous and Northern Affairs to immediately review Canada's environmental assessment processes to regain public trust and introduce new, fair processes that will:

- *restore robust oversight and thorough environmental assessments of areas under federal jurisdiction, while also working with provinces and territories to avoid duplication;*
- *ensure that decisions are based on science, facts, and evidence, and serve the public's interest;*
- *provide ways for Canadians to express their views and opportunities for experts to meaningfully participate, including provisions to enhance the engagement of Indigenous groups in reviewing and monitoring major resource development projects; and*
- *require project proponents to choose the best technologies available to reduce environmental impacts.*

Modernize the National Energy Board to ensure that its composition reflects regional views and has sufficient expertise in fields such as environmental science, community development, and Indigenous traditional knowledge.

[1] See Blakes Environmental Law Bulletins discussing the impact of the changes in the four Acts under Bill C-38: http://www.blakes.com/English/Resources/Bulletins/Pages/Details.aspx?BulletinID=1585; and Bill C-45: http://www.blakes.com/English/Resources/Bulletins/Pages/Details.aspx?BulletinID=1502.

[2] This phrase, and "significant adverse environmental effects," are technical terms in the language of Environmental Assessments in Canada. Particularly if a project is found by the regulator to have significant adverse environmental effects, the proponent must propose "mitigation plans" that eliminate, reduce, minimize or offset the potential adverse environmental effect. The regulator will then evaluate these mitigations against the significance of the effect, and recommend to cabinet – which makes the final decision - whether a Certificate or favourable Decision Statement should be issued to the proponent.

Leaving aside the CNSC (which reviews no BC projects since the BC government re-introduced a uranium mining moratorium in the late 2000s), CEAA and the NEB conduct assessments and make recommendations to the federal cabinet[3] on whether projects should be issued a Decision Statement (CEAA) or Certificate of Public Convenience and Necessity (NEB) to proceed, often subject to a range of conditions that must be fulfilled by the project proponent.[4]

This brief description vastly oversimplifies the intricacies of the Environmental Assessment (EA) processes conducted by each agency, not to mention the complexity of most major projects that come before these agencies. As the new government sets out to review Canada's EA processes, several key principles should be top of mind:

- The integrity of the regulatory process and institutions is best maintained when they are at arms-length from the political realm.
- A core purpose of a regulatory body is to evaluate technical matters in an impartial way, free from undue political or stakeholder influence.
- Regulatory reviews that set (and adhere to) timelines promote certainty for proponents and contribute to a favourable setting for investors.

It is useful to take a look at various aspects of the present system of evaluating the potential environmental effects of proposed projects: what EAs are - and aren't; what is their purpose; and which issues have come to the fore in recent years. We also look at elements of how the EA process could maintain environmental and regulatory integrity while providing clarity and relative certainty to proponents as well as participation and transparency to the public and Aboriginal groups.

Environmental Assessments: What they are… and aren't

Changes to the *Canadian Environmental Assessment Act 2012* ("*CEAA 2012*") and *National Energy Board Act* came into force in 2013. Changes were made to the scale and scope of what is a "reviewable project," to the timelines by which government commits to complete the review process, and to the rules touching on consultation and input mechanisms. Of importance, *CEAA 2012* shifted from a "triggers" approach of factors that require an EA to a "list" approach for deciding the types of projects that are reviewable. The related streamlining of the *Fisheries Act* and the *Navigation Protection Act* eliminated competing agency mandates, and focused limited public resources on reviewing major, complex projects in an efficient manner.

National Energy Board Act changes

The major projects assessed by the NEB continue to be energy infrastructure projects that cross provincial and international boundaries: pipelines and electricity transmission lines. However, the NEB now has authority to review and evaluate ALL potential adverse environmental effects resulting from projects (including, for example, on fish and fish habitat), rather than having parts of these responsibilities shared by different federal agencies and departments. Every other major reviewable project (bar nuclear projects) that falls under federal jurisdiction is assessed by CEAA.

[3] The federal Liberal platform indicated that this final step of requiring an Order In Council would be rescinded and that regulators will make the final decision on EAs.

[4] For historical reference, pre-2012, the Department of Fisheries and Oceans had a more prominent role as lead review agency. Critics claim that the consolidation and streamlining of responsibilities under CEAA and the NEB process weakened regulatory oversight. We contend that on a close reading of the *Fisheries Act* there was no significant weakening of what traditionally had been the main federal regulatory regime for the protection of fisheries. "Changes to the Fisheries Act - The Sky is (Not) Falling": http://www.bcbc.com/publications/2012/changes-to-the-fisheries-act-the-sky-is-not-falling.

The 2012 legislation introduced timelines to the NEB process (these vary based on the complexity of the issues involved in the application). The NEB also now has the authority (as BC's Oil and Gas Commission has had for some time) to determine who is "directly affected" and therefore has standing to participate in the NEB consultation process. This change means that directly affected parties, and parties with "relevant information or expertise" to a project, may send Comment Letters in writing to the NEB, or apply to be Intervenors in a hearing process to secure deeper procedural rights, such as asking for information or questioning the applicant (depending on the review process). The proponent is expected to respond to the areas of inquiry raised by the intervenors and others who file Letters of Comment.[5]

The introduction of timelines, and the increased authority to determine who has sufficient interest to participate, assists all participants by making the process more efficient and effective. These are tools that the regulator (and panels where applicable) can use to manage the process: planning and certainty for all parties, keeping costs manageable and predictable, including budgeted costs for the NEB's Participant Funding Program, and focusing all parties on the key issues relevant to the project under assessment.

Canadian Environmental Assessment Act changes

As noted above, *CEAA 2012* shifted from the approach of "triggering" factors to a "list" approach to determining the types of projects that are reviewable, adding certainty for proponents. The related streamlining of the *Fisheries Act* and the *Navigation Protection Act* eliminated competing and narrower agency mandates and made it possible to focus scarce public resources where they belong: on reviewing major, complex projects in an efficient manner.

CEAA 2012 also introduced timelines for government to review and decide on a proponent's application: a 365-day process after it is "screened in" or accepted by CEAA for review. For projects assessed by a Review Panel, the statutory timeline is 24 months.

In addition, *CEAA 2012* authorizes the "substitution" of an EA by provinces. This is partly in recognition that the environment is a shared Crown obligation under Canada's Constitution, and partly in recognition that the previous practice of conducting two EA processes (federal and provincial) for the same project was duplicative, used up valuable government resources, and typically resulted in no net benefit to the environment or the economy.

CEAA 2012 recognized that a system requiring a federal assessment for small public works projects (such as a culvert under a road) was not a good allocation of public dollars or federal public servants' time, and that these resources should be focused on evaluating the major projects that have the potential to cause significant environmental effects.

The changes to EAs in Canada under *CEAA 2012* embody "smart regulation"[6] advances that increase certainty for proponents through the

[5] More detailed information on participating in the NEB's hearing process is available here: https://www.neb-one.gc.ca/prtcptn/hrng/hndbk/index-eng.html#s3_1 . One of the principal purposes of shifting emphasis in the NEB's public consultation process from oral hearings to written comments was to better manage the regulatory process to minimize the "town hall" approach, which in recent high-profile hearings has provided an open ended setting for airing a multitude of opinions, some of which were poorly informed or not directly relevant to the project under review.

[6] Underpinning smart regulation is "principle based regulatory design", relying on a combination of: a complementary instrument mix, low-interventionist measures with provisions for an escalating response scale, efficient uses of public resources with a broader range of regulatory actors, focusing on win-win outcomes. See N. Gunningham and D. Sinclair, "Designing Smart

Federal-provincial substitution

The federal EA process acknowledges the regulatory authority of British Columbia (via an MOU between Canada and British Columbia, which is so far the only province to have such an arrangement – an acknowledgement of BC's rigorous EA regulatory regime). Substitution means a project proponent doesn't have to be assessed twice when both provincial and federal approvals are required. In practice, a substitution process under CEAA entails the province leading the evaluation and preparing the assessment report, and BOTH levels of government make their own decisions, i.e., a BC EAO Certificate, and federal Decision Statement. Substitution has been utilized in such projects as LNG Canada's Export Terminal at Kitimat, BC. One assessment report is prepared by the BC Environmental Assessment Office, which is sent to both the BC and federal decision-makers. Each level of government then makes its own decision based on the assessment conducted.

See BC EAO website for more on substitution: *http://www.eao.gov.bc.ca/substitution.html*

introduction of timelines, and free up resources that are used when multiple governments evaluate the same project (e.g., the substitution arrangement between Canada and BC- see box). Although 100% certainty is never achievable, policy-makers need to understand that significant uncertainty substantially increases costs for large, complex projects and makes Canada a less attractive location for large-scale industrial and infrastructure investment. Timely decisions on projects save millions of dollars in process-related costs for all participants. In light of a constantly shifting economic context, fast-paced changes to global commodity markets, the demand for labour and the patience (or otherwise) of capital markets, certainty of process has a high degree of influence on whether investment occurs in British Columbia/Canada or somewhere else.

The above considerations do not imply that proponents want the rules governing EAs to be less environmentally stringent. Most public policy advocates, regardless of where they sit on the spectrum of environmental interests, acknowledge that natural resource projects (certainly in BC) will only be accepted/endorsed by the public if they demonstrate that they have gone through a fair, scientific, and rigorous process that:

- tests a proponent's plan to build and operate its project safely;
- provides an assurance that significant potential adverse environmental effects will be mitigated to an acceptable level; and,
- offers a means to show that, on balance, a project is in the public interest.

Table 1: Current CEAA Projects in British Columbia Substituted to BC Environmental Assessment Office

Aley Mine Project
Arctos Anthracite Project
Carbon Creek Coal Mine Project
Echo Hill Coal Project
Grassy Point LNG Project
Kemess Underground Mine Project
Ruddock Creek Mine Project
Sukunka Coal Project
WCC LNG Project
WesPac Tilbury Marine Jetty Project

Source: BC Environmental Assessment Office, as of December 14, 2015.

Regulation," OECD (n.d.). Accessible via: http://www.oecd.org/env/outreach/33947759.pdf.

The new federal government's platform and commitments in Ministers' mandate letters confirm that EAs will be robust and thorough, that decisions will continue to be based on science, facts and evidence, that experts can freely provide input, and that EAs will avoid duplication. The approach to EAs that results from these commitments must balance environmental protection and a reliable, timely, reasonably certain and independent process for project proponents. The Business Council will be working to ensure that this is achieved as the Liberal government moves forward with policy and regulatory changes in the EA domain.

Why do an EA?

To be clear, the purpose of an EA is not to provide all the answers about a given project. It is a "time and place" assessment of the big issues concerning a proposed project that should aim to lay a path forward on how to manage these so that development can proceed. EAs are also not the final word on most major natural resource development projects. When a Certificate of Public Convenience and Necessity (NEB) or a Decision Statement (CEAA), or a BC EAO Certificate, is issued (often with conditions), a proponent typically must also apply for various federal, provincial and regional permits, licenses and approvals prior to commencing a project.

In other words, while the materials submitted for an EA are comprehensive and detailed in modeling and estimating potential environmental effects, they are not expected to supply all the answers to every element of a project. For example, pipelines would typically be issued a Certificate for a pipeline corridor; proponents must subsequently apply for a range of permits once the final routing decisions are made (in consultation with the relevant regulator, Aboriginal groups and affected communities).

Issues in Federal EAs

The controversy around some of the 2012 changes to EAs resulted from a combination of confusion about what EAs are meant to do and frustration with the avenues available for public discussion about the environment, natural resources, and energy. Additional questions arose about who should be consulted, the role of Aboriginal groups in decisions on resource projects, and the position of communities who may be affected by such projects.

The main issues may in fact not be about whether EA processes are doing what they were intended to in evaluating potential environmental effects, but rather relate to whether there has been sufficient policy debate to set the parameters for the review of the details of a given project. That there is pressure on this system suggests that ways could be found to be responsive to public concerns and the legitimate desire for greater public participation. It also implies that the realities and limits of the regulatory process (what it is and isn't) could be better explained and understood. Additionally, the appropriate participation of Aboriginal groups in EAs needs to be considered. Under both CEAA and the NEB, Aboriginal groups are able to participate, and have the same "standing" as other participants. However, the Crown must also consult and where possible accommodate Aboriginal groups, which is typically undertaken by a separate branch of the federal government so as not to compromise the administratively fair treatment of all participants in the regulatory process.

In Canada, the present legislation empowers the regulator to evaluate a given project against a set of environmental criteria, relying on information and research pertinent to that project, and to determine *whether or not it is in*

the public interest.[7] To be clear, neither EAs nor any other permitting or license process is the proper venue to hold a broad public policy debate on larger environmental, resource extraction or energy issues, such as climate change or overall cumulative effects.[8] Regulators, whether CEAA, NEB or a provincial Environmental Assessment Office, are mainly "policy takers" - they apply the rules and policy parameters that govern their project evaluation function. They are not empowered to change or revise government policy, or to act outside the scope of their statutory mandates. Regulatory decision-making operates within a framework of law and policy that is established by elected representatives and overseen by responsible and democratically accountable government authorities.

Much of the public commentary on Canada's regulatory processes over the past few years has had little to do with substance and instead reflects dissatisfaction with the larger public policy process. At their core, current processes are based on science, facts, and evidence -- and from that perspective they do serve the public interest. What has not been facilitated is the much larger conversation about the trade-offs between competing interests, and the resulting determination of what is societally accepted as being in the public interest. It is government's role to lead this conversation and set the appropriate policy direction. The issues that proponents are presently facing in their EAs across Canada spring to some degree from the downloading of government's obligations (e.g. to consult and accommodate Aboriginal groups) and/or from a "vacant" policy space that results when government fails to lead on key public policy files (e.g. climate change).

Given the concerns that natural resource proponents have faced in British Columbia, the forthcoming federal review will likely grapple with *non-project-specific* effects in two key areas: climate policy, and upstream and/or downstream impacts.[9] While we offer no prescriptive policy suggestions here, we note the following important considerations for both levels of government that are tasked with addressing such policy and regulatory questions:

- Even as a revised climate regime is being worked on post-Paris, governments should set clear parameters for regulators to evaluate proponents' applications in respect of modelling and estimating greenhouse gas emissions resulting from their proposed projects. Since GHGs are a classic "global commons" problem, attributing responsibility to an individual proponent in a specific jurisdiction (particularly in making a "significance finding" for adverse environmental effects) represents a very narrow interpretation of the larger public policy issue.

- The jurisdiction where GHG emissions are "counted" globally matters a great deal for a natural resource exporter such as Canada. For example, Japan's border carbon tax on fossil fuel imports (which may be eliminated under the TPP) places the "social cost" of GHG emissions on the exporter. This is convenient for natural resource importing jurisdictions but is not something that would appear to be in Canada's interest.

[7] The public interest also encompasses the positive impacts of a given project, and should include the potential negative impacts if the project were not undertaken (i.e. what are the alternatives).

[8] As the Business Council noted in our May 2012 Environment and Energy Bulletin, a comprehensive and competitive regulatory system, according to the OECD, includes policy as an input, not an output to the regulatory process. http://www.bcbc.com/content/92/EEBv4n3.pdf

[9] This latter issue of upstream/downstream effects has emerged in the debate over EAs for natural gas and oil pipelines, and centre on whether effects from production (upstream) and/or liquefaction or refining (downstream) should be included in a pipeline EA.

- Governments should take a more active role in developing policy and housing publicly-available data around upstream and/or downstream environmental impacts or "cumulative effects." No individual proponent can credibly estimate the potential area-wide cumulative effects of its particular project (as is typically required in an EA Application). The proponent is only able to state its own project's potential effects. The development of a publicly-held and -available set of information and data on environmental indicators would assist proponents, regulators, Aboriginal groups and interested stakeholders in coming to grips with potential cumulative effects from a project.[10] Individual proponents are not equipped to assume this "public interest" responsibility, which rightly rests with policy authorities.

- If a government review of the regulator's scope does result in the inclusion of upstream/downstream effects, the parameters around what is in or out need to be crystal clear. The risk that overlapping EAs double- or triple-count the potential effects (for example on air quality or GHGs) is high. A good example is linear infrastructure projects like pipelines, whose direct emissions could be counted as a "downstream" effect of an EA for a new production facility, or as an "upstream" effect of an EA for a new LNG facility or an oil refinery. Government policy (and any new instructions to regulators) needs to answer the following question: does the EA process avoid over-counting effects and provide clarity to proponents in terms of the requirements for their applications?

As we go forward…

Since the federal government has signalled its firm intent to review the process for EAs, there is an imperative to do so in a timely way and not to return willy-nilly to pre-2012 practices, which were cumbersome, duplicative and open-ended. The challenge will be to balance timeliness with thoughtfulness: a rushed review is no better than the uncertainty that presently hangs over major projects across Canada in federal EA processes.

The Minister of Natural Resources indicated in comments following a late November Calgary speech[11] that the federal government is mindful of the implications for investment that a prolonged period of uncertainty would bring. He provided some general assurance that any changes to the NEB will not result in proponents having to go back to "square one" in their applications. It is particularly important that late-stage projects be completed under the rules that were in place when they entered the process. More generally, timeliness is called for when government communicates its overall intent: when it intends to complete its review; who is affected; and what will be required of proponents, under a revised regime, that might be different from what they are expected to do under the present legislation and regulations.[12]

[10] The Natural Resources Permitting Project is working to do just that in BC: http://www2.gov.bc.ca/gov/content/industry/natural-resource-use/frontcounter-bc/natural-resource-permitting-project .
Also see: http://www.bcbc.com/publications/2012/cumulative-impact-assessment-is-it-just-a-fancy-way-of-identifying-and-managing-risk

[11] J. Jones and K. Cryderman, "Climate policy is good for pipeline projects, resource minister says", The Globe and Mail, November 25, 2015. http://www.theglobeandmail.com/report-on-business/industry-news/energy-and-resources/resources-minister-says-climate-policy-is-good-for-pipeline-projects/article27484542/

[12] In British Columbia alone, 32 projects (approximately 2/3 of which are mining projects) are currently undergoing CEAA assessments, worth billions of dollars in potential investment. Canadian Environmental Assessment Agency Registry, accessible via: https://www.ceaa-acee.gc.ca/050/navigation-eng.cfm?type=3&id=9

Thoughtful changes that enhance the quality and credibility of environmental assessments need to take place with a sensitivity/receptivity to the positive elements and robustness of the existing system. Proponents of major natural resource and infrastructure projects in British Columbia understand that their EA Applications (or Environmental Impact Statements, in CEAA parlance) must be thorough and account for potential adverse environmental effects. They also recognize that any significant adverse effects to the environment must be minimized or mitigated to acceptable levels in order for projects to proceed.

Aboriginal Participation

A recent policy commentary observed, "What is becoming increasingly clear…is that the EA process is not serving the needs of Aboriginal communities or project proponents." Proposals for early engagement of Aboriginal groups and the provision of adequate resources to allow them to analyze and respond to complex proposals are welcome suggestions.[13]

With respect to dealing with First nations, it would be nearly impossible to impose a single framework due to the number of variables in a project, the diverse interests and imperatives of interested Aboriginal groups, and the different approaches to consultation used by proponents. But clearly, in a shifting legal setting around Aboriginal rights and title, there is more pressure to assure full capacity and participation by affected Aboriginal groups. The question is how much of this capacity and participation can effectively be required *inside* the mandated EA process. It is the Crown's duty to consult and accommodate Aboriginal groups, but for a regulator to oversee this consultation can compromise the regulator's obligation for administrative fairness: to treat all participants transparently and equally. In order to fulfil both sets of Crown obligations without conflict, a parallel mechanism could be established that conducts Aboriginal consultation and accommodation and contributes to the regulatory process without compromising the fairness principle that Canadian regulators are obligated to observe.

Proponents clearly have a critical role to play in consultation. Indeed, in many instances in BC proponents have been carrying out the Crown's duty on its behalf, which is in need of rebalancing. As the new federal government reviews the EA process in light of the goal of improved Aboriginal participation, it will need to equip Aboriginal groups, regulators and proponents with a clear set of expectations about what remains the Crown's duty and what should be a proponent's duty to consult. Perhaps a new way of looking at this is that the Crown fully fulfils its duty to consult and assures the capacity of Aboriginal groups to participate in EAs, while the proponent maintains the project-specific obligations to consult.

Public Consultation

There is pressure on our regulatory institutions and processes to maintain public trust. As more people wish to be informed of the potential effects of major projects, the ability of regulators to meet this demand may also necessitate an improved interface with the public and greater transparency of processes. Project proponents file thousands of pages of study and modelling with their applications, implying thorough analysis of potential environmental effects of their projects. But for non-expert stakeholders, accessing aspects of this information can resemble the proverbial search for a needle in a haystack.

[13] Bram Noble, "Aboriginals need to be full participants in environmental assessment process," MacDonald Laurier Institute, October 28, 2015. Accessible via: http://www.macdonaldlaurier.ca/aboriginals-need-to-be-full-participants-in-environmental-assessments-bram-noble/

Regulators and project proponents can work together to post more user-friendly application information on the regulator's website. And regulators can explain their mandates and processes more transparently to the public. For example, the NEB recently launched a safety performance portal on its website, and it is opening offices in various parts of the country (including Vancouver) to better interact with stakeholders and the public on its role in regulating not only new projects but the ongoing activities of existing regulated facilities.

The policy review referenced in the Natural Resources Minister's Mandate Letter seeks to broaden the ability for the public to express its views in relation to EAs. We suggest a different perspective: that a wider public discussion should happen at the public policy level, not at the independent, technical level of the regulator that is charged with examining a discrete project. We return to the principles articulated above: EAs (and all regulatory processes) should be *outputs* not *inputs* to public policy, and regulatory integrity is best achieved by independence, technical knowledge and a reliable, timely process. If the underlying public policy is appropriately balanced among interests and is reflective of the general public interest as defined by the elected government, the regulatory processes will capture this. A deft approach is called for, one that will balance the desire of some of the public to express their views with the reasonable expectation of proponents for timely reviews and decisions that adhere to the legislated timelines introduced for CEAA and the NEB.

The Scope of EAs

As discussed in more detail above, the expansion of the scope of EAs to non-project-specific effects such as climate and cumulative environmental effects could be problematic. An approach that is methodologically (and logically) sound is needed that connects potential effects from related project developments. However, it should not unreasonably impose an additional burden on individual proponents who in most cases are simply not equipped to estimate and report on cumulative effects. The appropriate role for government is to manage the public policy implications of such potential effects.

Similarly with GHG emissions, government policy can systematically account for the global implications of project-specific emissions, and balance these between a project proponent's obligation to mitigate the potential effects (as a proponent would be expected to do for any other adverse environmental effect) and the public policy aspects of the incremental contribution of any one project to global GHG emissions.

Conclusion

Environmental Assessments in Canada are robust, science-based and evidence-based. In our view, the changes made in 2012 to CEAA and the NEB resulted in no loss to the rigor or integrity of EAs. Rather, they led to less duplication, greater certainty, and a "smart-regulation" allocation of scarce public resources to better focus on the complex major projects that have the potential for adverse environmental effects and warrant close scrutiny by regulatory agencies. Any changes to EAs should be based on an analysis of what needs improvement, acknowledging the fundamental purpose of EAs and what they are and are not intended to do. Government should lead the larger public policy debates about what is in the public interest, how Aboriginal groups participate, and how the public can express its views. Government should also consider the specific policy suggestions made here: embrace the Crown's duty to consult Aboriginal groups in parallel to regulatory processes, and provide policy leadership on matters such as cumulative environmental effects and greenhouse gas emissions management.

Working with the provinces, Canada can ensure that our EAs remain transparent, fair and rigorous, while enhancing the country's reputation as a rules-based jurisdiction that emphasizes clarity and certainty in its regulatory processes and ensures that resource and infrastructure projects are responsibly developed and operated.

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