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To: NRCan.NEBModernization-ModernisationONE.RNCan@Canada.ca; EA Review / Examen EE (CEAA)

Subject: Comments for consideration on CEAA EA Review / NEB Modernisation

Thank you for this opportunity to participate on these important initiatives. Here are my suggestions.

General premises for environmental protections should be based.

Environmental protections have been put in place to protect the well being of human and other species and ecological in perpetuity and should not be discounted at the convenience of any ruling government or industry.

Environmental protections are at the heart and soul of a nation and its life support system capability and our collective survivability.

To remedy this end I suggest the following general actions to correct the damage to this right of Canadians.

- 1) Ecological sustainability thresholds
 - a) Regional ecology & biodiversity
 - b) Species habitat and migration requirements to sustain a healthy population.
 - c) Habitat Segmentation
 - d) Periodically updated inventory mapping to include variations from industry pollution and natural occurrences such as forest fires, floods, and other storms.
- 2) Overarching & Holistic project approval criteria based on pre-established ranges of regional criteria thresholds.
 - a) Existing industry pollution impacts to
 - i) Regional biodiversity
 - ii) Species
 - iii) Human health

- iv) Habitat Segmentation
 - b) New Project Development Proposals must meet pre-existing Ecological Regional Sustainability thresholds
- 3) Ecological Accounting with significant weight of net worth and the importance of Ecosystem benefits.
- a) Carbon sequestration function
 - b) Water rejuvenation function
 - c) Air shed function
 - d) Regional social economic value
 - e) Biodiversity Habitat
 - f) Importance to Species at Risk Recovery
 - g) Environmental degradation and remediation costs.

Indigenous Inclusion

Infringement of indigenous self determination rights including subjugating their community held values as a people and as the First Nations in Canada, in the interest of forecast economic yield, cannot ethically be acceptable. The solution is to legally enact and enable their power to self determination, control over their lands rather than continuing the façade of doing so by the process of the ill defined “meaningful consultation” approach. This is the very least we owe them for what they have endured and continue to endure at the hands of former governments and from prejudices still prevalent in our society at large due to historical suppression.

Fisheries Act

Original Act must be reinstated in full with its original intent and include habitat protection. Additionally, to try to address the boom or bust approach to fishery quota management, it would be prudent to concentrate on stock recovery legislature at this time. In taking care of the natural assets we have, returning abundant biodiversity to our shores and oceans, we will resolve many

issues we are experiencing with feast/famine stock returns and excessive competition between aboriginal, commercial, sports and aquatic mammal and fish species needs.

1. Implement the Cohen Commission findings.
2. Remove fish farms from native salmon habitat. Atlantic Salmon is alien to BC waters and need to be treated as such and removed. Land based farmed salmon may be the remedy and if located close to market can be a further benefit to GHG emission reductions.

All of the above should be heavily weighted in determining whether a project is viable or in Canada's best interest.

National Energy Board Modernization

Recent NEB approvals were deemed in Canada's best interest based primarily and on heavily weighted economic rationale and have not substantively addressed industry cumulative pollution effects to ecosystems, human health, and species at risk recovery. Prior NEB decisions discounted effects of pollution, regional identity, community values & aspirations and habitat segmentation & degradation and cultural identity. In an attempt to compensate the NEB has attached a significant number of conditions to remedy these shortfalls in their recent decisions. It is not ethical to right to diminish one region for national profit or for the betterment of another region. Following are some suggestions to address these and other deficiencies in the NEB process.

- 1) Establish an independent entity responsible to deliver an objective project environment review based on the above [Environmental protection general premise] section and eliminate project proponent sponsored environmental reviews entirely. (Can we rationally expect a fox to guard the chicken coop?)
- 2) A conditional approval reliant on in excess of a hundred conditions should not be considered realistic fulfillment of the NEB's mandate to review and recommend advancement of a project, but rather this type of outcome just represents a political will and not an objective unbiased review. Remedy is to mandate all conditions are met prior to the NEB approving a project.
- 3) Incremental review process for complex projects requiring port terminus or equivalent considerations. Eg. A pipeline project that ultimately requires a sea port for export should obtain approval for the port terminus, before proceeding with the pipeline review. Appropriate segmenting would add cost effectiveness to the NEB process.

- 4) Stop Port Metro Vancouver from unlimited expansion. Stop PMV from doing their own sponsored environmental reviews on their expansions.
- 5) Integrate all project aspects in the review process, including transparency of their existing operations. In the case of an extraction or pipeline project whose ultimate goal is to export product, the resultant transportation pollution, Green House Gas footprints, regional additive port congestion and resultant additive negative environmental impacts must be included.
- 6) Reinstate oral cross examination.
- 7) Apply equal weighting to the following in determination of whether to approve or not.
 - a) Additive cumulative pollution degradation potential
 - b) Risk to Ecological benefits
 - c) Risk to Community and Human health
 - d) Risk to Species at Risk Recovery
 - e) Regional social, economic and cultural impairment

Ps. Further details on Environmental Protections and NEB Modernization enhancements may be found in my letter of comment - [A4R5E7](#) submitted to the National Energy Board review of Trans Mountain Expansion here. <https://docs.neb-one.gc.ca/ll-eng/llisapi.dll?func=ll&objId=2798408&objAction=browse&viewType=1> (last accessed 19/07/2016)

Respect and Kind Regards.