

Experts grade science in proposed *Impact Assessment Act*, give it a “D”

Canmore (February 9, 2018) – Leading scientific and legal experts find a lot to be desired in the federal government’s proposed impact assessment legislation. These experts say the legislation runs counter to repeated claims by the government to make decisions based on facts, evidence, and in the public interest.

Bill C-69 was tabled Thursday in the House of Commons. Among other items, it proposed to enact the *Impact Assessment Act* and repeal the old *Canadian Environmental Assessment Act [2012]*, which was harshly criticized for weakening environmental protection. Many groups have stressed that strong impact assessment must rely on a foundation of science, transparency, and independent decision-making. National experts in the science, law, and practice of impact assessment compared the proposed *Impact Assessment Act* to 14 criteria for strong science, giving the draft legislation a “D” grade.

“Science is mentioned in the bill, but there isn’t enough to ensure a truly robust, evidence-based approach to making better decisions,” says Aerin Jacob, Conservation Scientist for the Yellowstone to Yukon Conservation Initiative (Y2Y) and one of the organizers of the report card.

“Scientific integrity—including provisions for rigorous, transparent, independent science—appears to have been completely overlooked,” said Martin Olszynski, Assistant Professor at the University of Calgary Faculty of Law. “The *Act* overall is very much a mixed bag; there is simply nothing in it that moves the needle in terms of ensuring robust science in impact assessment.”

Based on 14 criteria, the draft legislation failed on seven accounts, including setting commitments to scientific integrity, addressing concerns about independence in the system of proponent-funded science, and adhering to scientifically-defined thresholds for impacts. Some progress was made on certain elements, such as accounting for a proposed project’s impact on climate change, conducting strategic or regional assessments, or including Indigenous knowledge, but these were often in non-binding parts of the legislation subject to Ministerial or agency discretion.

“After all the noise this government has made about evidence-based decision-making, I’m shocked at the lack of it in this bill,” said Alana Westwood, Science and Policy Analyst at Y2Y.

Jacob added, “Although the government hasn’t lived up to its commitments of strong science in draft impact assessment legislation, there’s still a chance to see strong science in the policy and regulations. All the information about how to do credible impact assessment is available and experts are standing by to assist —politicians just need to hit the books and do their homework.”

Resources:

More information, including a high-resolution version of the report card and detailed methodology, is available at y2y.net/strongfoundations.

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