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Senators adopt 187 amendments to C-69, setting up another fight over controversial legislation

OTTAWA - Senators have adopted 187 amendments to the Liberal government's environmental assessment legislation, setting the stage for another political fight and potentially forcing the House of Commons to consider a substantially altered version of the controversial Bill C-69.

The senate energy committee that studied C-69 voted Thursday to include a mixed bag of proposed amendments in their final report. It represents one last push back against a piece of legislation that has been the source of intense criticism from the Conservative opposition and the Western provinces.

The bill proposes to overhaul the environmental review process for major projects, replacing regulations introduced by the previous Conservative government in 2012 that were criticized by environmentalists and some industry groups. According to a list of adopted amendments seen by the National Post, the amendments include changes that attempt to satisfy both First Nations and private-sector interests. However, the Senate as a whole still needs to adopt a final report on C-69 before the bill goes back to the House for final approval.

Senators defeat Ottawa's oil tanker ban bill in rare move, putting legislation on life support

'They're trying to take the whole enchilada:' Environmentalists cry foul over industry-inspired changes to Bill C-69

Senators to consider sweeping package of amendments to controversial Bill C-69

The senate has taken on an especially defiant tone on both C-69 and another maligned Liberal natural resource bill. Just one day before the energy committee agreed to this suite of amendments, senators on the transport committee voted to defeat Bill C-48, which would impose a moratorium on oil tanker traffic along the northern B.C. coast.

The committee had proposed more than 250 amendments in total, which were whittled down before the Senate began its line-by-line study Thursday morning. Among the amendments to C-69 are 90 that were largely inspired by oil and gas lobby groups and some provincial governments opposed to the bill, who said it threatened to kneecap the fossil fuel industry. Those proposed changes, championed by Conservative senators, include limiting the discretionary powers of the environment minister in approving or rejecting projects, shortening timelines for the review process and enshrining "shareholder certainty" as a key factor in final project approvals.

Conservative Sen. Michael MacDonald, who is deputy chair of the energy committee - which travelled across the country in recent weeks to hear from witnesses affected by the bill - was hopeful but not overly optimistic that the federal government would accept the sweeping amendments.

"Well, hope springs eternal, but this is not a government that has been open to accepting too many things unless you put them in a corner," he said. "I think they should think they're in a bit of corner right now politically, but I don't know if it matters to them."

Independent senators, particularly Sen. Mary Jane McCallum of Manitoba, also brought forward a number of amendments to protect certain First Nations communities.

Senators said on Thursday that they were careful to not adopt amendments in direct contradiction of one another. "It's a very delicate balance," said Independent Sen. Rosa Galvez, the chair of the energy committee. "It's very difficult to satisfy 100 per cent of all stakeholders, but I think these amendments are a good compromise."

Criticism of C-69 began shortly after the Liberals introduced it in early 2018. That criticism has baffled some observers, who argue it marks an improvement from regulations introduced in 2012. Environment Minister Catherine McKenna has blamed the 2012 changes, which were introduced as part of a budget omnibus bill, for restricting the project review process and encouraging a wider distrust in Canadian regulatory agencies.

However, oil and gas lobby groups like the Canadian Energy Pipeline Association (CEPA) and Canadian Association of Petroleum Producers (CAPP) contend that the new bill opens up the process to environmental activists and other interest

groups that are inherently opposed to natural resource extraction.

Regulatory and legal delays have hampered the oil and gas sector's ability to build any major pipelines in the last 15 years, pushing down prices for Canadian crude and causing producers to forego billions in potential revenues, according to some estimates.

In August 2018, Ottawa agreed to purchase the existing Trans Mountain pipeline for \$4.4 billion, part of an effort that it said would ensure the project is eventually expanded after its private sector partner threatened to abandon the development.

Ottawa is currently re-doing a portion of its consultations with First Nations on Trans Mountain, and is expected to make a final decision on the expansion before a June 18 deadline.

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