

To: engagement@pco-bcp.gc.ca

To Whom it may Concern,

The Canadian Parks & Wilderness Society (CPAWS) is responding to the request for engagement on proposed regulatory changes affecting major projects.

CPAWS is Canada's only charity dedicated to protecting public land, freshwater, and ocean, with a strong national and regional presence across the country. We are a leader in conservation, with more than 60 years of success built on expertise, public education and advocacy, relationships, and local knowledge. We are a credible, trusted, knowledge-based, nationally coordinated, collaborative organization focused on conserving nature in response to the dual crises of accelerated biodiversity loss and climate change.

CPAWS recognizes that Canada is operating in an increasingly complex world and that this creates pressure to grow and diversify the economy quickly. **Our organization supports government action to achieve these goals, but not if it comes at the expense of endangered species, critical habitats, and the laws designed to protect them.** That is the outcome these changes will inevitably lead to, and it is not a trade-off Canadians should be asked to accept.

[A recent paper found](#) that 71% of Canadians believe economic growth and nature protection should be balanced to ensure both security and sustainability for future generations. Only 7.4% of respondents believed that economic growth and national security should come first, even if nature suffers.

In May 2026, [Ekos polled Canadians](#) and found that 61% of respondents, including 92% of Liberal Party supporters, believe that the government has a responsibility to prevent species from going extinct in Canada. If implemented as proposed, these changes would undoubtedly lead to outcomes in which nature suffers, and species are driven to extinction.

As an organization, CPAWS usually responds to requests for feedback in a collaborative and constructive manner. In this case, the proposed changes would be so harmful that we do not feel that this approach is possible.

Our overall position on the proposed changes is that they would amount to one of the most significant rollbacks of environmental legislation by any recent Canadian government. They would substantially increase risks to wildlife and undermine progress associated with initiatives such as *A Force of Nature*. If the changes proceed as proposed, they will reverse decades of progress on environmental protection.

A plan that asks Canada to trade our endangered species for corporate profits

This proposal would allow the Governor in Council to exempt specific projects from the application of the jeopardy test for Species at Risk. The Species at Risk Act exists to help prevent the further decline and potential loss of endangered species, and this amendment would significantly weaken that protection.

The document states that a "high threshold must be met" and that a project must be in the public interest, but these terms are not legally defined and are therefore open to both accidental and wilful misinterpretation.

There is no level of safeguarding that could justify sacrificing the continuing existence of wildlife in exchange for corporate profits.

The ability to exempt projects from jeopardy tests would be the final nail in the coffin for already endangered herds of boreal and mountain caribou in Alberta and British Columbia, as well as southern resident killer whales. These animals have already been pushed to the brink by current levels of industrial and commercial activity and will be unable to withstand additional pressures.

These populations face serious additional risk under the proposed amendment. Whether the consequences emerge immediately or over time, weakening the rules designed to protect them would have permanent effects. These amendments should be withdrawn before that harm occurs. **There is no reason to bypass the Species at Risk Act and jeopardy test, except to deliberately and willfully extirpate or drive a species to extinction.**

Similarly, CPAWS is particularly concerned by the concept of “Economic Zones” and the ability to “pre-approve” a project. While we understand the ambition to streamline the review of complex, multi-jurisdictional projects, economic zones would create areas in which key federal and provincial or territorial safeguards are weakened or set aside.

Like Ontario’s Bill 5, which is [currently the subject of litigation](#), the proposal to create economic zones could raise constitutional concerns by concentrating law-making authority in Cabinet and limiting legislative scrutiny. Environmental assessments, labour laws, and health and safety requirements could all be set aside for designated projects and proponents. This would increase the risk of environmental harm, weaken oversight, and reduce public participation.

Without the *Species at Risk Act*, the *Canadian Navigable Waters Act (CNWA)*, and other federal protections operating fully within these zones, this measure could have severe consequences for wildlife and for communities that depend on healthy ecosystems.

The distinction between the need to “consult” with Indigenous Peoples, compared to the need to “coordinate and collaborate with Provinces and Territories” is particularly concerning. **The pre-approval of projects effectively limits the ability of Indigenous Nations to intervene, even in cases of irreparable cultural or ecological harm to their traditional territories.**

Legislation to create economic zones, along with any projects advanced under it, would likely face legal challenges and could ultimately delay approvals rather than accelerate them.

According to the Federal Government’s own positioning, Canada does not even need to weaken its environmental laws to allow projects to proceed, as [“strong environmental standards and project development go hand-in-hand”](#):

*“Canada’s regulatory system is designed to protect the environment and Indigenous rights while enabling sustainable economic development. **The rigour, transparency, and fairness of federal assessments are a competitive advantage, ensuring major projects move forward responsibly and with public trust.**”* – Government of Canada

When a proposed activity impacts one or more species at risk, or could have detrimental impacts on a local community, **a one-year deadline for completing impact assessments could harm the interests of project proponents.** This is because creating a plan that protects the ecological values in an area, while also minimizing costs and restrictions for the proponent, often requires significant time. This was summarized well in the newly released strategy for nature, [A Force of Nature](#):

*“Protecting high-biodiversity areas helps maintain ecosystem services, which in turn protect investments. **When permitting is guided by sound science, regulators can help***

proponents adjust project designs to avoid or minimize environmental impacts—leading to fewer delays, better results, and responsible development. The Government will encourage work by project proponents on nature positive outcomes and will clarify how nature positive investments by proponents will be recognized.” - Government of Canada

If agencies do not have sufficient time to strike this balance, regulators will be required to take a maximalist approach to setting rules and limitation to bring the project into conformity with federal and provincial or territorial regulations. This would inadvertently make the project more costly and less efficient for proponents.

The politicization of project reviews

CPAWS is concerned by the proposal to relocate impact assessment of nuclear projects to the Canadian Nuclear Safety Commission (CNSC) and impact assessments for other energy projects, including pipelines, to the Canada Energy Regulator (CER). This would dilute the work of the Impact Assessment Agency of Canada (IAAC) and create inconsistencies in the ways that projects are reviewed.

The CNSC and the CER do not have the same mandate or depth of expertise on Species at Risk, fish habitat protection, and other environmental considerations. That creates a meaningful risk of decisions that do not adequately account for wildlife, critical habitat, and broader biodiversity values.

The responsibilities of a project proponent to support reconciliation and environmental integrity must be consistently upheld, regardless of the project type.

Where previous impact assessment processes included key decision points informed by analysis conducted in the public interest by civil servants, this proposal would allow that process to be narrowed or bypassed for reasons that may not be transparent. Because such changes could remain in place for decades, they raise serious long-term governance and accountability concerns.

The likelihood of this outcome is heightened by the fact that while previous federal impact assessment processes ultimately resulted in Cabinet decisions, there were key decision points along the way that had to be made public. This proposal would move those decisions back behind closed doors and undo safeguards that ensure public accountability.

The changes would fail to address the causes for most delays

While CPAWS acknowledges that opportunities exist to improve the impact assessment process, [research in British Columbia](#) on regulatory processes like environmental assessments (EAs) suggests that they are not the primary reason for project delays:

“...economic underperformance and mine delays post-EA are common, with delays typically resulting from economic factors, not government regulations”. – Collard, et. al.

Indeed, a 2023 [review of EAs under the Impact Assessment Act](#) by the Canada West Foundation found that reasons for delays included the impacts of the pandemic, proponent unreadiness, and proponent delays in re-evaluating whether they wanted to move forward with the project. The time necessary to complete appropriate levels of Indigenous consultation was also flagged as a reason for delay in the report, emphasizing the need for early engagement and relationship-building in the planning phase.

Additional issues, including “overly broad or detailed information requirements” and “provincial coordination,” which relate more directly to the Impact Assessment Act, were also identified and can be considered

legitimate concerns. However, these can be addressed more strategically and with greater precision than allowed for in the discussion paper.

A lack of transparency and engagement

The overall lack of transparency in the current proposal is deeply concerning. There has been little or no engagement with environmental groups, including CPAWS, in the development and scoping of this discussion paper and the proposed changes. There also appears to have been limited engagement with Indigenous governments and representative organizations, raising concerns that rightsholders are being treated as stakeholders rather than consulted in a manner consistent with their constitutional status and the government's reconciliation commitments.

Including Indigenous Peoples (rightsholders) in the same frame as businesses (stakeholders and proponents) underscores a total disregard for the constitutionally protected rights and title of Indigenous Peoples in Canada.

The brief discussion paper outlines potentially sweeping changes to key environmental regulations, but it does not provide sufficient detail on the intent or limits of those changes, nor does it define key terms. This makes it almost impossible to fully understand both the purpose and the potential impact of the proposal.

The newly proposed system includes several off-ramps where a single minister or politically appointed body (such as the CNSC or CER) could make final decisions on projects regardless of the input of Environment and Climate Change Canada, Fisheries and Oceans Canada, and their respective ministers. This lack of transparency and accountability is especially concerning because the proposed changes could lead to the politicization of impact assessments.

Think slow and act fast

"Think slow, act fast" is a strategy popularized by megaproject expert Bent Flyvbjerg and his coauthor Dan Gardner in the book *How Big Things Get Done*. It means investing significant time up front for planning and troubleshooting so that execution happens quickly, smoothly, and without massive budget overruns. In the book, the authors note that *"most planning is done with computers, paper and physical models, meaning that planning is relatively cheap and safe."*

In Canada, project assessment is a critical part of planning for a project's success. It is the stage at which proponents identify and, where possible, mitigate environmental impacts and build community consensus. If this process is rushed or key steps are overridden, problems will follow.

CPAWS chapters across Canada have seen this repeatedly. Our organization has spent decades working to support Indigenous Nations in protecting land, freshwater, and ocean. Through this work, we have seen dozens of projects move through regulatory processes to operation and shutdown. In our experience, projects that begin with the support and participation of Indigenous Nations and local communities move more quickly and efficiently. When proponents fail to earn this trust and buy-in, projects move slowly or not at all.

Engaging and addressing the concerns of Indigenous Nations and local communities may be seen as an inconvenience by some proponents, but it is essential for the long-term success and viability of any project. We are deeply concerned that the proposed changes, as written, would allow project proponents to bypass the important steps required to gather community consensus and would send reconciliation back by decades.

The work of obtaining consent from Indigenous Nations and local communities is not always simple, but it is essential. When consent is not provided, it almost always for a good reason. Opposition is rarely ideological; it

is often grounded in a deep understanding of place, experience with other projects, and awareness of the irreversible impacts on nature, people, and culture.

Attempts to bypass the critical steps of gaining Indigenous consent will ultimately be counterproductive for the proponent, risking lawsuits, public protest and more – as we have seen in places like British Columbia and the Yukon. Taking the time to “think slow and act fast” through the assessment process allows proponents the opportunities to see and resolve issues and sometimes, as recommended by Flyvbjerg and Gardner, walk away from a project before losing millions of dollars through delays and legal costs.

Taking the time to carefully plan, build consensus and undertake impact assessment is an investment in success. As Flyvbjerg and Gardner state in their book, *“as certain as the law of gravity, challenges ignored during planning will eventually boomerang back as delays and cost overruns during delivery”*.

Conclusion

In marking Steven Guilbeault’s decision to step away from Parliament on May 27th, [Prime Minister Mark Carney stated](#):

“Our government shares a commitment to climate ambition, climate competitiveness and the preservation of Canada’s extraordinary natural heritage... We are advancing these missions with the same determination, a new spirit of partnership, and a renewed focus on results that will support Canadian families today and deliver for our kids and grandkids tomorrow. I wish Steven and his family all the best as he begins this next chapter.”

These proposed changes run directly counter to this commitment. If implemented as proposed, species would inevitably be driven to extinction, the biodiversity crisis would worsen, and Canada would “deliver for our kids and grandkids” a natural environment that is less healthy and vibrant than the one we enjoy today.

CPAWS recognizes that the world is changing and that bold, ambitious action is needed to meet this moment. However, this requires careful balance. These proposed changes do not strike that balance. In their current form, they would significantly weaken environmental safeguards at a time when Canada should be strengthening public trust, legal certainty, and long-term resilience.

CPAWS urges the government to reconsider and withdraw the proposed changes in their current form.