

ENVIRONMENTAL REGULATION AND THE COVID-19 PANDEMIC: A REVIEW OF REGULATOR RESPONSE IN CANADA

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SUMMARY

When the COVID-19 pandemic hit, many countries reacted by relaxing environmental rules and Canada was no exception. Environmental regulators across Canada changed rules in unprecedented efforts to balance public health, economic wellbeing and protection of the environment. This briefing paper takes stock of and discusses these actions.

We find that Ottawa and all the provinces and territories except Manitoba and the Northwest Territories invoked some changes to environmental rules. Regulators used one of two approaches: enforcement discretion or pre-emptive rule adjustment. Twenty-four provincial and four federal agencies adjusted 143 environmental rules between them, with the majority being specific to natural resource sectors such as oil, gas, coal, mining, water and fisheries. Industry, government and public stakeholders all benefited from relaxed rules. Alterations included suspension of operating activity requirements (53), extensions to reporting deadlines (21), payment relief (18), extensions to activity deadlines (18), operating licence extensions (16), suspension of government obligations (10) and suspension of reporting requirements (7).

Only 41 of the 61 government notices included a specific COVID-related rationale for the rule changes and the explanations lacked detail. Reasons included accommodating regulated entities' need to observe public health requirements (88), financial relief for industry (38), responding to government capacity constraints (14) and accommodating public observance of health restrictions (3). More than a third of the changes were indefinite, with no

set end date. In these cases especially it is critical that government agencies be held accountable for reinstating lost protections in a timely manner.

Overall, environmental regulators across Canada responded in similar ways to the pandemic. Some agencies, however, took extraordinary actions. Alberta, for example, was the only jurisdiction to completely suspend reporting requirements and did so across multiple sectors. In Ontario, the provincial government indefinitely suspended parts of the province's Environmental Bill of Rights, allowing other regulations to be approved with reduced oversight and public consultation. Newfoundland and Labrador was alone in permanently amending environmental assessment timelines. British Columbia, on the other hand, was the sole jurisdiction to change a rule to address constraints faced by the public, suspending public appeal filing deadlines to support public participation in project decisions.

As the virus is brought under control, government should move swiftly to restore suspended environmental protections. Agencies must now be held to account for ensuring, at minimum, a timely return to the status quo. Where regulators are practicing enforcement discretion, fair and transparent enforcement decision-making is critical. Further, agencies have the opportunity to learn and adapt as a result of this experience, leading to smarter, more resilient environmental regulation in Canada. An important question warranting further inquiry, especially, is whether regulator actions were justifiable, *ex post*. What were the environmental, social and economic costs and benefits of these rule changes? The comprehensive database of rule changes presented in this paper could aid such future research.

INTRODUCTION

Governments worldwide weakened environmental protection in response to the COVID-19 pandemic, drawing criticism from watchdogs (OHCHR 2020). Rules were relaxed to accommodate public health measures, provide economic relief and, in many cases, in response to the pandemic broadly, with no specific reason given.

Canada was no exception, with the federal government and most provinces adjusting environmental rules because of the pandemic. Indeed, the public interest mandate of environmental regulators across Canada is threefold: to protect the environment as well as human health and, to a greater or lesser extent depending on the agency, the economy. The COVID-19 pandemic presented an unprecedented challenge to regulators in the exercise of this balance of interests; analysis of their response from all angles is warranted.

In this report, I review the actions taken by Canadian environmental regulators in immediate response to the pandemic with the goal to inform study, development and application of environmental law and policy moving forward.¹ I compare regulator approach and, where specific rules were changed, the types of rules, types of changes made and rationale. Results show that Canadian regulators took one of two approaches in immediate response to the pandemic: enforcement discretion or pre-emptive rule adjustment. Industry, government and the general public all benefited from relaxed rules. Most of the rules relaxed, however, were specific to certain industrial sectors: the oil, gas and coal; mining; fisheries and water sectors. The main reason for adjusting environmental rules was to address capacity constraints faced by regulated entities as a result of observing public health orders, with limited detail provided to justify the changes in most cases. Over a third of the changes were indefinite with no set end date, highlighting the need for ongoing review to ensure protections are re-instated within a reasonable timeframe. I conclude with a discussion of the potential implications of these actions.

For this study, I developed a comprehensive database of environmental rules changed in immediate response to the COVID-19 pandemic, defined as federal or provincial government policy, regulation or law related to the environment or natural resources changed during the first six months of the emergency period.² To do this, I scanned the relevant government websites — news and publications web pages of ministries and agencies responsible for regulation of environmental impacts, energy development and natural resources development weekly and monitored Mondaq³ daily from March 15 to

¹ I do not discuss the current status of environmental rules; for example, which suspended rules have been reinstated at the time of publishing this paper. This paper is not meant to be used as a guide for compliance.

² I do not include in this review (1) COVID-19 economic recovery plans nor (2) changes to electricity market regulation. Some jurisdictions' recovery plans impact environmental rules; for example, Ontario's *Protect, Support and Recover from COVID-19 Act* limits the power of conservation authorities in the province (Legislative Assembly of Ontario 2020), but these changes are not considered part of environmental regulators' immediate pandemic response for the purposes of this review. Electricity market regulation was not considered "environmental regulation" for the purposes of this review.

³ Mondaq is a legal news digest service that draws content from Bloomberg, Dow Jones, LexisNexis, Thomson Reuters, Westlaw and Wolters Kluwer databases (Mondaq 2020).

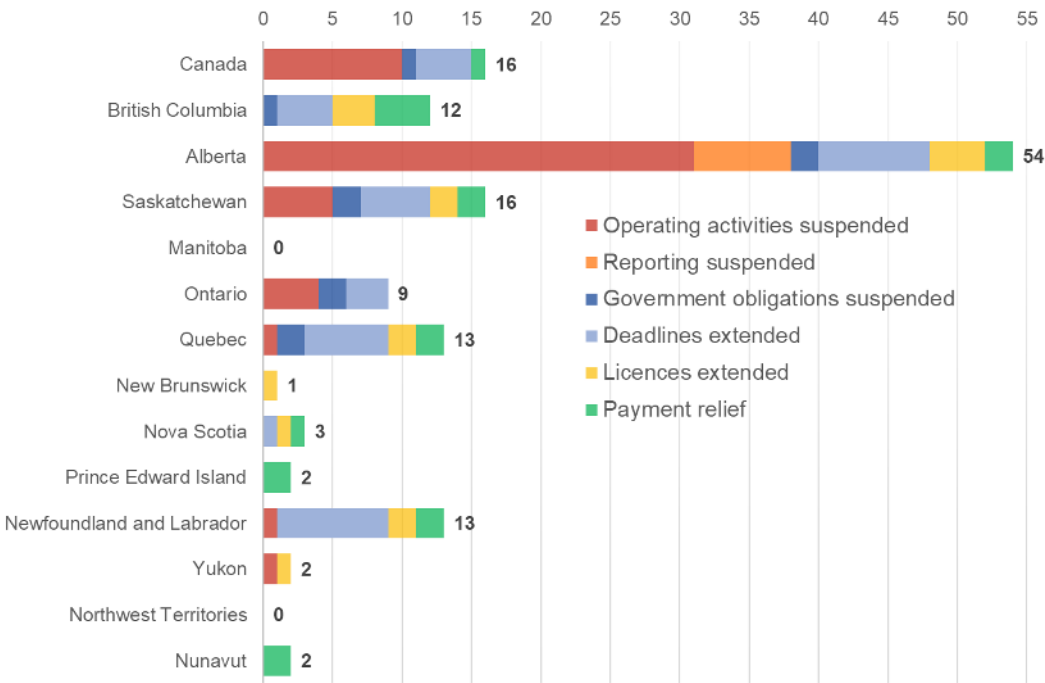
September 15, 2020, to find notices of environmental rule changes made during this time. I qualitatively analyzed the notices to identify and code the individual rule changes announced in each notice, categorizing changes based on key characteristics including type of rule, type of change, sector regulated, rationale, time period during which the change is in force and area of potential environmental impact. Appendix A provides the list of notices, which constitutes the universe of data used for my analysis.

OVERVIEW OF CHANGES

I found 143 environmental rules that were adjusted in direct response to the COVID-19 pandemic. These changes were made by 24 provincial agencies and four federal agencies; Manitoba was the only provincial government to not change environmental rules, and the federal government changed rules in all jurisdictions under its control except the Northwest Territories (Figure 1).

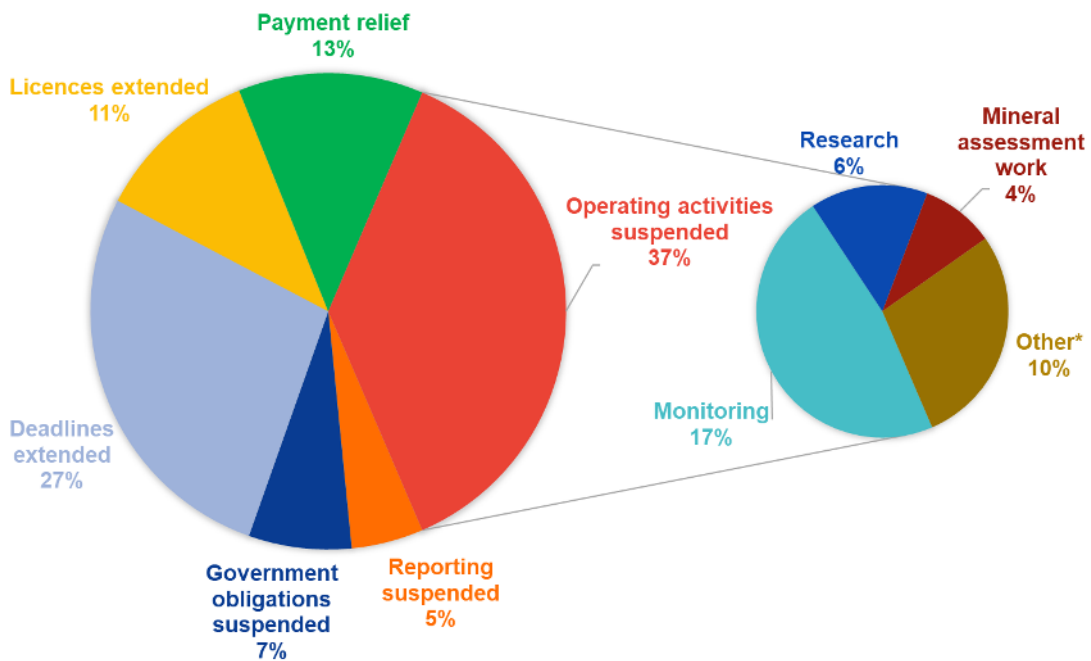
Types of changes include: suspension of operating activity requirements (53 of the total 143), extensions to reporting deadlines (21), payment relief (18), extensions to activity deadlines (18), operating licence extensions (16), suspension of government obligations (10) and suspension of reporting requirements (7) (Figure 2). The suspension of operating activities, in addition to being the most common type of change, is also the most high risk in terms of potential for immediate impact to the environment and human health. In these cases, regulated entities are no longer obligated to perform certain operations normally required to limit impact.

Figure 1: Number of environmental rules changed due to COVID-19



Note: There is large variation in the total number of environmental rules in place in each jurisdiction, which limits direct comparison of the number of rule changes across jurisdictions. Alberta, for example, as the major oil and gas-producing province in Canada, is likely to have a greater number of rules – and therefore more rule changes, overall – than a smaller jurisdiction with less natural resource development activity.

Figure 2: Environmental rules changed due to COVID-19 by type of change (N=143)



*Other activities suspended include personnel restrictions (3%); audits (2%); abandonment and reclamation of oil and gas wells (2%); emissions reductions technology implementation (2%) and regulatory approvals (1%).

In most cases, the regulatory agency provided a reason for changing the rule (Figure 3). Reasons were to: (a) accommodate the need for regulated entities to observe public health and safety orders and maintain regulatory compliance despite related capacity constraints (88 of the 143 changes); (b) provide financial relief to regulated entities (38); (c) respond to government capacity constraints, broadly, resulting from observation of public health orders but also general reduced agency capacity to respond (14) or (d) accommodate the need for the general public to observe public health orders and participate in regulatory processes despite related capacity constraints (3).⁴

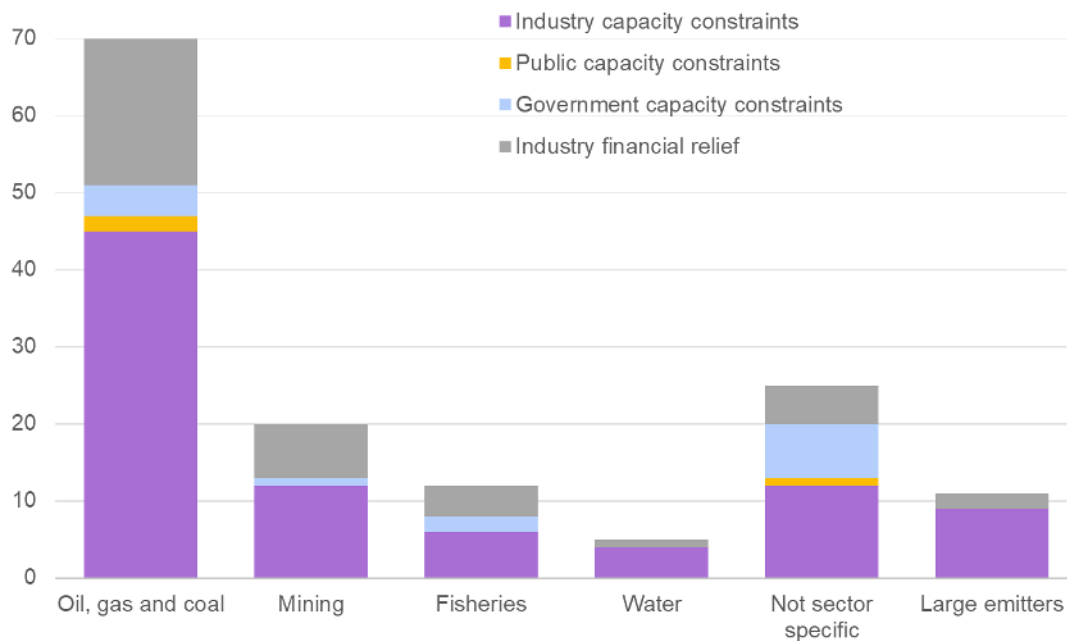
⁴

Agencies provided an explicit rationale in 41 of the total 61 notices, covering 102 of the 143 changes. I inferred the rationale for the remaining 41 changes based on the type of change and reasons provided in the parent notice.

More than a third of the changes (56) were indefinite, with no end date specified. The remainder specified deadlines or end dates relative to a fixed period or the termination of emergency public health orders. Most of the indefinite changes (35) were for the oil and gas sector, including 25 in Alberta and 10 in Saskatchewan.

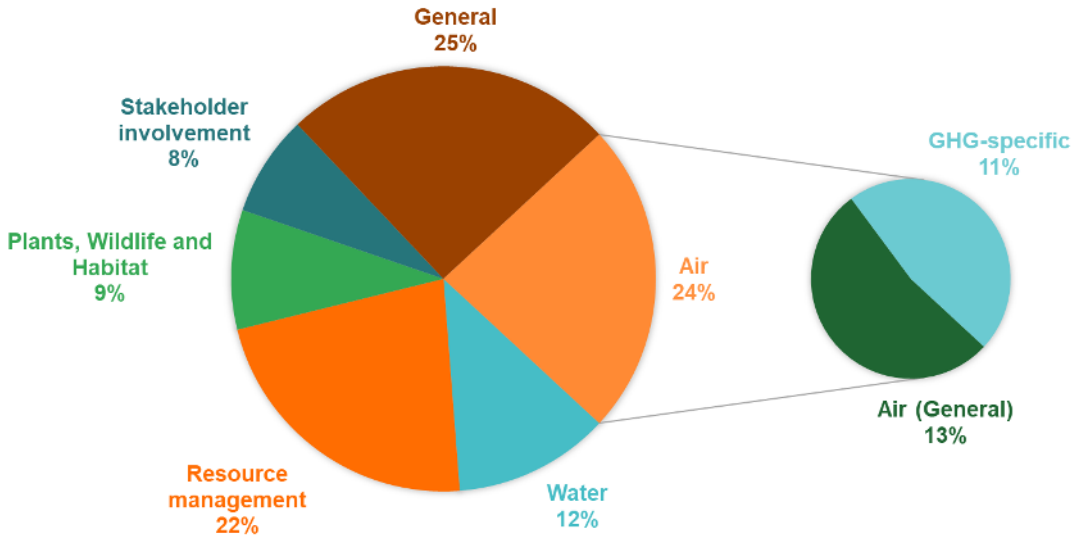
Most of the changed rules (107 of the 143) targeted a specific regulated sector, covering the oil and gas, coal, mining, fisheries and water sectors (Figure 3). Others were sector-agnostic, targeting environmental approval holders in general (25) or specific to large emitters of greenhouse gases (11). Of all sectors, oil and gas had the most number of rules changed (69); this could be a function of it being a more highly regulated space, however. In the vast majority of cases (134 of 143), the rule relaxation applied automatically to all applicable regulated entities. Only nine of the 143 changes were implemented on a case-by-case basis, where regulators would look at each specific case before deciding whether the change would apply to that entity.

Figure 3: Number of rules changed by sector and rationale for change



Areas of environmental impact covered by the relaxed rules are: air (34; 16 specific to greenhouse gas emissions); resource management (32); water (17); plants, wildlife and habitat (13); stakeholder involvement (11) and general to any environmental impact (36) (Figure 4). The changed rules range broadly in scope and therefore changes differ in their potential impact on the environment and human health. In some cases, regulators rolled back significant protections, substantially increasing risk of harm to the environment and human health. The Alberta Energy Regulator (AER), for example, imposed a blanket suspension of all wetland and wildlife monitoring requirements for oilsands projects. In other cases, regulators relaxed lower level technical or administrative rules with less potential for direct impact, such as deadline extensions for certain program and service fee payments in Nova Scotia and Quebec.

Figure 4: Environmental rules changed due to COVID-19 by area of environmental impact (N=143)



COMPARISON OF REGULATOR RESPONSES TO COVID-19

ENFORCEMENT DISCRETION VERSUS RULE CHANGE

In response to the pandemic, six of the 28 agencies adopted a formal “enforcement discretion” policy, the same approach taken by the U.S. Environmental Protection Agency (EPA 2020), whereby they address COVID-19-related non-compliance on a case-by-case, discretionary basis. The agencies that took this approach are Environment and Climate Change Canada, the British Columbia (BC) Chief Inspector of Mines, the BC Oil and Gas Commission, the BC Ministry of Environment and Climate Change Strategy, the Quebec Ministry of Environment and the Fight Against Climate Change (MELCC) and the Saskatchewan Ministry of Environment. The alternative to enforcement discretion is to change specific rules and regulations ex ante, in anticipation of non-compliance. The two approaches have different implications for regulators and regulated entities (Table 1).

Table 1 - Comparison of Approaches Taken by Canadian Regulators in Response to the COVID-19 Pandemic

Approach	Implications	
	Regulated Entity	Regulator
Enforcement discretion	<ul style="list-style-type: none"> • expected to meet existing environmental obligations • incur costs associated with attempted compliance and justification of non-compliance 	<ul style="list-style-type: none"> • addresses non-compliance on a case-by-case basis • requires greater regulator capacity for follow-up and enforcement • allows industry to signal which rules are unreasonable
Rule change	<ul style="list-style-type: none"> • exempted from environmental obligations • avoids costs associated with compliance 	<ul style="list-style-type: none"> • enforces fewer rules • requires less regulator capacity for follow-up and enforcement • regulator decides which rules are unreasonable

A key difference across enforcement discretion policies is whether entities are required to show a causal link between the pandemic and non-compliance, as is the case under the EPA's temporary policy. In Canada, Environment and Climate Change Canada and the BC Ministry of Environment and Climate Change Strategy are the only two agencies that explicitly require that entities show how non-compliance is related to COVID-19. The Saskatchewan Ministry of Environment is unique in that it applied a tiered approach to enforcement discretion, whereby a regulated activity is assigned to a tier and the degree of discretion is dependent on tier.

Where agencies chose to change specific rules, they took a variety of actions aimed at different groups. Most changes (126 of 143) aimed to alleviate strain on industry; 14 were to alleviate strain on government actors and only three targeted constraints faced by the public. I discuss how these groups were impacted differently across jurisdictions in the following sections.

ACTIONS TO ALLEVIATE THE BURDEN ON INDUSTRY

Agencies made a variety of changes to environmental rules in an effort to alleviate the regulatory or financial burden on industry. Payment deferral was the most popular type of change, with some sort of industry payments deferred at the federal level and in seven provinces and one territory because of the pandemic. Of all the types of actions taken by regulators, industry arguably benefits most from the suspension of operating activities and the automatic extension of operating licences. Agencies took different approaches to implementing these types of changes.

Operating activity suspensions

Most activity suspensions (44 of 53) were for the oil and gas sector. The bulk of these (24) were related to oil and gas monitoring in Alberta, driven by the AER's decision to temporarily suspend a wide range of approval requirements for all oilsands and oil and

gas projects.⁵ Other notable activity suspensions include suspending emissions-reduction technology installation and methane emissions leak detection and repair obligations for oil and gas entities in Saskatchewan (indefinite changes with no end date), automatic extensions to reclamation timelines (fixed periods) for newly drilled oil and gas leases in Saskatchewan, and removal of the obligation to close any low-risk and certain medium-risk oil and gas wells in Alberta during the public health emergency period.

Alberta was the only jurisdiction to completely suspend reporting obligations, doing so for a wide swath of environmental approval holders across multiple sectors. Agencies in other jurisdictions eased reporting requirements — for example, extended deadlines or allowed incomplete submissions. In contrast, Alberta’s ministries of Energy and Environment and Parks blanket-waived reporting requirements under key environmental and energy statutes, citing operator “hardship” in having to comply with certain routine inspection, reporting and suspension requirements during the public health emergency (Alberta Energy 2020; Alberta Environment and Parks 2020).

Operating licences and approvals

In order to expedite COVID-related public health measures, both Quebec and Ontario suspended the need for industry to obtain certain regulatory approvals altogether. The Quebec MELCC exempted companies that converted operations to participate in efforts to combat COVID-19 spread from environmental authorizations normally required to modify activities. Ontario’s Ministry of Environment, Conservation and Parks exempted municipalities and health-care providers seeking to develop temporary health or residential facilities for emergency situations from filing a Record of Site Condition, which is normally required.

Some agencies automatically extended operating licences to alleviate pressures on regulated entities, especially in the mining and fisheries sectors. The implication of this action is that licence holders are not required to re-apply for approvals, resulting in less government oversight and potential continued operations by entities that otherwise would not have received approval. The AER extended mining exploration licences on a case-by-case basis, while nine other agencies⁶ across eight jurisdictions automatically extended operating licences to varying degrees. Both the Alberta and Saskatchewan energy ministries, for example, granted all oil and gas operators at least a one-year extension to their mineral leases in response to the economic downturn caused by the pandemic as well as the price war between Saudi Arabia and Russia (Government of Saskatchewan 2020). The BC Oil and Gas Commission was the only other agency to automatically extend oil and gas permits, but only permits that were already in the permit-extension application pipeline when the state of emergency began.

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These suspensions were in the form of project approval amendments in place until otherwise directed by the Alberta Energy Regulator (see, for example, AER 2020). They have since been reinstated.

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Alberta Ministry of Energy (oil and gas); BC Ministry of Energy, Mines and Petroleum Resources (mining and coal); BC Oil and Gas Commission (oil and gas); New Brunswick Financial and Consumer Services Commission (all); Newfoundland and Labrador Department of Fisheries and Land Resources (fisheries); Nova Scotia Department of Fisheries and Aquaculture (fisheries); Quebec Ministry of Energy and Natural Resources (mining); Saskatchewan Ministry of Energy and Resources (oil and gas) and Yukon Department of Energy, Mines and Resources (mining).

In mining regulation, the automatic extension of leases was common. Mining leases were extended to prevent automatic expiry and loss of mineral rights due to the entity's inability to do the exploration necessary to keep a claim in good standing, its inability to apply on time, and the government's inability to process the application on time or to give time for them to raise cash in lieu of work payments. Other agencies opted to suspend the activity requirements attached to a claim or lease as a way to support extractive resources industries instead of automatically extending licences (the Ontario Ministry of Energy, Northern Development and Mines, the Saskatchewan Ministry of Energy and Resources for mining and the Newfoundland and Labrador Ministry of Natural Resources).

ACTIONS TO ALLEVIATE THE BURDEN ON GOVERNMENT

Nine agencies across six jurisdictions — BC, Saskatchewan, Ontario, Quebec, Newfoundland and Labrador and the federal government — made changes to alleviate pressure on government actors. Environmental inspections, for example, were limited in Saskatchewan and Quebec and for mines in B.C. Environment and Climate Change Canada delayed the release of the draft Clean Fuel Standard regulations, providing no detailed reason other than that the delay was “due to the extraordinary circumstances during the COVID-19 pandemic” (Government of Canada 2020). Quebec's MELCC indefinitely suspended the province's ClimatSol-Plus program, which would have provided large-scale financial support for the rehabilitation of contaminated land.⁷

In an effort to expedite government decision-making during the pandemic, Ontario's Ministry of Environment, Conservation and Parks indefinitely suspended certain requirements under the province's Environmental Bill of Rights. Ontario's Environmental Bill of Rights is recognized as a leading piece of legislation in terms of codification of environmental rights (Keller and Zhang 2017), but this move greatly limited the public engagement processes in place under it. Specifically, the ministry suspended the requirement for government agencies to (1) consult the public on proposed policies and regulations, and (2) consider the Statements of Environmental Values in ministry decision-making. The order was slated to be in place until 30 days after the end of the province's emergency order, though it was revoked June 15, 2020, and requirements re-instated at that time. Other amendments, however, were pushed through during the two months these relaxed government obligations were in place. Significant examples include amendment of the Petrochemical Industry Standard under the Local Air Quality Regulation to require fewer inspections at petrochemical facilities, and the already discussed Excess Soil Regulations implementation delay and Record of Site Condition exemption.

Newfoundland and Labrador was the only jurisdiction to amend environmental assessment timelines as a result of the pandemic.⁸ In what appears to be a permanent action, the Ministry of Municipal Affairs and Environment extended the time period for

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The program appears to have since resumed.

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From March 15 to September 15, 2020, both Quebec and Ontario tabled legislative bills to revise provincial environmental assessment processes and timelines, though neither was in direct response to the COVID-19 pandemic.

the minister to (a) make a decision on a project application under the *Environmental Assessment Act* from 45 days to 165 days and (b) issue guidelines to the proponent after the decision from 60 days to 180 days. No specific COVID-related rationale was provided for these changes.

ACTIONS TO ALLEVIATE THE BURDEN ON THE PUBLIC

BC was the only jurisdiction to change a rule in order to address constraints faced specifically by the public. In this early action (March 27), the chair of the province's three appeal boards (the Environmental Appeal Board, the Forest Appeals Commission and the Oil and Gas Appeal Tribunal) suspended public appeal filing deadlines during the COVID-19 pandemic to support public participation in project decisions. Chair Darrell Le Houillier explained that the decision was made partly to "to ensure that the power was exercised in favour of those who needed it most — individuals who could not communicate with the Tribunals at all during the state of emergency" (BC Appeals 2020). In a similar action, the Nova Scotia Department of Fisheries and Aquaculture suspended filing deadlines for adjudicative applications to the Nova Scotia Aquaculture Review Board in order to give aquaculture project proponents more time to meet public engagement requirements.

Other agencies with duties to conduct hearings either suspended hearings altogether or adapted structures to accommodate physical distancing; for example, the Canada Energy Regulator replaced the oral portions of all detailed route hearings with alternative formats not requiring in-person attendance.

CONCLUSION

The vast majority of environmental regulators in Canada at the federal and provincial levels weakened environmental protections and adjusted other environmental rules in immediate response to the COVID-19 pandemic. Most of these actions aimed to alleviate strain on industry (rather than government agencies or public stakeholders) resulting from industry observation of public health orders, with a particular focus on the oil, gas and mining industries. Typical actions included extending activity, application and reporting deadlines; eliminating the need to conduct certain routine activities; extending operating licences and deferring or waiving regulatory fees and payments.

The implications of these actions are wide-ranging. Certainly, immediate environmental and human health impacts could occur with the suspension of normally required activities. Suspension of methane leak detection and repair obligations for oil and gas approval holders in Saskatchewan, for example, results in additional methane emissions. Similarly, suspension of all soil monitoring at in situ oilsands projects in Alberta may have allowed for unreported contamination. Unlike in the U.S. under the EPA, no-catch up reporting is required in Alberta following the provincial government's three-month cessation of environmental monitoring and reporting across a wide range of industries and activities. The resulting data gaps will hinder regulators' ability to audit and enforce non-compliance moving forward as well as limit the robustness of ongoing and future scientific studies focused on the region.

Public trust in government and its ability to regulate in the public interest may be eroded as a result of rollbacks, especially where the public perceives that changes were not justified or unjustly favour certain groups. Where government agencies opted to apply an “enforcement discretion” approach, regulated entities may raise concerns of fairness or mistreatment depending on how equitably and transparently regulators apply discretion.

A key question remaining is how did environmental regulators choose the actions they took in response to COVID-19? How were social, environmental and economic interests considered and factored into decisions? Only 41 of the 61 government notices included a specific COVID-related rationale for the rule changes and the explanations lacked detail. At most, regulators identified whether the action was to provide financial relief or assist regulated entities in observing public health orders. In the coming reporting periods, regulators may publish more detail on the reasons for their actions, including how interests were balanced and why specific rules were targeted.

Additional scholarly research, aided by the database of notices I’ve produced, can help to identify ineffective or inefficient rules, supporting smarter regulation. For example, what were the cost savings and compliance implications of suspending certain routine audits and inspections? What kinds of reporting requirements were suspended and are there opportunities to further streamline reporting obligations? What type of monitoring was considered to not be necessary to protect human health and ecological receptors under Alberta’s adjusted oil and gas approvals and why?

And further: what were the broader effects? An important question warranting further inquiry is whether regulator actions were justifiable, ex post. What were the environmental, social and economic costs and benefits of these rule changes? For example, what estimated volume of greenhouse gases was released as a result of suspended emissions reduction or leak detection and repair requirements? How did suspension of certain wildlife, water quality and plant monitoring programs affect ongoing environmental research? Do we know if any pollution events occurred while monitoring or reporting was suspended and, if so, what was the impact of these events? How did waiving or deferring fees impact government and firms’ budgets? How did changes to appeal hearing structure and timing impact the participation of interested and affected parties in environmental decision-making?

Finally, as we begin to move towards recovery, restoring lost protections should be paramount. An extraordinary time called for extraordinary measures; government agencies must now be held to account for ensuring, at minimum, a timely return to the status quo. More ideal would be for agencies to learn and adapt as a result of this experience, leading to better, more resilient environmental regulation in Canada.

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APPENDIX A - LIST OF NOTICES

Notices of environmental regulation changes due to the COVID-19 pandemic, March 15 2020 - September 15 2020

Jurisdiction	Agency	Notice title	Notice date	Publication URL (Last accessed December 1, 2020)
Alberta	Alberta Energy Regulator	Mineral agreement extensions - Mines and Minerals Act (Part 8) update	April 16, 2020	https://www.aer.ca/providing-information/news-and-resources/news-and-announcements/announcements/announcement-industry-relief.html
Alberta	Alberta Energy Regulator	Decision 20200501A: Unilateral Amendment to Approval Conditions regarding Monitoring in response to COVID-19 Under the Environmental Protection and Enhancement Act, Water Act, and Public Lands Act (Imperial Oil Resources Ltd)	May 1, 2020	https://www.aer.ca/documents/decisions/2020/20200501A.pdf
Alberta	Alberta Energy Regulator	Decision 20200501B: Unilateral Amendment to Approval Conditions regarding Monitoring in response to COVID-19 Under the Environmental Protection and Enhancement Act, Water Act, and Public Lands Act (Suncor Energy and Fort Hills)	May 1, 2020	https://www.aer.ca/documents/decisions/2020/20200501B.pdf
Alberta	Alberta Energy Regulator	Decision 20200501C: Unilateral Amendment to Approval Conditions regarding Monitoring in response to COVID-19 Under the Environmental Protection and Enhancement Act, Water Act, and Public Lands Act (Syncrude Canada Ltd)	May 1, 2020	https://www.aer.ca/documents/decisions/2020/20200501C.pdf
Alberta	Alberta Energy Regulator	Decision 20200505A: Unilateral Amendment to Approval Conditions regarding Monitoring in response to COVID-19 Under the Environmental Protection and Enhancement Act, Water Act, and Public Lands Act (CNRL)	May 5, 2020	https://www.aer.ca/documents/decisions/2020/20200505A.pdf
Alberta	Alberta Energy Regulator	Decision 20200520A: Unilateral Amendment to Approval Conditions regarding Monitoring in response to COVID-19 (In situ project operators)	May 20, 2020	https://static.aer.ca/prd/documents/decisions/2020/20200520A.pdf
Alberta	Alberta Energy Regulator	Decision 20200520B: Unilateral Amendment to Approval Conditions regarding Monitoring in response to COVID-19 (Operators under the Oil and Gas Conservation Act)	May 20, 2020	https://www.aer.ca/documents/decisions/2020/20200520B.pdf
Alberta	Ministry of Energy	Protecting jobs, providing economic relief for energy sector	March 20, 2020	https://www.alberta.ca/release.cfm?xID=69881BCC004DB-C3DC-DCD7-B62724AFB886EE9C
Alberta	Ministry of Energy	Ministerial Order 219/2020: Energy	April 6, 2020	https://open.alberta.ca/publications/ministerial-order-219-2020-energy
Alberta	Ministry of Environment and Parks	Temporary Amendment of Select Air Monitoring Directive Requirements	April 1, 2020	https://open.alberta.ca/publications/temporary-amendment-select-air-monitoring-directive-requirements

Jurisdiction	Agency	Notice title	Notice date	Publication URL (Last accessed December 1, 2020)
Alberta	Ministry of Environment and Parks	Certification Bulletin: COVID-19 - Water and Wastewater Operator Updates	May 7, 2020	https://open.alberta.ca/publications/certification-bulletin-water-wastewater-operators
Alberta	Ministry of Environment and Parks	Conditional Certification during the COVID-19 Pandemic (Water and Wastewater Operators)	March 24, 2020	https://open.alberta.ca/publications/conditional-certification-during-the-covid-19-pandemic
Alberta	Ministry of Environment and Parks	Ministerial Order 15/2020: TIERR	March 30, 2020	https://open.alberta.ca/publications/ministerial-order-15-2020-environment-and-parks
Alberta	Ministry of Environment and Parks	Ministerial Order 16/2020: Renewable Fuels Standard Regulation	March 30, 2020	https://open.alberta.ca/publications/ministerial-order-16-2020-environment-and-parks
Alberta	Ministry of Environment and Parks	Ministerial Order 17/2020: EPEA, Water Act, Public Lands Act	March 30, 2020	https://open.alberta.ca/publications/ministerial-order-17-2020-environment-and-parks
British Columbia	BC Oil and Gas Commission	Industry Bulletin 2020-09: Pipeline Levy Payment Terms Adjusted	April 8, 2020	https://www.bcogc.ca/news/pipeline-levy-payment-terms-adjusted/
British Columbia	BC Oil and Gas Commission	Suspension of time period for making an application to extend a permit	April 15, 2020	https://www.bcogc.ca/news/timeline-extended-an-additional-30-days-for-a-permit-or-authorization-indb-2020-15/
British Columbia	BC Oil and Gas Commission	Initial Commission Actions in Response to COVID-19	April 16, 2020	https://www.bcogc.ca/news/initial-commission-actions-in-response-to-covid-19/
British Columbia	BC Oil and Gas Commission	BCOGC COVID-19 Guidance	April 3, 2020	https://www.bcogc.ca/news/bc-oil-and-gas-commission-covid-19-response-for-industry/
British Columbia	Chair of the Environmental Appeal Board, the Forest Appeals Commission and the Oil and Gas Appeal Tribunal	Environmental Appeal Board, Forest Appeals Commission and Oil and Gas Appeal Tribunal: Public appeal filing deadlines extended	March 27, 2020	http://www.fac.gov.bc.ca/covid19-0720.pdf
British Columbia	Chief Inspector of Mines	Managing Mines Act Reporting and Compliance during the COVID-19 Pandemic Response	March 24, 2020	https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/mineral-exploration-mining/documents/directives-alerts-incidents/covid-19-alerts/cim_cpo_communication_reporting-compliance_mar_24_2020.pdf
British Columbia	Ministry of Energy, Mines and Petroleum Resources	Order of the Chief Gold Commissioner	March 27, 2020	https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/mineral-exploration-mining/documents/mineral-titles/13180-20-411_signed_order_march_27_2020.pdf
British Columbia	Ministry of Environment	Delayed Carbon Tax Increase	April 1, 2020	https://www2.gov.bc.ca/gov/content/environment/climate-change/planning-and-action/carbon-tax
British Columbia	Ministry of Environment	Order in Council No. 158	April 1, 2020	http://www.bclaws.ca/civix/document/id/oic/oic_cur/0158_2020
British Columbia	Ministry of Environment	Managing Authorizations & Compliance During COVID-19	N/A	https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/natural-resource-law-enforcement/environmental-compliance/compliance-covid-19

Jurisdiction	Agency	Notice title	Notice date	Publication URL (Last accessed December 1, 2020)
Federal	Canada Energy Regulator	Canada Energy Regulator Actions Supporting Administrative Flexibility during COVID-19	April 29, 2020	https://www.cer-rec.gc.ca/bts/nws/whtnw/2020/2020-04-29-eng.html ; https://www.cer-rec.gc.ca/bts/nws/whtnw/2020/2020-03-16-eng.html
Federal	Department of Fisheries and Oceans	Fisheries Management Order Requiring all Authorized Fishing Activities to be Carried Out Without Any At-Sea Observer on Board Fishing Vessels	April 3, 2020	http://www.nfl.dfo-mpo.gc.ca/NL/CP/Orders/2020/nf20056FishMgmtOrderAtSeaObservers
Federal	Environment and Climate Change Canada	Regulations Amending the Output-Based Pricing System Regulations: SOR/2020-114	May 27, 2020	http://gazette.gc.ca/rp-pr/p2/2020/2020-06-10/html/sor-dors114-eng.html
Federal	Environment and Climate Change Canada	Clean Fuel Standard Proposed Regulations: Revised Publication Timeline	April 24, 2020	https://www.canada.ca/en/environment-climate-change/services/managing-pollution/energy-production/fuel-regulations/clean-fuel-standard.html
Federal	Environment and Climate Change Canada	Greenhouse Gas Emissions Reporting deadlines extended	May 2, 2020	http://gazette.gc.ca/rp-pr/p1/2020/2020-05-02/html/notice-avis-eng.html#ne2
Federal	Environment and Climate Change Canada	Update on regulatory compliance during the COVID-19 pandemic	May 25, 2020	https://www.canada.ca/en/environment-climate-change/services/canadian-environmental-protection-act-registry/methane-regulations-covid19-announcements.html
Federal	Environment and Climate Change Canada	Changes to federal-provincial oil sands monitoring program requirements	July 7, 2020	https://www.cbc.ca/news/canada/edmonton/alta-oilsands-monitoring-1.5673433
Federal	National Pollutant Release Inventory	National Pollutant Release Inventory deadlines extended	April 24, 2020	https://www.canada.ca/en/environment-climate-change/services/national-pollutant-release-inventory/report/deadlines-changes.html
New Brunswick	Financial and Consumer Services Commission	Licence extensions	March 16, 2020	https://fcnb.ca/en/covid-19-update
Newfoundland and Labrador	Department of Finance	Public Advisory: Further Extension for Fuel Tax Exemption Permits Deadline	June 17, 2020	https://www.gov.nl.ca/releases/2020/fin/0617n01/ ; https://www.gov.nl.ca/releases/2020/fin/0330n03/
Newfoundland and Labrador	Department of Fisheries and Land Resources	Public Advisory: Deadline Extended for Current Aquaculture Licences	April 3, 2020	https://www.gov.nl.ca/releases/2020/flr/0403n01/
Newfoundland and Labrador	Department of Fisheries and Land Resources	Temporary Variation of Deadlines Act	May 13, 2020	https://www.assembly.nl.ca/Legislation/sr/statutes/t04-02.htm ; https://www.gov.nl.ca/flr/files/temporary-variation-deadline-notice-may-13-2020.pdf
Newfoundland and Labrador	Ministry of Municipal Affairs and Environment	Heating Oil Storage Tank System Regulations, 2003 - Variation of deadline notice	April 24, 2020	https://www.gov.nl.ca/mae/files/pdf-host-regs.pdf
Newfoundland and Labrador	Ministry of Municipal Affairs and Environment	Environmental Assessment Regulations, 2003 - Variation of deadline notice	April 29, 2020	https://www.gov.nl.ca/mae/files/pdf-ea-regulations-notice.pdf
Newfoundland and Labrador	Ministry of Municipal Affairs and Environment	Management of Greenhouse Gas Reporting Regulations - Variation of deadline notice	April 24, 2020	https://www.gov.nl.ca/mae/files/pdf-management-greenhouse-gas-reporting-regulations.pdf

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Newfoundland and Labrador	Ministry of Natural Resources	Mining, Mineral Exploration and Quarry Industries Support	June 8, 2020	https://www.gov.nl.ca/releases/2020/nr/0608n02/
Nova Scotia	Department of Fisheries and Aquaculture	Notification of Changes in Aquaculture Operations and Procedures in Response to COVID-19	N/A	https://novascotia.ca/fish/aquaculture/public-information/notification-of-changes-in-aquaculture-operations-and-procedures-in%20response-to%20COVID-19.pdf (Accessed October 1, 2020)
Nova Scotia	Government of Nova Scotia	COVID-19: fee deferral for businesses	April 15, 2020	https://novascotia.ca/coronavirus/fees/
Nunavut	Crown-Indigenous Relations and Northern Affairs Canada	Order Extending Certain Time Limits Established by the Nunavut Mining Regulations (COVID-19)	August 7, 2020	https://www.rcaanc-cirnac.gc.ca/eng/1596642266373/1596642293671
Ontario	Ministry of Energy, Northern Development and Mines	Mining Lands Administration System Update: Mining claim holder work relief	April 17, 2020	https://www.mndm.gov.on.ca/en/news/mines-and-minerals/mlas-update-april-17-2020
Ontario	Ministry of Energy, Northern Development and Mines	O. Reg. 271/91: GASOLINE VOLATILITY	March 31, 2020	https://www.ontario.ca/laws/regulation/910271
Ontario	Ministry of the Environment, Conservation and Parks	Amendments to the Petrochemical - Industry Standard under the Local Air Quality Regulation (O. Reg. 419/05)	June 10, 2020	https://ero.ontario.ca/notice/019-1753
Ontario	Ministry of the Environment, Conservation and Parks	ERO number 019-1599: Temporarily exempting proposals from the application of the Environmental Bill of Rights (EBR); O. Reg. 115/20: Temporary exemptions relating to declared emergency	April 1, 2020	https://ero.ontario.ca/notice/019-1599 ; https://www.ontario.ca/laws/regulation/r20115
Ontario	Ministry of the Environment, Conservation and Parks	Greenhouse Gas Emissions Reporting deadlines extended	May 14, 2020	https://www.ontario.ca/page/report-greenhouse-gas-ghg-emissions ; https://ero.ontario.ca/notice/019-1775
Ontario	Ministry of the Environment, Conservation and Parks	Delayed commencement of the new Excess Soil Regulation and exemption from Record of Site Condition for temporary hospitals and residences	June 12, 2020	https://ero.ontario.ca/notice/019-1853
Prince Edward Island	Department of Fisheries and Communities	Fisheries Interest Relief Program	May 1, 2020	https://www.princeedwardisland.ca/en/service/fisheries-interest-relief-program
Quebec	Ministry of Energy and Natural Resources	Pandémie de COVID-19 - Modification temporaire apportée à la date du passage à l'essence d'été	April 9, 2020	https://mern.gouv.qc.ca/covid-19-modification-temporaire-date-passage-essence-ete-2020-04-09/
Quebec	Ministry of Energy and Natural Resources	Mineral claims and leases extended	April 9, 2020	https://mern.gouv.qc.ca/publications/enligne/mines/claim/index.asp
Quebec	Ministry of Energy and Natural Resources	Transparency measures: Impact of COVID-19 pandemic on the filing of annual statements	March 27, 2020	https://mern.gouv.qc.ca/en/transparency-measures-impact-covid-19-pandemic-filing-annual-statements-2020-03-27/
Quebec	Ministry of Environment and the Fight Against Climate Change	Une exemption ministérielle pour les entreprises qui modifieront leur production pour participer aux efforts de lutte contre la COVID-19	April 2, 2020	http://www.environnement.gouv.qc.ca/infuseur/communique.asp?no=4335

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Quebec	Ministry of Environment and the Fight Against Climate Change	Coronavirus (COVID-19) Important information for partners and clients	April 9, 2020	http://www.environnement.gouv.qc.ca/ministere/covid-19-en.htm
Saskatchewan	Ministry of Energy and Resources	Ministry of Energy and Resources Regulatory Relief Measure for Oil and Gas Dispositions	March 31, 2020	https://pubsaskdev.blob.core.windows.net/pubsask-prod/117118/Oil_and_Gas_Disposition_Regulatory_Relief_Measure_Bulletin_Details-v2.pdf
Saskatchewan	Ministry of Energy and Resources	Ministry of Energy and Resources Temporary Regulatory Relief Measures	April 14, 2020	https://publications.saskatchewan.ca/api/v1/products/104973/formats/116975/download
Saskatchewan	Ministry of Energy and Resources	Amendments to the The Mineral Tenure Registry Regulations	June 5, 2020	https://www.saskatchewan.ca/government/news-and-media/2020/june/05/relief-measures-for-mining-industry
Saskatchewan	Ministry of Environment	Ministry of Environment Temporary Enforcement Policy During the COVID-19 Pandemic	N/A	https://publications.saskatchewan.ca/api/v1/products/104911/formats/116887/download
Yukon	Department of Energy, Mines and Resources	Mining Policy Notices: Notice of Relief	April 24, 2020	https://yukon.ca/en/doing-business/licensing/see-mining-notices-and-bulletins#mining-policy-notices

About the Author

Victoria Goodday is a specialist in legal frameworks for natural resource management. She is a Research Associate with the Energy and Environmental Policy Research Division at The School of Public Policy, University of Calgary, and holds a Master of Laws in Water Law from the Centre for Energy, Petroleum and Mineral Law and Policy at the University of Dundee. Prior to joining The School of Public Policy, Victoria spent 10 years working in the non-profit sector in Canada and the Middle East, focusing on cross-border cooperation on environmental issues and fulfilment of the human rights to water and sanitation.

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ISSN

ISSN 2560-8312 The School of Public Policy Publications (Print)
ISSN 2560-8320 The School of Public Policy Publications (Online)

DATE OF ISSUE

March 2021

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