

ALBERTA - BRITISH COLUMBIA MEMORANDUM OF UNDERSTANDING
ENVIRONMENTAL COOPERATION AND HARMONIZATION

THIS MEMORANDUM OF UNDERSTANDING executed this 26th day of May, 2004.

BETWEEN:

ALBERTA ENVIRONMENT
as represented by the Minister of Environment
(hereinafter called "Alberta")

and

BRITISH COLUMBIA MINISTRY OF WATER, LAND AND AIR PROTECTION
as represented by the Minister of Water, Land and Air Protection
(hereinafter called "British Columbia")

BACKGROUND:

- The Governments of Alberta and British Columbia signed a Protocol of Cooperation on October 8, 2003, which recognizes the two provinces share a common border, common concerns and many areas of mutual interest; and can benefit from a more coordinated approach to a wide range of issues.
- The Protocol confirms the commitment of the two provinces to work together cooperatively in a number of areas, including the promotion of greater government efficiencies, reduction in the cost of public services, identification of best practices and innovations, and the exploration of opportunities to harmonize regulatory frameworks, reduce trade barriers and promote economic development.
- The Executive Committees of Alberta Environment and British Columbia Water, Land and Air Protection have met to discuss common interests and collaboration. They have agreed to an initiative to undertake focused regulatory harmonization.
- Both departments are actively working on new approaches to achieving improved environmental outcomes, including working with others to establish a government wide vision, taking a place based approach, sharing responsibility for environmental quality, establishing a comprehensive set of regulatory and non-regulatory tools and incentives, and working to continuously monitor and improve all environmental standards, practices and outcomes. Working together across jurisdictions will assist in achieving these goals.

- This Memorandum of Understanding (MOU) is being entered into under the Alberta – British Columbia arrangement pursuant to Article 1800 (Trade Enhancement Agreements) of the Agreement on Internal Trade.

PURPOSE:

- The purpose of this MOU is to establish a cooperation framework between Alberta Environment and British Columbia Water, Land and Air Protection to develop and implement collaborative strategic approaches to common areas of environmental management, including regulatory harmonization.

OBJECTIVES:

- To ensure that the high quality of the environment in Alberta and British Columbia is sustained or enhanced by sharing best practices and innovative approaches to environmental management;
- To work collaboratively to protect the quality of the environment in the two provinces;
- To harmonize regulatory measures between Alberta and British Columbia on matters where it would be practical, cost-effective and add value to the regulated community;
- To reduce costs by pursuing economies of scale in environmental management activities;
- To jointly engage the federal government to reduce overlap and duplication in key areas of environmental management and regulation.
- To provide an increasingly seamless situation for companies doing business in British Columbia and Alberta.

WORK PLAN FOR COOPERATIVE ACTIVITIES:

- A joint Work Plan will be developed by Alberta Environment and British Columbia Water, Land and Air Protection to articulate initiatives and associated timelines, taking into consideration:
 - Sharing information on regulatory and environmental management systems, including best practices and lessons learned;
 - Identifying harmonization opportunities within the areas of regulatory and legal frameworks, environmental standards/outcomes, guidelines, codes of practice, decision-making process requirements and timelines, information/application requirements, approval processes and post approval information/reporting, monitoring and compliance requirements.
 - Determining where common environmental regulation, practices and approaches in British Columbia and Alberta would add value and can be harmonized cost-effectively in the short term;

COOPERATION PRINCIPLES:

- Harmonization must lead to improved outcomes considering environmental, social and economic factors;
- Harmonization must add clear value, be practical, cost-effective and achievable within a reasonable timeframe;
- Priority will be given to harmonizing differences in management/regulatory approaches that cause problems for industries, stakeholders and communities;
- This MOU recognizes and does not affect the rights of both parties to carry out their respective legal responsibilities and obligations, and creates no additional legal obligations;
- This MOU recognizes existing agreements, frameworks and arrangements each party may have with other governments, groups and individuals and recognizes the right of both parties to enter into future agreements, frameworks and arrangements.

IMPLEMENTATION, MANAGEMENT AND OPERATION OF THIS MOU:

- This initiative reports to the biannual joint meetings of the Executive Committees of Alberta Environment and British Columbia Water, Land and Air Protection.

STEERING COMMITTEE:

- A steering committee will be established to oversee the implementation of this MOU and champion its work within the respective departments. The steering committee will be comprised of:
 - Assistant Deputy Minister, Strategic Directions, Alberta Environment;
 - Assistant Deputy Minister, Environmental Protection Division, British Columbia Water, Land and Air Protection.

COST SHARING:

- Each party will bear its own costs related to the implementation of this agreement, unless there is mutual agreement for one party to pay the costs of the other party for specific activities or for both parties to share the cost of agreed upon initiatives.

TERM AND AMENDMENT:

- The MOU shall be effective on the date of signing and remain in effect for a period of five years unless terminated by one of the parties with six months written notice or by mutual consent. (Five year term is consistent with the Protocol signed by premiers)
- With the consent of both parties, the MOU can be amended at any time.

Signed:

The Honourable Lorne Taylor
Minister of Environment
Government of Alberta

The Honourable Bill Barisoff
Minister of Water, Land and Air Protection
Government of British Columbia