

From: RegulatoryAffairs

Sent: Wednesday, October 11, 2023 2:47 PM

To: RegulatoryAffairs <RegulatoryAffairs@bc-er.ca>

Subject: Engagement Opportunity - BCER Discussion Paper on Hydrogen Regulations

We are writing to provide an update on the British Columbia Energy Regulator (BCER) and to request your participation in the upcoming engagement process.

The [Energy Statutes Amendment Act](#) (Bill 37, 2022) introduced legislation to streamline the regulation of hydrogen and other energy resources in the province. Bill 37 introduced changes to both the *Oil and Gas Activities Act* and the *Petroleum and Natural Gas Act*. Under this new legislation, the Oil and Gas Commission was renamed to the British Columbia Energy Regulator (BCER or Regulator) and expanded the BCER's mandate beyond oil, gas, and geothermal to now include hydrogen, ammonia, methanol and carbon dioxide storage reservoirs. The name of the *Oil and Gas Activities Act* changed to the [Energy Resource Activities Act](#) (ERAA), to reflect the province's expansion of the regulatory framework to include these new energy resource activities.

This new legislation aligns with the B.C. Hydrogen Strategy and CleanBC Roadmap to 2030, both of which identify hydrogen as a key component of the transition towards a low-carbon economy.

The BCER is starting broad engagement to seek input and participation from stakeholders and First Nations to review, update, and develop regulations for manufacturing, storage and pipeline transportation of hydrogen, ammonia and methanol. Regulations must ensure the life cycle of energy resource activities in BC, from site planning to restoration, are undertaken in a manner that supports meaningful reconciliation, advances the public interest and contributes to BC's economy, protects public safety, and safeguards the environment.

The Regulator provides a single-window model for energy resources and associated activity operating permits. Specified Enactments in other legislation provide the Regulator additional authorities to permit energy resource activities related to forestry, heritage conservation, roads, land and water use, and other natural resources. This consolidated single-window authority provides not only a one-stop place for all energy resources and associated activity requirements, but a consistent application, decision, regulatory and compliance authority. It also allows the Regulator to monitor activity in a comprehensive and effective manner wherever energy resource activities occur, including on Crown land, privately held land, and the Agricultural Land Reserve.

The purpose of the broad engagement is identifying how First Nations, project proponents, permit holders, industry associations, municipalities, regional groups, and others would like to participate and provide input on regulations. Specifically, we would like to identify and understand where and how municipal laws, by-laws or guidelines will interact with the single-window model.

Engagement begins with a Discussion Paper, to be released in the fall, raising awareness on the new energy resource activities to support early engagement activities. Feedback on the paper and on how interested parties may want to participate will be open until the end of the year. The paper will be posted on the [BCER's Current Engagement webpage](#) along with information on how direct engagement opportunities will be available.

An initial engagement session is planned for **November 15th, 2023 1:30pm to 3:30pm PT**, please email regulatoryaffairs@bc-er.ca to ensure the BCER can provide information for attendance.

Should your Council or other officials have broader questions not related to the regulatory engagement process, please email: communityengagement@bc-er.ca

*Thank you.
Alana*



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We acknowledge and respect the many Indigenous Territories and Treaty areas, each with unique cultures, languages, legal traditions and acknowledge the Métis and Inuit people living across B.C.

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