

B.C. government launches public engagement on Infrastructure Projects Act: What you need to know

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The B.C. Ministry of Infrastructure has officially opened a province-wide public engagement to gather feedback on the implementation of the [*Infrastructure Projects Act*](#), passed just two months ago in May 2025.

In our article [*New legislation alert: Streamlined approval processes for major projects in B.C. and Canada*](#), we examined the key features of recent legislative reforms - including B.C.'s *Infrastructure Projects Act* - which collectively aim to accelerate approvals for major infrastructure and energy projects. This newly announced engagement process is a major development in the implementation of the *Infrastructure Projects Act*. This article outlines the Province's public engagement initiative and what it means for proponents.

If you have questions about the Province's engagement process or how it may affect you, please contact the authors below or any member of BLG's [Energy, Resources and Renewables](#), [Environmental](#), or [Infrastructure](#) groups.

Overview of the *Infrastructure Projects Act*

The *Infrastructure Projects Act* was enacted on May 28, 2025 and received royal assent on May 29, 2025.

The Act is intended to streamline approvals for major infrastructure projects. To do this, the Act enables the Province to designate projects as either category 1 or category 2 projects. Once a project is designated as such, it can benefit from an expedited environmental assessment process, prioritization from regulators, including for permits, automatic authorization of certain provincial permits following the issuance of an Environmental Assessment Certificate, expedited permitting by local governments, and other streamlined approvals.

The *Infrastructure Projects Act* says very little about what projects may qualify to be designated as category 1 or category 2 projects. In fact, it defines a category 1 project simply as an infrastructure project or a class of infrastructure projects designated as a

category 1 project by regulation, and it defines a category 2 project as a “provincially significant infrastructure project” designated by regulation.

During legislative debates, Minister of Infrastructure Bowinn Ma explained that category 1 projects will be Ministry of Infrastructure projects and other ministries’ projects that are provincially funded. ¹ Minister Ma also stated that category 2 projects are projects that have been designated as provincially significant and could include projects delivered by entities outside of government. ²

Despite these comments, the Legislature did not incorporate these requirements into the *Infrastructure Projects Act*, nor did it include a definition of “provincially significant” within the legislation. Instead, what will be required for a project to be designated as a category 1 or a category 2 project was left for regulations, and that is where the engagement process comes in.

The engagement process

In July 2025, the Province launched a three-phase engagement process to support implementation of the *Infrastructure Projects Act*.

Phase one is a questionnaire open to the public. The questionnaire asks respondents for feedback on the Province’s [proposed eligibility requirements](#) for a project to be designated as “provincially significant”. These proposed eligibility requirements are discussed in more detail below. The questionnaire opened on July 10, 2025 and will remain open until September 30, 2025.

Phase two will gather input for a regulation to develop a qualified professional-reliance model for permitting. A second questionnaire is expected to launch for this purpose in late July and will remain open until October 31, 2025. Further details on this phase will be released closer to its start.

Phase three will be led by the Environmental Assessment Office, with support from the Ministry of Infrastructure. Engagement for this phase will begin in September 2025 and continue through March 2026 with additional information expected in late July.

Updates for each phase will be published on the [Province’s engagement website](#) as the engagement process progresses.

“Provincially significant ” projects: Proposed eligibility requirements

As part of the first phase of the engagement process, the Province has released four proposed requirements for how the Ministry of Infrastructure will determine whether a project is provincially significant. A project would need to meet all four requirements to be designated as provincially significant.

1. Project type

The first requirement is that the project address at least one of the following ten high-priority project types:

- Critical minerals and mining
- Food or water supply
- Human health and safety
- Energy security
- Public infrastructure
- Supply chain capacity
- Post-disaster recovery
- Environmental restoration
- B.C.'s climate goals
- Housing

2. First Nations decision-makers ' support

To qualify as a provincially significant project, the project must be supported by “significantly and directly impacted First Nations decision-makers”. This requirement is distinct from the Province’s duty to consult with Indigenous groups.

Much remains unclear about this requirement. The Province has not clarified who it considers to be the applicable decision-makers of First Nations. It is likely, however, that the Province will expect formal support from elected leadership, such as Chief and Council, though this may not reflect the governance structures of all First Nations.

It is also unclear what the Province means by requiring “support” from First Nation decision-makers and by requiring only “significantly and directly impacted” First Nations to give support. Clarifying these terms is critical as they will determine which First Nations must provide support and what form that support must take.

If left vague, this requirement could lead to inconsistent application, disputes over interpretation, and unclear expectations from both First Nations and project proponents.

3. Core requirements

Projects must also meet the following three “core requirements”:

- **Project readiness** : meaning that the project has (1) a viable plan to have funding in place, and (2) a plan and deliverables that include the development of a feasibility study, a business case, and project partners that are in place.
- **Problems can be addressed by the *Infrastructure Projects Act*** : meaning that the project proponent can show why a project is not moving forward and which of the tools from the Act can be used to address the reasons why.
- **Project is material and significant** : a project can be material and significant by (1) meeting or exceeding a capital cost threshold of \$100 million, or (2) being a public infrastructure project that provides significant public benefits, such as publicly owned community amenities.

4. Additional benefits

The project must provide at least one of the following additional benefits:

- Trade diversification
- Access to new markets
- Supply chain security
- Replacing U.S. imports
- Improves community livability
- Achieving labour goals (for example: apprenticeships, training)

Implications for proponents

Phase one of the engagement process is a rare opportunity for proponents to shape how the *Infrastructure Projects Act* is operationalized through regulations. Engaging in the process through the questionnaire, and in later phases as more information becomes available, could influence how flexible, accessible, or restrictive the final framework becomes.

In the meantime, until the eligibility criteria is finalized, proponents face a degree of regulatory uncertainty. Projects in early planning phases may want to build flexibility into timelines and permitting strategies until it is clear whether they will qualify for streamlined treatment through designation under the Act.

Conclusion

BLG will continue to monitor legislative and regulatory developments in this space and is ready to assist proponents in navigating this evolving framework.

To discuss the Province's engagement process or how it may affect you, please contact the authors below or any member of BLG's [Energy, Resources and Renewables](#), [Environmental](#), or [Infrastructure](#) groups.

Footnotes

¹ British Columbia, *Official Report of Debates of the Legislative Assembly (Hansard)*, 43rd Parl, 1st Sess (13 May 2025) (Hon B Ma).

² *Ibid.*

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