



National Capital  
Commission

Commission  
de la capitale nationale

Canada

**The National Capital Commission**

# Environmental Assessment: *Making Better Decisions*



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P-110-01

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# Introduction

Environmental assessment is used around the world to ensure that the environment is fully considered in planning and decision making.

Environmental assessment is used as a planning tool to identify, predict, interpret and communicate information about the environmental impacts of a proposal. It is designed to:

- anticipate and prevent environmental problems;
- identify opportunities to maximize environmental benefits; and
- support informed decisions on project options and trade-offs.

At the National Capital Commission (NCC), environmental assessment is tailored to fit a wide range of activities — from approving the construction of a building on federal property and preparing plans for the Greenbelt or Gatineau Park to building pathways and other infrastructure projects such as those for LeBreton Flats, for example.

The Commission's assessment process ensures that the objectives of all relevant environmental legislation or policies are met. For most projects, the Commission follows the spirit of the *Canadian Environmental Assessment Act*.

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This brochure provides an overview of the environmental assessment process established by the NCC. It is designed for:

- NCC project managers;
- individuals or agencies proposing initiatives on NCC lands; and
- federal departments or Crown corporations proposing initiatives on any lands in the National Capital Region.

The purpose of this brochure is to explain the Commission's environmental assessment process and to direct readers to additional information sources.

## **Important Points About Environmental Assessment at the NCC**

### **As early as possible**

- Environmental considerations should be incorporated into decision making as a forethought, not an afterthought.

### **Rigorous, not laborious**

- The level of effort invested in the assessment should suit the scale and significance of the project.

### **A means for public involvement**

- Procedures provide for public participation at certain points in the assessment process, when appropriate.

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### **Routinely applied to all proposals**

- A systematic approach to the review of decisions is applied at all levels, from policies, plans and programs to specific projects and activities.

### **A hierarchical approach**

- Strategic assessment of plans increases the efficiency of project assessments through advance consideration of underlying concepts and cumulative effects.



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# WHAT Is the Role of the National Capital Commission?

The 1958 *National Capital Act* (amended in 1988) established the Commission as the federal planning and regulatory agency for the Capital.

A primary objective of the Commission is to “prepare plans for and assist in the development, conservation and improvement of the National Capital Region,” in keeping with its national significance as the home of the Government of Canada.

The *National Capital Act* empowers the NCC to coordinate:

- all planning and design initiatives on federal lands in the National Capital Region (NCR);
- projects by federal departments and agencies on any land in the NCR; and
- proposals to dispose of or acquire such lands.

The success of this coordination depends on the cooperation and assistance of other federal departments and agencies, provincial and municipal governments and the private sector.

In its coordinating role, the Commission upholds high standards in the field of environmental planning and assessment as well as urban design, land use and development. The environmental assessment process is important in ensuring that environmental objectives are reflected in all proposals for which the Commission is responsible.

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# WHY Is Environmental Assessment Necessary?

Environmental assessment:

- helps the federal government fulfill its commitments to protect the environment while encouraging economic development;
  - examines potential changes to the natural environment that may be caused by a proposed project, effects of the environment on the project, and the effects of the project on health, cultural heritage and socio-economic conditions;
  - provides a routine check that proposals comply with federal, provincial and municipal environmental legislation and policies such as the *Canadian Environmental Protection Act*, the *Federal Policy on Wetland Conservation* and provincial environmental legislation;
- defines clear procedures for systematically incorporating environmental factors early in the planning process;
  - provides checklists and guidelines for step-by-step analysis of the impacts of proposed projects on the environment, and the design of measures to avoid or minimize these impacts;
- encourages individuals to share their views on and knowledge of environmental issues during the planning process;
  - provides stakeholders (for example, local government) and the public with a variety of opportunities to influence decisions by offering ideas on plans and relevant projects;
- can save time and money in the long run;
  - when public concerns are understood and project-environment interactions are reviewed from the start, costly delays and unexpected complications can be avoided.



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# WHAT Is the Commission's Policy on Environmental Assessment?

The NCC's 1995 *Environmental Assessment Policy* commits the NCC to integrate environmental considerations into all plans, activities and decisions.

The policy further commits the Commission to work in the spirit of the *Canadian Environmental Assessment Act* (CEAA) and to comply with the 1999 Cabinet directive on plans, programs and policy initiatives. The Commission shall ensure that all activities meet the requirements of relevant environmental legislation or policy.

Accordingly, the policy recognizes the need for three types of environmental assessment. Each has specific requirements tailored to the nature of the proposal:

1. environmental assessments conducted under the CEAA of projects so defined by the CEAA (see page 10);
2. environmental assessments of plans, conducted under the 1999 Cabinet directive; and
3. environmental assessments of all Commission initiatives and events that are not covered by the CEAA or the Cabinet directive.



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The Commission will request environmental assessments of all proposals for which it is legally responsible, such as federal land use and design approvals and work entry permits. The Commission will cooperate with other government agencies in harmonizing environmental assessment processes to avoid duplication of effort and to streamline regulatory approval processes.

### ***The Canadian Environmental Assessment Act (1995)***

The *Canadian Environmental Assessment Act* (CEAA) was proclaimed in January 1995, replacing the *Environmental Assessment and Review Process Guidelines Order* (1974).

To effect its procedures and clarify its requirements and scope, the CEAA has associated regulations, called the Law, Exclusion, Inclusion and Comprehensive Study lists.

#### **Does it apply to the NCC?**

The CEAA applies to federal authorities, and the NCC is a Crown corporation, not a federal authority. However, pending specific regulations for Crown corporations, the Commission has committed itself to conducting assessments in the spirit of the CEAA.

The Commission follows the CEAA for most projects over which it has decision-making authority, whether as proponent, land administrator, funding source or regulator.

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## Examples of Proposals Requiring Environmental Assessment

1. Environmental assessments of projects so defined by the CEAA, conducted in the spirit of the CEAA:
  - land transactions in which future use is known to be a “project”;
  - construction or demolition of a residential or commercial building on NCC property;
  - construction of a new hiking trail in Gatineau Park.
2. Environmental assessments of plans, conducted under the 1999 Cabinet directive:
  - broad land-use plans, area plans and other plans, such as:
    - the *Greenbelt Master Plan*;
    - the Urban Lands Master Plan;
    - the *Plan for Canada’s Capital*; and
    - development plans.
3. Environmental assessments of all other initiatives to ensure conformity with environmental legislation and policies:
  - repair of a lookout on the Ottawa River;
  - repaving of a parking lot;
  - repair or maintenance of any building.

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### **What is a project?**

A project is either:

- i) an undertaking in relation to a physical work; or
- ii) a proposed activity not related to a physical work that is described in the Inclusion List.

A “physical work” is something that is built and has a fixed location. An “undertaking” is an activity carried out in relation to a physical work, such as construction, operation, modification, decommissioning or abandonment.

An undertaking that is not defined as a project is still considered a project for CEAA purposes if the Inclusion List describes it. This regulation covers activities with significant potential for environmental impact, such as dredging to keep waterways navigable.

A project may be exempt from environmental assessment under the CEAA if: the Exclusion List describes it as a project likely to have insignificant environmental effects; federal involvement in it is minimal; or it is proposed for reasons of national security or emergency.

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### **Four types of environmental assessment under the CEAA**

The CEAA covers four types of environmental assessment: screenings (including class screenings), comprehensive studies, mediations and panel reviews.

Screenings and comprehensive studies are “self-directed,” meaning that the federal authority must ensure that the assessment is conducted in compliance with the CEAA. Mediations and panel reviews are “independent” because they are conducted by independent mediators and panels appointed by the Minister of the Environment. Public participation is more extensive in independent assessments.

The four types of environmental assessment are not mutually exclusive; some projects undergo more than one.

For each environmental assessment, the CEAA specifically requires:

- a registry to facilitate public access to records; and
- where appropriate, opportunities for public involvement.

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## HOW Does the Process Work?

The Environmental Services Section (ESS) is the focal point for environmental assessment at the Commission and an integral part of the Environmental and Natural Resources Division.

**For NCC initiatives,** ESS is responsible for the environmental assessment when the proposal is for:

- a “project,” as defined by the CEAA; or
- a plan.

Environmental assessments of other NCC initiatives are delegated to the project manager. ESS supports project managers by providing advice, procedures and technical information as required.

ESS reviews the environmental assessments submitted by project managers for any project requiring federal land use, land transaction, or design approvals.

**Project proponents from other agencies** provide an environmental assessment when a decision is required from the NCC. An environmental assessment must be submitted as part of an application for federal land use approval or, in some cases, a work entry permit. ESS supports project proponents with advice as required.

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NCC project managers and project proponents are responsible for starting the environmental assessment as early as possible in the project planning process, before any irreversible decisions are made. After the project is approved, they are responsible for ensuring implementation of all measures identified in the assessment for avoiding or minimizing environmental impacts of the project. The Commission monitors projects on NCC lands for compliance with its requirements.

## **Screening: The Most Common Type of Environmental Assessment**

Ninety-five percent or more of all proposals can be assessed through an environmental screening.

The time, length and depth of analysis required for a screening will depend on the extent of the project and the probable environmental effects. The results of a screening may appear as a two-page review or a long, detailed report.

The CEAA requires a screening to include the following information:

- description of project activities
- description of the environment
  - environmental constraints, their interrelationships and sensitivity to disturbances
- environmental effects
  - potential and cumulative effects of project activities, including possible accidents, on valued environmental components
- proposed mitigation measures
  - measures to be taken to avoid or minimize environmental impacts

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- determination of significance
    - a statement of whether the adverse environmental effects, after mitigation measures, are significant or uncertain
  - screening conclusion
    - statement and rationale of the screening conclusion
  - departmental or agency contact

Depending on the nature and complexity of the proposal, the following additional information may be required:

- need for the project
- alternatives to the project
- other ways to carry out the project
- record of expert department consultation
- record of public consultation
- site photographs
- site analysis or inventory map
- follow-up programs
- supporting materials, such as technical studies

The requirements for screenings not conducted under the CEAA are similar, depending on the proposal.



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## WHERE Can I Get More Information?

Many resources are available to provide you with more detailed information on environmental assessment.

### **Contact:**

Manager

Environmental Services Section

Environmental and Natural Resources Division

Environment, Capital Lands and Parks Branch

National Capital Commission

202–40 Elgin Street

Ottawa, Ontario K1P 1C7

Tel.: (613) 239-5478

Fax: (613) 239-5337

E-mail: [gsimonyi@ncc-ccn.ca](mailto:gsimonyi@ncc-ccn.ca)

[www.nationalcapitalcommission.gc.ca](http://www.nationalcapitalcommission.gc.ca)

### **Resource centres:**

National Capital Commission Library

202–40 Elgin Street

Ottawa, Ontario K1P 1C7

Tel.: (613) 239-5123

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Canadian Environmental Assessment Agency

Lafontaine Building

200 boulevard Sacré-Cœur

Hull, Quebec K1A 0H3

Tel.: (819) 997-1000

Fax: (819) 953-2891

[www.ceaa.gc.ca](http://www.ceaa.gc.ca)

### **References:**

1. Canadian Environmental Assessment Agency, 1996. *Canadian Environmental Assessment Act Training Compendium*.

Contains:

- Citizen's Guide to CEEA
- Responsible Authorities' Guide
- *Canadian Environmental Assessment Act* (sections 34, 37 and 46)
- Regulations
  - Law List
  - Inclusion List
  - Exclusion List
  - Comprehensive Study List

Available at the Canadian Environmental Assessment Agency and the NCC Library, and on the Canadian Environmental Assessment Agency's website, at [www.ceaa.gc.ca](http://www.ceaa.gc.ca).

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2. National Capital Commission, 1996. *Environmental Assessment Manual*.

Contains:

- environmental requirements for NCC decisions and activities
- supporting information



*The present publication is available at the NCC Library and on the NCC's website, at [www.nationalcapitalcommission.gc.ca](http://www.nationalcapitalcommission.gc.ca).*

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