



Canadian Environmental
Assessment Agency

Agence canadienne
d'évaluation environnementale

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***Working for
Canada's
Environment***

March 2000

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*oeuvre au
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Environmental Assessment in Canada



Environmental assessment is a planning tool used to identify the possible adverse effects of proposed development projects on the environment before they occur. By eliminating or reducing the potentially damaging environmental side effects of a project early on, project planners can avoid expensive and sometimes controversial corrective actions. In other words, the assessment process serves as a preventative measure. It supports economic development projects, and protects Canada's ecosystems for future generations to enjoy.

The federal government has been conducting environmental assessments since the 1970s. In 1995 the *Canadian Environmental Assessment Act* was passed into law. The Canadian Environmental Assessment Agency was created at that time to administer the Act, and promote high-quality environmental assessments. The Agency is an independent federal body, reporting directly to the Minister of the Environment.

Environmental assessment now plays an important role in public decision making at all levels of government in Canada. Close to 6,000 environmental assessments are conducted under the Act by the federal government every year. Ninety-nine per cent are screenings of small and medium-sized projects. Larger projects are assessed most often as comprehensive studies or are reviewed by an independent panel.





Message From the President

Never before has the Canadian Environmental Assessment Agency encountered as many challenges as it does today. It must respond with speed, accuracy and clarity to new issues and to government priorities through policy development. It is faced with developing training and guidance materials for an increasingly broad scope of stakeholders, including industry, environmentalists and concerned Canadians. It must find ways of collaborating with other jurisdictions to maximize the efficiency of the environmental assessment (EA) process. It must address the increasing demands of Canadians for stronger public participation in the EA process.

In December 1999, the Agency embarked upon a review of its legislation and associated regulations - a review that involves the most comprehensive consultation program in the Agency's history.

How will the Agency meet these challenges?



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A key to success lies in the strength of working relationships with Agency partners both inside and outside government. Cooperation remains an essential part of our everyday working environment. By understanding and fostering relationships, the Agency can reap the benefits of improved environmental management and advance federal EA interests.

The next few pages outline some of our accomplishments from last year as well as our commitments for the year to come. The accomplishments and commitments are grouped under four broad headings:

- Promoting high-quality EA;
- Improving cooperative relationships with other jurisdictions;
- Building partnerships with stakeholders; and
- Conducting a comprehensive review of the Act.

The following list of accomplishments is intended to be a snapshot only, and is by no means comprehensive. More information on federal environmental assessment, the Agency's role and the Five Year Review can be found on the Agency's web site: <http://www.ceaa.gc.ca>.

We have accomplished much over the past year. I look forward to continuing success in the year to come.



Sid Gershberg
President
Canadian Environmental Assessment Agency






1. Promoting high-quality environmental assessment

High-quality environmental assessments support the principles of sustainable development, are effective and efficient, and involve an appropriate level of public participation. The Agency encourages the practice by taking a leadership role in the federal environmental assessment process, and by advancing the science and application of environmental assessments. By sharing experiences and results, federal environmental assessments are undergoing continuous improvement.

Accomplishment Snapshot

Over the past year, the Agency has been engaged in promoting high-quality environmental assessments. Among its accomplishments, the Agency:

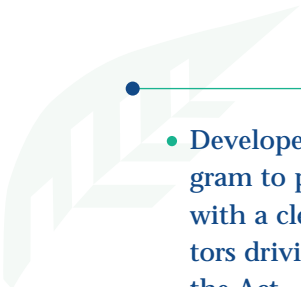
- Delivered over 30 training workshops across Canada on a variety of environmental assessment issues, and released the “Practitioners’ Guide on Cumulative Effects Assessment” to increase awareness and understanding of environmental assessment work.
- Improved the Federal Environmental Assessment Index by making it easier to use and by allowing a more timely posting of environmental assessments. As a result, more than 48,000 user sessions were registered last year, making it the most popular page on the Agency’s web site.

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- Completed joint panel reviews of the Highwood Water Storage and Diversion Plan, and the Voisey's Bay Mine and Mill.
 - Advised and supported the Minister of the Environment in relation to decisions on 10 now completed comprehensive studies. In addition, the Agency worked with proponents and federal departments on over twenty more comprehensive studies which are not yet completed.
 - Provided clear and timely information and advice to the Minister of the Environment, other government departments, project proponents and responsible authorities on matters involving federal environmental assessment.

Some of the comprehensive studies...

- Bruce Used Nuclear Fuel
- Waskaganish Road
- Valley South Water Pipeline
- Saint John and Halifax Lateral Pipelines
- Greenville-Kincolith Road
- Diavik Diamond Mine
- Aguathuna Quarry
- Grand Mère Hydroelectric Facility
- Mountain View Drop Zone



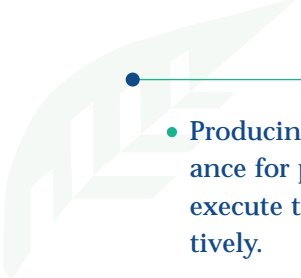
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- Developed an ongoing monitoring program to provide the federal government with a clearer understanding of the factors driving the benefits and costs of the Act.
 - Updated the Cabinet Directive on Strategic EA (the environmental assessment of policies, plans and programs) and published a guide for departments and agencies on implementing the Directive.
 - Completed a Compliance Monitoring Review which is a template for federal departments and agencies to use when designing reviews of their compliance with the Act.
 - Amended the four key *Canadian Environmental Assessment Act* regulations: *the Inclusion List*, *Exclusion List*, *Comprehensive Study List* and *Law List* in order to make the environmental assessment process more predictable.
 - Developed a new guide to the Participant Funding Program. The Participant Funding Program provides limited funding to interested parties so they can take part in the review process. Public participation is a key element of successful, inclusive environmental assessments.
 - Developed new environmental assessment regulations for the 18 ports and harbours that have become Canada Port Authorities following the passage of the Canada Marine Act.

Commitment Snapshot

Building on its accomplishments, the Agency is committed to the following actions:

- Continuing to work to integrate Traditional Ecological Knowledge - the knowledge gained from many years of living on the land - into the federal environmental assessment process.
- Supporting the development and implementation of class screening models for the environmental assessment process of similar projects. These models help to streamline the environmental assessment process, and ensure that high standards are met. Currently, the Agency is developing models for fish habitat restoration and enhancement projects, and for new bridges in New Brunswick.
- Preparing for upcoming assessments including proposed hydro-electric developments on the Lower Churchill River.
- Continuing to provide high-quality advice and analysis to the Minister of the Environment, other government departments, project proponents and responsible authorities.
- Examining the feasibility of expanding the Federal Environmental Assessment Index to include screening reports.
- Updating the Agency's web site to make it easier for Canadians to access information.




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- Producing materials to provide guidance for panel members so they can execute their responsibilities more effectively.
 - Developing a research and development agenda to guide the Agency's future research and development initiatives.

2. Improving cooperative relationships with other jurisdictions


Responsibility for environmental assessment in Canada is shared among many players. Strengthening relationships with other jurisdictions through cooperation is the foundation for thorough environmental assessments.

Accomplishment Snapshot



The environment transcends political and organizational boundaries. Coordination and harmonization of environmental assessment processes is therefore crucial. The Agency has endeavoured to promote high-quality environmental assessments that involve multiple stakeholders and jurisdictions. Among its accomplishments, the Agency:

- Negotiated harmonization agreements with British Columbia, Alberta and Saskatchewan to improve cooperation among jurisdictions on the environmental assessment of projects.


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- Developed joint review panel agreements with the National Energy Board for the Millennium Pipeline Project, and with Alberta's Natural Resources Conservation Board for the Highwood Water Storage and Diversion Plan.
 - Worked closely with Aboriginal groups to include environmental assessment provisions in several comprehensive land claim and self-government agreements with First Nation communities.
 - Opened the Quebec and Ontario Regional Offices which provide clients with a liaison service between the federal and provincial governments, and gives procedural advice on the federal environmental assessment process.
 - Implemented pilot projects to improve the application of comprehensive studies for developments regulated by the National Energy Board.

Commitment Snapshot

Building on its accomplishments, the Agency is committed to the following actions:

- Working with the Canadian Standards Association and other partners to develop a standard for environmental assessment.
- Negotiating harmonization agreements with the provinces of Manitoba, Ontario and New Brunswick.



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- Developing environmental assessment regimes under the *First Nations Land Management Act* with 14 First Nations and the Department of Indian Affairs and Northern Development.
 - Working with the United States and Mexico to develop international environmental assessment agreements for projects with transboundary effects.
 - Developing cooperative arrangements for environmental assessment responsibilities with the Yukon Territory, Nunavut, and the Mackenzie Valley Resource Management Board.

3. Building partnerships with stakeholders

The Agency's success lies in the strength of working partnerships with key stakeholders both inside and outside of government. Because the federal environmental assessment process is based on the self-assessment principle, partnership is the means by which the Agency can progress towards its objectives.




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Accomplishment Snapshot

Among its accomplishments, the Agency:

- Strengthened its relationship with partners by participating in numerous interdepartmental and multistakeholder meetings composed of industry representatives, environmentalists, environmental assessment practitioners




and other government departments across Canada. Through these forums, stakeholders can provide input on proposed environmental assessment programs, plans and policies.

- Worked with the Regulatory Advisory Committee - a multi-stakeholder organization - to improve and update the Participant Funding Program.
- Created an Interdepartmental Forum on Training and Guidance to develop and implement training and guidance materials.

Commitment Snapshot

Building on its accomplishments, the Agency is committed to the following actions:

- Implementation of its training and guidance strategy which will incorporate partner expertise and needs into the development and implementation of training and guidance materials.
- Implementing a “Quality Assurance Program” (QAP) designed to help federal departments monitor compliance, quality and consistency of environmental assessments.
- Initiating the development of a formal environmental assessment regime for private entities operating on federal lands (such as Airport Authorities).



4. Conducting a comprehensive review of the Act

Much experience has been gained since the *Canadian Environmental Assessment Act* was passed five years ago. The review of the Act and its associated regulations provided concerned individuals and organizations an opportunity to reflect on this experience, to learn from it, and to build on it so that environmental assessment remains an effective decision-making tool.

Accomplishment Snapshot

National consultations for the review began in December 1999. The Agency's goal was to ensure these consultations were open, transparent, broad and extensive. On behalf of the Minister of the Environment, the Agency offered a forum where stakeholder views could be presented and where key issues, options and innovations could be discussed.

Among its accomplishments, the Agency:

- Completed a discussion paper which outlines the review process, provides an overview of the Act and identifies some of the issues to be examined. The discussion paper is a result of a year of independent research and extensive stakeholder consultations.
- Designed an interactive web site to share information and foster dialogue among Canadians on the future of environmental assessment.

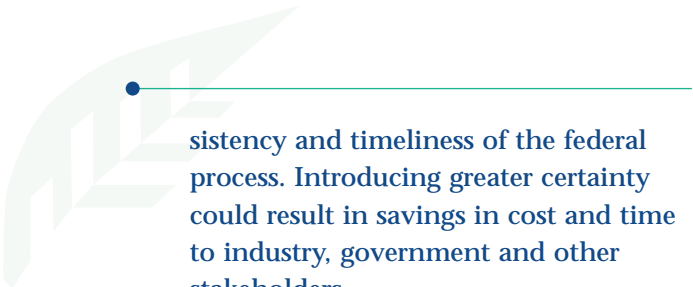
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- Conducted multi-stakeholder consultations in 19 locations across the country to give Canadians the opportunity to provide feedback to the Minister of the Environment on the operation and provisions of the Act, and to make suggestions for improvements.
 - Completed discussions with the Assembly of First Nations (AFN), the Métis National Council, and the Inuit Tapirisat of Canada to develop an appropriate consultation process for Aboriginal people.
 - Consulted with our partners on the Regulatory Advisory Committee, the provinces through the Environmental Assessment Administrators Committee, and federal departments through the Senior Management Committee on Environmental Assessment.
 - Consolidated the comments and suggestions from the consultation processes to assist the Minister of the Environment in preparing his report to Parliament by November 2000.

Commitment Snapshot

Building on its accomplishments, the Agency is committed to the following actions:

- Making the environmental assessment process more predictable, consistent and timely. Experience with the Act's operations over the past five years raises questions about the predictability, con-





sistency and timeliness of the federal process. Introducing greater certainty could result in savings in cost and time to industry, government and other stakeholders.

- Improving the quality of environmental assessments. Better quality assessments can mean better decisions and greater confidence in those decisions.
- Strengthening opportunities for public participation. Public participation remains a fundamental objective of the Act, but there have been challenges in putting that goal into practice. Strengthening opportunities for public participation can lead to important benefits for all participants in the process.