

A BRIEF DESCRIPTION OF THE BRITISH COLUMBIA ENVIRONMENTAL ASSESSMENT PROCESS

A new British Columbia *Environmental Assessment Act* (Act) was proclaimed in December 2002, replacing the previous environmental assessment legislation which had been in effect since June 1995. The new legislation provides a streamlined environmental assessment process and reflects the provincial government's commitment to more flexible, efficient and timely reviews of proposed major projects to help revitalize the provincial economy.

Responsibility for administering the Act and conducting environmental assessment reviews rests with the Environmental Assessment Office (EAO), a neutral government agency.

Major project proposals are subject to review under the following circumstances:

- The project is of a type and size as set out in the Reviewable Projects Regulation;
- The Minister of Sustainable Resource Management designates the project as reviewable; or
- The proponent applies to the EAO for the project to be designated as reviewable.

The Act and accompanying regulations establish the framework for delivering environmental assessments. However, the scope, procedures and methods of each assessment are tailored specifically to the circumstances of the proposed project. This allows for each assessment to focus on the issues relevant to whether or not that project should proceed. In most cases, the environmental assessment will be led and managed by the EAO, however the Act provides for the project to be referred to the Minister of Sustainable Management to determine the assessment process or for the requirements for an assessment to be waived where it can be readily determined that the project will not result in any adverse effects.

In general, the environmental assessment includes four main elements:

- 1) opportunities for all interested parties, including First Nations and neighbouring jurisdictions, to identify issues and provide input;
- 2) technical studies of the relevant environmental, social, economic, heritage and health effects of the proposed project;
- 3) identification of ways to prevent or minimize undesirable effects and enhance desirable effects; and
- 4) consideration of the input of all interested parties in compiling the assessment findings and making recommendations about project acceptability.

Although the review is customized for each project, in a typical review process, proponents are expected to undertake early and ongoing consultation to identify public and First Nations issues, to work with the EAO and government agencies to identify information requirements, and to develop terms of reference for an application for an environmental assessment certificate (the application) which is signed off by the EAO. Once a proponent submits the application, it is screened to ensure that the information requirements in the terms of reference have been addressed.

The EAO has up to 180 days to complete the review of an application. During this period, the EAO receives input from the public, First Nations, and government agencies on the application, and the proponent is given an opportunity to respond to issues that have been identified. At the conclusion to the review, the EAO prepares an assessment report documenting the findings of the assessment. The assessment report and the application are referred to three ministers for a

decision on project approval. If the project is approved, an environmental assessment certificate is issued.

Information on the review process and project-related documents are available at the Project Information Centre which is accessed through the EAO website: www.eao.gov.bc.ca.

The Act provides for a strategic-level evaluation of projects, which concentrates on the significant issues that need to be addressed as a basis for a political approval-in-principle decision. In addition to receiving an environmental assessment certificate, most reviewable projects require statutory permit approvals associated with detailed project design, construction, operation and/or access to Crown land and resources. However, efforts are made to ensure that permit information and consultation requirements are identified and satisfied to the greatest extent possible during the environmental assessment review, and that any subsequent reviews for statutory permit approvals are coordinated. In addition, proponents have the option of requesting that certain permit applications be reviewed concurrently with the environmental assessment review.

When a project triggers both a federal and provincial environmental assessment review, attempts are made to conduct a coordinated review process to address both provincial and federal requirements. Each government makes a separate project decision at the end of a joint review.

Additional Information

Additional information on the Act and review process, as well as projects in review, are available on the EAO website at: www.eao.gov.bc.ca. For assistance, please contact the Environmental Assessment Office at:

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Phone: (250) 356-7479 (Victoria). Toll-free calls through Enquiry BC at 1-800-663-7867 or (604) 660-2421 (Vancouver)

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TYPICAL ENVIRONMENTAL ASSESSMENT PROCESS

