



# Environmental Review of Projects Discussion Highlights



## 11<sup>th</sup> National Lands Managers Gathering

Kwanlin Dün Cultural Centre, Whitehorse  
September 13, 2018





# Environmental Review Process in a Nutshell

- The *Canadian Environmental Assessment Act, 2012* (CEAA 2012) requires that federal departments and agencies undertake environmental reviews for non-designated projects carried out on federal lands to determine whether they are likely to cause significant adverse effects
- How to conduct these determinations, however, is left to the respective departments and agencies
- Accordingly, in collaboration with First Nations, in April 2014, the Department launched its Environmental Review Process to assess projects carried out on reserve lands
- After four years of implementation, it is important to have a discussion on the Environmental Review Process with people that have been directly or indirectly involved with an environmental review
- On February 8<sup>th</sup>, 2018, the government introduced a proposed legislation which proposes to repeal the CEAA 2012 and replace it by the *Impact Assessment Act*
- The requirement to conduct an environmental review remains



# Regional Engagement Sessions

- Day-long engagement sessions took place during the spring of 2017 and focussed on the effectiveness of the Environmental Review Process and identification of priorities and best practices regarding the First Nations Solid Waste Management Initiative (day three of the RLEMP Engagement Sessions)
- Overall, 200 participants from over 160 First Nations participated in the discussions in Wendake, Toronto, Winnipeg, Saskatoon, Edmonton, Kelowna, and Moncton
- In collaboration with the National Aboriginal Lands Managers Association, a summary of the sessions was shared with all participants
- Discussions was focused on three themes:
  1. Overall process for environmental reviews
  2. Mitigation measures and post-project follow-up
  3. Capacity-building



# Environmental Review Process - What We Heard – Overall Process

- The process is cumbersome, lengthy, not well-understood and it is recommended to simplify the process, tools and forms
- Communities have various levels of comfort conducting environmental reviews, noting particular challenges
  - knowing where to access needed information to complete an environmental review
  - availability of baseline information and identification of species at risk
- There is a lack of coordination among departmental processes resulting in unnecessary delays. These delays sometimes impact delivery and timing of projects/initiatives on the ground



# Environmental Review Process - What We Heard – Capacity Building

- Capacity in communities as it relates to either environmental reviews or environmental management is very limited
- Building local capacity would result in decreased reliance on consultants, increased retention of knowledge in the community, thus allowing communities the opportunity to build their baseline knowledge
- There is a need to have an environmental specialist/officer in communities
- There is a need for general training on environmental review and environmental management
- There is a need for more specialized training on mapping, earth sciences, legislation, project planning/management, data collection and analysis and information systems
- Stable funding (not project-based) is necessary to build capacity and retain expertise, it is challenging to undertake long-term planning exercise when most of the funding is project-based



# Environmental Review Process – Mitigation Measure and Follow-Up

- Mitigation measures are not often well-communicated to community leaders and members. Increased communication would provide opportunities to include these mitigation/follow-up measures in community planning
- Authority to enforce the implementation of mitigation measures and decisions made through environmental reviews is limited
- An increased collaboration with lessees and permittees could support implementation of mitigation measures
- Roles and responsibilities of parties around implementation of mitigation measures and project follow-up are not clear
- Importance of allocating appropriate resources in project planning to support implementation and follow-up of mitigation measures



# Environmental Review Process - Priorities

## High Priorities

- Explore options for long-term funding for environmental management
- Explore ways to address communication and responsibility challenges associated with implementation of mitigation measures

## Medium Priorities

- Simplify the Environmental Review Process
- Provide appropriate training on the environmental review, environmental management and specialised training

## Additional Priorities

- Access/develop baseline information for communities
- Develop regional information platform supporting information sharing among communities



## Going Forward

What we heard during these engagement sessions has informed:

- An initial internal discussion in June of 2018 on how to simplify and improve the Environmental Review Process, within the requirements of the proposed *Impact Assessment Act*
  - A draft work plan addressing challenges heard is under development
  - Will be shared with communities for feedback
- A broader discussion on how to support capacity as it relates to environmental management in communities



# First Nations Solid Waste Management Initiative

## Background

- Budget 2016 allocated \$409 million over five years to support efforts to improve how waste is managed on reserve
- There are approximately over **1400 waste disposal sites** nationally, the majority being unmanaged refuse sites
- Approximately **1,800 contaminated sites** south of 60°N

## Discussion

- Focused on identification of community priorities for solid waste management activities and other waste management activities
- An opportunity to seek initial community feedback on this initiative



# First Nations Solid Waste Management Initiative What We Heard?

## Key Priorities

- Stable funding to operate, monitor and maintain landfill sites
- Identification of landfill space / Identification of geologically appropriate landfill sites
- Adoption of waste reduction and recycling activities and diversion programming for hazardous materials
- Increase support for First Nations (educational and training programs)

Recognition that First Nations communities are not homogenous and have various waste disposal requirements



# Contact Information

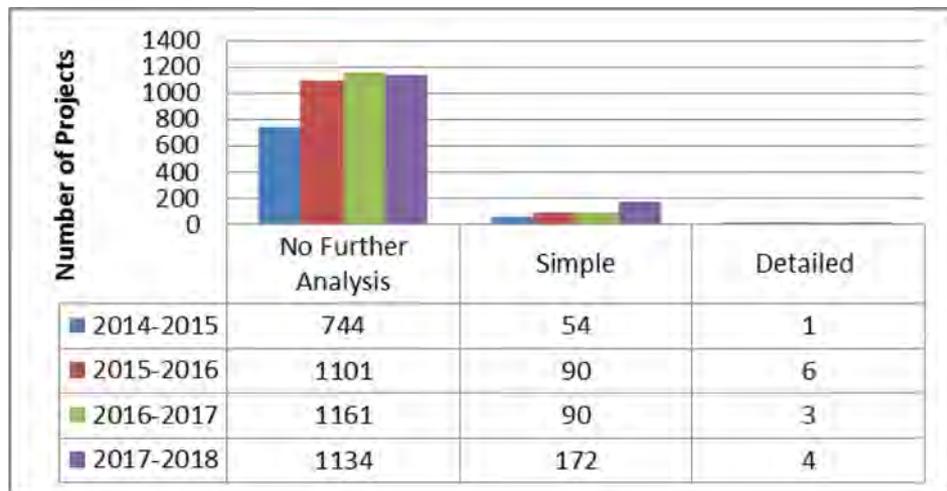
*Isabelle Lévesque*

Analyst, Environment Directorate  
Crown-Indigenous Relations and Northern Affairs Canada  
Indigenous Services Canada  
[isabelle.levesque5@canada.ca](mailto:isabelle.levesque5@canada.ca) | Tel: 819.635.8746

# Appendix: Environmental Review Process (2014-2018)

## Environmental Reviews by Level of Review

- 90% of projects required a minor review (e.g. no further analysis beyond the risk assessment analysis)



## Environmental Reviews by Descriptor Type

- For all years, 68% of projects requiring a minor review were identified as infrastructure projects.

