RECENT FEDERAL CANADIAN FACE-TO-FACE PUBLIC CONSULTATION
April 6, 2017     Montréal, Canada IAIA17
Presentation outline

• Regulatory context
• Description of face-to-face sessions to date
• Most commonly asked questions at sessions
• Key considerations when developing a session
Public participation opportunities

*The Canadian Environmental Assessment Act, 2012* requires that the public is provided with an opportunity to participate in the EA.

The Canadian Environmental Assessment Agency conducts public comment periods on the:

1. Summary of the proponent’s *Project Description*
2. Agency’s *Environmental Impact Statement Guidelines*
3. Summary of the proponent’s *Environmental Impact Statement*
4. Agency’s draft *Environmental Assessment Report and potential enforceable conditions*
ENVIRONMENTAL ASSESSMENT PROCESS MANAGED BY THE AGENCY

Aboriginal consultation is integrated into the EA to the extent possible

Government timeline of 365 days*

PD Review (10 days)
- Proponent submits PD
- Agency accepts PD or
- Agency requests more information from proponent

Determination of EA (up to 45 days)
- 20-day public comment period on PD
- Agency determines whether EA is required
- Agency issues Notice of Determination
- Agency discusses cooperation with province

No EA
- Proceed with other federal decisions or approvals, if required

Yes to EA

EA by the Agency
- Analysis
  - Proponent submits EIS
  - Government reviews EIS - public comment period
  - Proponent supplements EIS as needed

EA Commencement
- EIS Guidelines
- EA by Review Panel
- Analysis
  - Proponent submits EIS
  - Government reviews EIS - public comment period
  - Proponent supplements EIS as needed

Yes to EA

EA Report
- Analysis
  - Proponent submits EIS
  - Government reviews EIS - public comment period
  - Public comment period on EA Report

EA Decision
- Minister determines significance of environmental effects
- Cabinet decides if significant effects, if any, are justified
- Minister issues EA Decision Statement with enforceable conditions

Follow-up and Enforcement

* With possibility of extension

Timelines do not include time required by the proponent to provide information

May 2013  www.ceaa-acee.gc.ca

CANADA.CA/CEAA
Public Notice

Environmental Assessment of the Blackwater Gold Project — Public Comment Period and Information Sessions

New Gold Inc. is proposing the construction and operation of an open pit gold and silver mine located approximately 110 kilometres southwest of Vanderhoof, British Columbia. As proposed, the project would produce 60,000 tonnes per day of gold and silver ore, over a mine life of 17 years.

The Blackwater Gold Project is subject to review under both the Canadian Environmental Assessment Act, 2012 (CEAA 2012) and B.C.’s Environmental Assessment Act and is undergoing a coordinated environmental assessment.

Public Comment Period

The Canadian Environmental Assessment Agency (the Agency) and B.C.’s Environmental Assessment Office (EAO) are inviting the public to comment on the ongoing environmental assessment of the
Nine face-to-face public sessions for EAs conducted by the Agency between 2012 - 2017
Considerations for public sessions

• Level of public interest in the project
• Coordination with another jurisdiction’s process
• At the request of the proponent
Timing

Environmental Assessment Process Managed by the Agency

Aboriginal consultation is integrated into the EA to the extent possible.

Government timeline of 365 days:

- PD Review (10 days)
  - Proponent submits PD
  - Agency accepts PD or
  - Agency requests more information from proponent

- Determination of EA (up to 45 days)
  - 20-day public comment period on PD
  - Agency determines whether EA is required
  - Agency issues Notice of Determination
  - Agency discusses cooperation with province

- Yes to EA
  - Proceed with other federal decisions or approvals, if required

- No EA
  - Proceed with other federal decisions or approvals, if required

- EA by the Agency
  - Proponent submits EIS
  - Agency issues NOC
  - Public comment period on draft EIS Guidelines
  - Minister refers project to Review Panel if warranted (within 60 days of NOC)
  - Agency issues final EIS Guidelines to proponent

- EA Commencement
  - Proponent supplements EIS as needed

- Analysis
  - Proponent submits EIS
  - Government reviews EIS – public comment period
  - Panel reviews EIS to determine sufficiency – public comment period if needed
  - Panel holds public hearing
  - Panel submits EA Report to the Minister

- Review by Panel
  - Panel reviews EIS to determine sufficiency – public comment period if needed
  - Panel holds public hearing
  - Panel submits EA Report to the Minister

- EA Decision
  - Minister determines significance of environmental effects
  - Cabinet decides if significant effects, if any, are justified
  - Minister issues EA Decision Statement with enforceable conditions

Follow-up and Enforcement

- EA Decision Statement

Government timeline of 24 months:

- EIS
  - Public Participation Opportunity
  - Deliverable

- EIS Guidelines

*With possibility of extension
Timelines do not include time required by the proponent to provide information

May 2013 www.ceaa-acee.gc.ca
Most common questions/comments

• What will this project look like?

• I’m very worried about ____ (e.g. fish, birds); how is this being assessed, especially accidents?

• How does this process work? How will we know that we’ve been heard?
Most common questions/comments, cont.

• Who will enforce any requirements?

• Why was project allowed to even get this far? Who’s looking at cumulative effects from all the projects in this area?

• How many jobs will be created? Where can I drop off a resume?
Key consideration #1 (of 4) – What format to follow

• Consider your objectives when weighing options:
  • Enhancing understanding of the project and its effects?
  • Encouraging public comment and dialogue?
  • Building awareness and confidence in the EA process?
  • Responding to community process expectations?

• Two Options have been put in practice:
  • Open Houses, and
  • Town Halls
Format – Open House Set-up
Format – Open House

• One-on-one conversations
• Meet the experts
• More discreet
• Can be open for longer hours
• Less shared learning
Format – Town Hall Set-up
Format – Town Hall

- Shared learning with Q&A
- Get a sense of who is involved, how community feels about project
- Only available for limited time
- May be intimidating for some
Key consideration #2 – Roles of proponent and government

• Proponent has an important role
  • Providing information and visuals
  • answering questions
  • establishing long-term relationship with the community

• Government leads a credible process, taking all views into consideration, making decision independently
  • EA Leads speak to process, history and next steps
  • Government experts prepared to explain science and answer questions
Key consideration #3 – Manage expectations

• Explain environmental assessment generally, not just the individual process steps
  • Clarify that comments are sought regarding environmental effects assessment
  • Environmental assessment is not a community planning exercise, nor a referendum on the project
Key consideration #3 – Manage expectations, continued

• Develop rules of engagement for Town Halls

• Make it clear what answers are not yet available (e.g. government’s views/conclusions)

• Explain how public comments will affect the assessment, and where public comments will be captured
Key consideration #4 – Sessions can be resource intensive

• Logistics and preparation
• Advertising
• Materials to display and distribute
• Environmental assessment leads and experts travel costs and time
• Facilitator for Town Hall
• Security
THANK YOU

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