

Where it's at: Post approval practices under the new (Canadian) federal assessment process

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I wish to acknowledge & extend my gratitude to our hosts the x^wməθk^wəy'əm, Sk_wx_{wu}7esh and Sə^líl^lwəta? / Selilwitulh Nations who welcomed us to their unceded lands.

Post approval practices

- Serve a variety of purposes including:
 - Compliance
 - Verification
 - Improving understanding
 - Maintaining public awareness
 - Building data for subsequent IAs



Barriers

Gaps in the legal framework

Deficiencies in IA stages

Implementation challenges

Ethical challenges

Siloed approaches

Fragmented governance

Important in a Canadian Context

Poorly communicated (poorly done?)

Essential for cumulative effects assessments

Necessary for building Nation-to-Nation relationships

Integral & better integrated in other jurisdictions

Best Practice

01

State a clear purpose

02

Build relationships

03

Advance adaptive management

04

Ensure sufficient capacity

05

Include penalties

06

Require transparency

07

Integrate results

Impact Assessment Act (S.C. 2019, c. 28)

Follow-up in Standard Assessments

- Factors to be considered s22(1)(k)
- Decisions s64
- Participant funding s75(1)
- Public Registry s105(2)(e)
- Opportunity for Advisory Bodies s156(2)
- Opportunity for Regulations s112(1)(b)

Follow-up in 'Federal' Processes (s 81-91)



Chantal Brodbeck
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	Complete	Preliminary dataset	Presentation dataset
Request for Designation	39	39	39
Standard Assessment	0	0	0
Federal process	1303	821	737
Projects outside Canada	7	7	7
Regional Assessments	0	0	0

0.37%

Location	Department	
British Columbia	Department of Fisheries and Oceans	Port Edward Phase 3 Wharf
British Columbia	Department of Fisheries and Oceans	Gibson Small Scale Craft
Quebec	Canadian Space Agency	Restoration of a drainage area
Quebec	Montreal Port Authority	Construction of a screen embankment
Manitoba	Indigenous Services Canada	Road Paving

	Compliance	General commitment	Monitoring	Positions
BC Wharf	Compliance reporting	Adaptive measures Daily reporting	EMP Fish, wildlife, environment (observation)	Onsight environmental monitor
BC Small Craft	Spill response plan		Water quality & turbidity, underwater sound	Environmental monitor
QB Space Agency	Emergency plan & other mitigation as required			
QB Port Authority			To develop: Waste snow management (occasional), Surface water quality, Ground water quality	
MB Road paving		Active and adaptive measures		

Disappointment

Meet legal requirements

However

Federal projects have no
requirements for transparency

Why this matters

- Lifecycle perspective
- Transparency keeps the work at front of mind
- Transparency allows for public review
- Transparency makes learning possible
- Transparency integration easier

Next steps

- Opportunity to strengthen federal process
 - Department by Department or
 - Within the legislation framework

Let's continue the conversation!

Post questions and comments via chat in the IAIA22 platform.

Draws from upcoming chapter:

Fitzpatrick, P., & Williams, B. (2022). "EIA in Canada: Strengthening follow-up, monitoring and evaluation" in *Handbook of Environmental Impact Assessment* edited by Alberto Fonseca

<https://www.e-elgar.com/shop/usd/handbook-of-environmental-impact-assessment-9781800379626.html>



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