Environmental Assessment in NL
Mission

To ensure that when development proceeds, it does so in an environmentally acceptable manner.
Environmental Assessment in NL

Purpose

1. *Protect the environment and quality of life of the people of the province; and*

2. *Facilitate the wise management of the natural resources of the province*

*through the institution of environmental assessment procedures before and after the commencement of a potentially damaging undertaking.*
Legislation

- Environmental Protection Act 2002
  - Environmental Assessment (Part X)

- Environmental Assessment Regulations 2003
Environmental Assessment Process

Goals:

- Promote acceptable development
- Early project planning
- Ensure environmental protection
- Consult with stakeholders
- Assist proponents to meet requirements
- Promote informed decision-making
“Undertaking”

- An enterprise, activity, project, structure, work or proposal that, in the opinion of the Minister, may have a significant environmental effect.

- May include: modification, abandonment, demolition, decommissioning, rehabilitation, and extension.
Undertakings

All undertakings as listed in the EA Regulations, Part 3, or any undertakings that may be damaging to the environment are required to be submitted for review.

Examples include: agriculture, forestry & logging, mining, electric power generation, waste management, hydro developments, roads/highways, quarries, access roads, land clearing, golf courses, and industrial facilities.
“Environment”

- Biophysical
  - Air, land, water
  - Plant & animal life (including human)

- Socioeconomic
  - Social, economic, recreational, cultural and aesthetic factors

- Valued Ecosystem Components
  - Allows a focused assessment
  - Selected for ecological, social, cultural, or economic value and for their potential vulnerability to effects of the project
“Environmental Effect”

A change in the present or future environment resulting from an undertaking
General Process

Step 1 - Submit registration for review – 45 days
- Triggers outlined in EA Regulations or Ministerial discretion

Step 2 – Minister’s Decision:
- Option 1 – release (possibly with conditions)
- Option 2 – require Environmental Preview Report (EPR)
- Option 3 – require environmental Impact Statement (EIS)
- Option 4 – reject – against law, policy or public interest (only by Cabinet)

Step 3 – If required, conduct further assessment
- EPR – Minister decides outcome; or
- EIS – Cabinet decides outcome
EPR or EIS requirements

- Project Registration (45 days)
  - Project Released
  - Project Rejected
    - EPR Required
      - EA Committee
        - Guidelines Issued (60 days)
          - EPR Submitted (45 days)
            - Recommendation & Decision
              - Release
                - EIS Required
                  - EA Committee
                    - Guidelines Issued (120 days)
                      - Public Consultations
                        - EIS Submitted (70 days)
                          - Recommendation & Cabinet Decision (60 days)
                            - Project Rejected
                            - Project Released

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<thead>
<tr>
<th>Criteria for Ministerial Decision</th>
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<tr>
<td><strong>Release</strong></td>
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<td>- no public concerns</td>
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<td>- environmental effects can be</td>
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<td>mitigated</td>
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<td>- clear understanding of the project</td>
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<td>- known technology/methods</td>
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<td>- sufficient regulatory controls in place</td>
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Criteria for Ministerial Decision

Environmental Preview Report
- insufficient information on project
- inability to demonstrate the project is environmentally acceptable
- public concerns expressed
- ability to get additional information in relatively short period of time
Criteria for Ministerial Decision

Environmental Impact Statement
- significant environmental effects likely to occur.
- significant public concern
- original field data/baseline needed
- typical large scale project
- significant resources conflicts
- possible pollution events may occur
- significant socio-economic importance
- multiple studies/VEC’s required
Environmental Assessment Division

- Ensure efficient & effective EA
- Review proposed projects that may be potentially damaging to the environment

EA Scientists:
- Review referrals from other departments/agencies
- Conduct assessments
- Chair EA committees
- Consult with proponents
- Provide recommendation to the Minister/Cabinet
Environmental Assessments in NL

- **Completed:**
  - Labrador Iron Mines Iron Ore Mine
  - St. Lawrence fluorspar mine
  - Parsons Pond oil exploration project
  - Liquefied natural gas (LNG) facility
  - Stephenville Salmon Hatchery
  - NL Oil Refinery
  - Long Harbour Hydromet Plant
  - New Millennium Iron Ore Mine
  - Abitibi Stephenville Mill Decommissioning

- **Anticipated/Potential:**
  - Regional Waste Management Sites
  - Forest Harvesting Plans
  - Uranium mine (Labrador)

- **Current:**
  - 15-20 current projects going through screening phase.
  - Lower Churchill hydro project (Panel Review)
  - Labrador-Island Transmission Link
  - DND supersonic training, Goose Bay
  - Incinerator Road Protein Conversion Plant
EA Cost Recovery Fees

Applies to projects are greater than $15 million in capital costs that undergo further assessment

Registration $200 + HST – applies to all projects
  EPR - $5000
  EIS - $15,000
  Substantial revisions - $3000
  Component Studies - $3000
  Environmental Protection Plans - $3000

Costs associated with panel costs are recovered
Above normal surveillance and monitoring costs
For more information/contacts

- Departmental website at: www.env.gov.nl.ca/env/
  - list of all current and past projects and their status
  - public notices
  - all received proponent documents
  - EA Guide
  - EA Fees
- Contact department toll free 1-800-563-6181
  or EA Division at 729-4211
Fed/Prov EA Harmonization

Why?
- To avoid duplication, delays and costs to proponents

Challenges for cooperation
- Ensure timeliness and predictability
- Coordinate decision steps
- Collect and share information requirements through one window approach
- Reduce inconsistencies in approach
Fed/Prov EA Harmonization

How?
- Close regular collaboration with Regional CEAA office
- CEAA referred all projects during screening review
- Federal RAs sit on provincial EA committees
- Provincial and Federal information requirements through same guidelines, EPR or EIS documents
- Public consultation coordinated
- CEAA steps adhere to provincial timelines post screening
Fed/Prov EA Harmonization

Next Steps:
- Begin discussions with Regional CEAA office in 2011 to draft a cooperative agreement.
- Monitor the 2011CEAA review and make any appropriate adjustments as per amendments.
- Seek input of public, NGO’s and industry on draft agreement.
- Finalize an agreement in 2012.