

Canadian Environmental Assessment Agency

1997-98 Estimates

Part III

Expenditure Plan

The Estimates Documents

The Estimates of the Government of Canada are structured in three Parts. Beginning with an overview of total government spending in Part I, the documents become increasingly more specific. Part II outlines spending according to departments, agencies and programs and contains the proposed wording of the conditions governing spending which Parliament will be asked to approve. The Part III documents provide additional detail on each department and its programs primarily in terms of the results expected for the money spent.

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Canadian Environmental Assessment Agency

1997-98 Estimates

Part III

Expenditure Plan

Approved

PREFACE

This document is a report to Parliament to indicate how the resources voted by Parliament have or will be spent. As such, it is an accountability document that contains several levels of details to respond to the various needs of its audience.

The Main Estimates, Part III for 1997-98 is based on a revised format intended to make a clear separation between planning and performance information, and to focus on the higher level, longer term plans and performance of departments.

The document is divided into four sections:

- Minister's Executive Summary
- Departmental Plans
- Departmental Performance
- Supplementary Information

The intent for the future is that two separate documents will be produced:

- The Departmental Plan to be tabled in the winter/spring period;
- The Departmental Performance Report to be tabled in the autumn. This document will provide information on the Agency's performance several months earlier than when the performance information was contained in the Part III. For this 1997-98 version only, in order to ensure that the information is as current as possible, the Canadian Environmental Assessment Agency has reported on initiatives up to December 1996.

It should be noted that, in accordance with Operating Budget principles, human resource consumption reported in this document will be measured in terms of full-time employee equivalents (FTEs).

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A Message from the Minister of the Environment

Prevention is better than a cure, and that is the essence of environmental assessment. It is a powerful planning tool that provides decision makers with the information they need to approve projects that are compatible with a healthy and sustainable environment for both present and future generations.

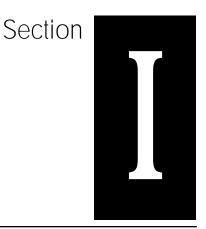
Canadians tell us that they are worried about environmental problems that threaten nature and their health. They will no longer tolerate inaction on the part of governments or industry when it comes to stewardship of the environment. Responsible environmental stewardship is the principle that guides the actions of the Canadian Environmental Assessment Agency (the Agency). The Agency, which recently celebrated its second anniversary of operation, has set out on an ambitious course of action to firmly establish this new approach to federal environmental assessment and decision making instituted by the *Canadian Environmental Assessment Act* (the Act).

The Act promotes the integration of public values and concerns in decision making. It is essential, therefore, that the views and interests of Canadians be taken into account. The Agency recognizes the importance of public participation, and ensures that opportunities are provided for effective participation in the environmental assessment process.

Throughout the next year, efforts will continue to make the process more efficient, by fulfilling the government's "Red Book" commitment to reduce overlap and duplication. These efficiency measures will follow two tracks. First, the Agency will continue to effectively streamline the federal environmental assessment process. Second, my provincial colleagues and I have agreed to work in partnership to develop a Canada-wide consistent application of environmental assessment which will be based on the provision of the highest level of environmental quality for all Canadians.

The application of the *Canadian Environmental Assessment Act* will continue to make a positive contribution toward informed decision making, and provide the government with an effective tool in achieving the goal of sustainable development.

The Honourable Sergio Marchi, P.C., M.P. Minister of the Environment



DEPARTMENTAL PLAN

Environmental assessment ... before you decide



A. Summary of the Departmental Plan

1. Introduction

Environmental assessment is about making better decisions. It provides decision makers with information that can potentially lead to activities that are more compatible with sustaining a healthy environment for both present and future generations. It also supports job creation and economic growth in the context of sustainable development.

Environmental assessment involves an assessment of the impacts of a proposed project, policy or program on the ecosystem – the air, water, land and living organisms including human populations affected. Such assessments provide a solid basis for reducing or eliminating negative environmental effects, and for making informed decisions.

Environmental assessment is now part of public decision making at all levels of government in Canada, and is used world wide in over 100 countries, in many international organizations and funding agencies, and increasingly, by business. By integrating environmental factors, public concerns and community values early in the decision-making process, business and governments can make timely decisions concerning projects. The process helps business and governments to meet their responsibilities with respect to the environment, and earn public confidence.

Environmental assessment also leads to job creation and economic growth through good business practice. The following are some of the economic benefits of environmental assessment:

- Applying the process can save time and money in the long run. By integrating environmental factors into decision making at the planning stage, proponents and governments can avoid expensive and sometimes controversial remedial action afterwards.
- The process promotes investment stability. Environmental assessment is a clear manifestation of our country's concern for its resource-based economy and the priority it gives to sustainability. This in itself is a factor in investment stability.
- It keeps business, the public and governments in touch. Input through public consultation, before plans are finalized and investments made, can improve community relations and ensure dollars are well invested.
- As a good management practice, environmental assessment can support future prosperity. Through decisions based on knowledge gained from environmental assessment, there can be more prudent use of resources and a reduction of environmental threats to human health and ecosystems.
- Environmental assessment leads to informed decisions. Such decisions, in turn, are good for investment, the health of the organization, its employees and the community where it operates. Responsible decisions sustain and enhance the value of the environment passed on to future generations.

The Canadian Environmental Assessment Agency (the Agency) operates across the federal sector of public decision making. The Agency is involved in complex and sensitive issues, with players who have competing interests and differing views of sustainable development. These factors present the Agency with the challenge and opportunity to make a difference.

2. Mission

The main objective of the Agency is to:

provide effective means of integrating environmental factors into federal planning and decision making while taking into account public values and the goal of sustainable development.

The means by which the Agency achieves this objective is constantly evolving in response to a changing world. This includes more than just developing and promoting a federal environmental assessment process that is fair, co-ordinated and implemented in a consistent manner. It must also include addressing the issues and concerns of Canadians who demand an efficient and effective process, and the guarantee that opportunities are available to participate in the decisions that will affect their ecosystems. These issues are highlighted in the following section.

3. Priorities

The Agency's key priorities over the next three years will be the following:

- the need to develop key partnerships through measures such as federal-provincial harmonization agreements, and assume national and international leadership in environmental assessment;
- the need to promote environmental assessment in terms of its positive effects on jobs and economic growth;
- the need to build and enhance public and stakeholder confidence in the federal environmental assessment process by ensuring the highest quality of environmental assessment standards, public accessibility and transparency;
- the need to develop process efficiency measures, with emphasis on reducing overlap and eliminating duplication where it exists;
- the need to examine proposals for a government-wide cost recovery regime for environmental assessment expenditures; and
- the need to streamline and improve environmental assessment processes and mechanisms to implement the Act within the federal government.

4. Agency Goals and Strategies

Although the Agency strives to have environmental considerations integrated within planning and decision making at the federal level, this cannot be done without the full co-operation and participation of other federal departments and agencies. Given the priorities outlined above and the demands of Canadians for a healthy environment, the Agency must ensure the strategy chosen to achieve its objective is the right one. Above all, the Agency must remain relevant to the Canadian public, and be supportive of decision makers. Accordingly, the Agency has set two corporate goals that both align and define activities toward the realization of the Agency's objective, as expressed in its mission statement.

GOAL #1 - Improve the quality and delivery of federal environmental assessment processes

The Agency's strategy to achieve this goal is to support actions that incorporate sustainable development and self-assessment principles into decision making, and support the continuous evolution of the environmental assessment process by:

- assuming a government-wide management role for environmental assessment processes in the federal government;
- administering public reviews, mediations, comprehensive studies and class screenings in a fair and consistent manner;
- ensuring that the Canadian public has the opportunity to participate in the federal environmental assessment process;
- promoting the benefits of environmental assessment to Canadians;
- refining and enhancing legislated and non-legislated measures of the federal environmental assessment framework;
- developing and promoting ways of increasing compliance with the *Canadian Environmental Assessment Act*;
- enhancing the Agency's services and advisory support capacities;
- developing ways of improving environmental assessment processes for policy and program proposals; and
- advancing the Agency's national research and development agenda for environmental assessment in the context of sustainable development.

GOAL #2 - Harmonize the application of environmental assessment processes across government and with other jurisdictions to the highest standards of environmental quality

The Agency's strategy to achieve this goal is to support actions that both streamline the federal environmental assessment process and better harmonize decision making across jurisdictions by:

- developing strategic partnerships with provinces, Aboriginal groups and other federal departments to effectively co-ordinate the application of environmental assessment processes across Canada;
- collaborating in governmental environmental assessment initiatives both domestically and internationally;
- providing effective leadership and sharing the Agency's environmental assessment knowledge base nationally and internationally;
- ensuring that environmental assessment processes contribute to the highest level of environmental quality across Canada; and
- developing substitution agreements with other federally created agencies.

5. Authorities for 1997-98 - Part II of the Estimates

Financial Requirements by Authority

| Vote | (thousands of dollars) | 1997-98 Main Estimates | 1996-97 Main Estimates |
|----------|--|---------------------------|---------------------------|
| | Canadian Environmental Assessment Agency | | |
| 15 | Program Expenditures | 9,143 | 7,394 |
| (S) | Contributions to employee benefit plans | 699 | 598 |
| | Total Agency | 9,842 | 7,992 |
| Vote – W | Vording and Amounts | | |
| Vote | (dollars) | | 1997-98 Main Estimates |
| 15 | Canadian Environmental Ass Program expenditures, contri to spend revenues received d from the provision of enviror training and information public Environmental Assessment A | 9,842,000 | |

B. Departmental Overview

1. Legal Mandate

The Government of Canada has made a strong commitment to implement environmental assessment as a means of achieving sustainable development. Toward this end, it created the Canadian Environmental Assessment Agency in December 1994. Operating as an independent entity within the portfolio of the Minister of the Environment, the Agency is guided by the following instruments:

- the Canadian Environmental Assessment Act (the Act) and its regulations: the Law List, Comprehensive Study List, Inclusion List, Exclusion List, and Projects Outside Canada;
- signed bilateral agreements with provincial governments that set out mutually agreed upon harmonization arrangements for environmental assessment activities; and
- international agreements containing environmental assessment provisions to which Canada is a signatory, e.g., United Nations Economic Commission for Europe Convention on Environmental Impact Assessment in a Transboundary Context, the United Nations Convention on Biological Diversity and the North American Agreement on Environmental Co-operation.

The Agency also assists the Minister of the Environment with the implementation of the 1990 *Cabinet Directive on the Environmental Assessment of Policy and Program Proposals*, which involves issuing guidance to federal authorities on environmental assessment considerations and requirements in respect of proposed policies and programs.

In addition, the President of the Agency has been designated by Order in Council as the federal administrator of the environmental and social protection regimes set out in Chapters 22 and 23 of the 1975 *James Bay and Northern Quebec Agreement* and the *North Eastern Quebec Agreement*.

2. Roles and Responsibilities

The Agency is in business to serve as the focal point for environmental assessment at the federal level. The responsibilities it undertakes are interrelated and designed to meet the Agency's main objective. For the Agency, the main responsibilities as defined by the Act are to:

- administer the federal environmental assessment processes established by the Act, regulations and other legal mechanisms;
- promote the uniformity and harmonization of environmental assessment activities across Canada at all levels of government;
- ensure opportunities are provided for public participation in the federal environmental assessment process;
- promote sound environmental assessment practices in a manner consistent with those established in the Act; and
- promote and conduct research on environmental assessment matters, and encourage the development of environmental assessment techniques and practices.

These responsibilities position the Agency to advise on the implementation of environmental assessment activities at the federal level, and assist the Minister of the Environment in performing those duties conferred by the Act.

3. Organization and Delivery of the Program

In June 1995, the Agency, guided by the spirit of public service renewal, introduced a progressive and modern organizational model based on the concept of self-directed work teams. It is designed to allow the Agency sufficient organizational flexibility to meet its objectives and to respond to the evolving needs of its clients. The underlying principle is that those closest to clients are best equipped to understand and respond to their needs.

While this model is reflected in the organizational structure of the Agency, it continues to evolve and remains experimental. Currently, the concept is under review in order to determine its relative success and appropriateness in light of the Agency's changing environment, and recommend possible modifications to the existing organizational structure. The establishment of benchmarks is also being considered to monitor progress toward achieving the goals and objectives of the concept, with the assistance of both internal surveys and external pilot participation sessions. Please refer to Appendix 1 for the functions of current teams.

4. Current Challenges

Fundamental changes are taking place in the way governance is being defined in Canada. The economic realities of public debt and deficits are causing governments at all levels to rethink their roles and the services they provide. The general trend is that all members of society are being asked to assume a greater degree of responsibility for realizing their interests. This is leading to changes in public expectations. Therefore, in carrying out the Agency's mandate, careful monitoring of external factors that may affect the delivery of services is essential. Following are specific external factors and government commitments influencing the Program:

Cost Recovery and Process Efficiency: The 1995 Budget introduced a number of measures pertaining to the cost recovery of federal goods and services. Among these measures was the reference that: "The Minister of the Environment will develop, in consultation with concerned Ministers, provinces and stakeholders, proposals for recovering costs attributable to environmental assessments as well as options for streamlining procedures and timelines for the environmental assessment process". The Agency developed, in conjunction with other federal departments, a "Discussion Paper on Cost Recovery" and a "Position Paper on Process Efficiency". These papers serve as the basis for consultations with all stakeholders. Following consultations, proposals for the resourcing of environmental assessments and options for process efficiencies that are both feasible and effective will be prepared for the consideration of ministers.

Federal – Provincial Relations: At the provincial level, government restructuring programs are taking place, similar in scope to those at the federal level. At the same time, multilateral harmonization is being pursued by the Canadian Council of Ministers of Environment to establish a Canada-wide environmental management framework. In such a forum, changes in the provincial political landscape may cause changes in directions and approaches.

Against this backdrop, it is assumed that provincial governments will continue to co-operate with their federal counterparts and Agency officials in particular in pursuing harmonization of environmental assessment activities. These negotiations will progress with the objective of ensuring that environmental assessment processes are consistent and better harmonized, while striving for the highest level of environmental protection for all Canadians.

Aboriginal Affairs: Aboriginal self-determination through self-government agreements, comprehensive land claims and devolution initiatives with Aboriginal people is a government commitment which is placing considerable pressure on the Agency. The Department of Indian Affairs and Northern Development is in the process of negotiating comprehensive land claim and self-government agreements with various Aboriginal communities. These include provisions for environmental assessment. In addition, the Act directs the development of Indian lands and funding regulations to provide First Nations with greater environmental assessment responsibilities. Therefore, it is vital that the Agency maintain existing federal standards for environmental assessment. In addition, Aboriginal environmental assessment processes should be developed that are consistent with the Act and allow for effective and efficient harmonization.

Program Review and Fiscal Restraint: Many federal departments are faced with rapid changes as a result of measures arising from government-wide program review and recent budget reductions. In the face of this significant short-term change, there is a risk that departments may feel compelled to focus on short-term priorities and lose the longer-term perspective. The Agency is facing increasing pressure to become more involved in specific project environmental assessments, rather than limiting its activities to general policy and process advice. The challenge for the Agency will be to promote the benefits of a longer-term approach to environmental assessment and compliance with the Act.

Regulatory Reform: By reducing uncertainty through the establishment of clear rules for assessing the environmental impacts of projects, the government's agenda recognizes the Act as a positive mechanism for the growth of jobs and the economy. There is, however, increasing pressure from some sectors of industry to add greater certainty in the area of time frames and procedures. The Agency's challenge is to continue to improve the efficiency of the regulatory process, and in so doing encourage and facilitate compliance with the Act.

International Affairs: Canada is viewed as an international leader in the field of environmental assessment. The government has stated its commitment to actively promote sustainable development in the international sphere. As such, Canada is signatory to several international agreements that involve environmental assessment provisions. International relationships give Canada the opportunity to share environmental assessment expertise and, at the same time, access the research being undertaken by other countries as a cost-effective way to enhance the Agency's environmental assessment knowledge base. The Agency's challenge is to remain in step with the environmental initiatives of international organizations and of other countries. This will ensure the effectiveness of Canada's domestic environmental assessment process, as well as to maintain the competitive edge of Canadian exporters.

5. Agency Financial Overview

| (thousands of dollars) Main | n Estimates* 1996-97 | Main Estimates 1997-98 | Planned 1998-99 | Planned 1999-2000 |
|---|-------------------------|---------------------------|--------------------|----------------------|
| Gross Estimates | 8,255 | 10,220 | 7,856 | 7,843 |
| Revenue to the Vote | (263) | (378) | (169) | (120) |
| Total Main Estimates | 7,992 | 9,842 | 7,687 | 7,723 |
| Revenue credited to the Consolidated Revenue Fund | 0 | 0 | 0 | 0 |
| Estimated Cost of Services by other Departments | 1,145 | 1,105 | Not available | |
| Net Cost of the Agency | 9,137 | 10,947 | 7,687 | 7,723 |

^{*} Does not reflect Supplementary Estimates

6. Net Cost of the Program

| Program | | (thousands of | dollars) | 1997-98 Main Estimates | | | |
|---|-------------|-----------------------------|---------------------------|------------------------|---------------------------------------|-------------------------|--|
| _ | Operating | Grants and Contributions | Statutory Payments (1) | Gross Expenditures | Less Revenues Credited to the Vote | Total Main Estimates | |
| Canadian Environmental Assessment Agen | 9,162 cy | 1,058 | 0 | 10,220 | (378) | 9,842 | |
| | 9,162 | 1,058 | 0 | 10,220 | (378) | 9,842 | |
| Other Revenues and Expenditures Estimated Cost of Services by other Departments 1,105 | | | | | | | |
| Net Cost of the Program | | | | | | 10,947 | |

⁽¹⁾ Does not include contributions to employee benefit plans which are allocated in the operating expenditures.

C. Planning Details

1. Appropriated Planned Spending

| (thousands of dollars) Ma | | Estimates* 1996-97 | Main Estimates 1997-98 | Planned 1998-99 | Planned 1999-2000 |
|---|------|-----------------------|---------------------------|--------------------|----------------------|
| Canadian Environme Assessment Agency | ntal | 7,992 | 9,842 | 7,687 | 7,723 |
| | | 7,992 | 9,842 | 7,687 | 7,723 |

^{*} Does not reflect Supplementary Estimates.

2. Key Initiatives

The key initiatives for the Agency over the upcoming planning horizon are associated with the two corporate goals, as indicated earlier.

GOAL #1 - Improve the quality and delivery of federal environmental assessment processes

It is vital that the environmental assessment process continue to evolve in response to economic and social factors and technological changes throughout Canada and the world. This effort is carried forward on many fronts: from activities related to managing and advising on the application of the environmental assessment processes, to promotion and educational activities. Only by adapting to stakeholders' needs and ensuring a fair and equitable process, can the Agency advance the incorporation of sustainable development principles into decision making. The following are activities and the performance Canadians can expect the Agency to achieve.

Result Expectation #1: Responsible actions are taken that reflect the values of the Canadian public and sustainable development and thereby achieve a healthy environment and a healthy economy.

Deliverables / Activities

Management of public review processes: Under the Canadian Environmental Assessment Act, the Agency manages federal public panel reviews and mediations in a manner that supports effective decision making and promotes sustainable development. Public reviews and mediations are the result of project proposals referred to the Minister of the Environment due to uncertain and potentially significant adverse environmental effects, or because they have generated significant public concern. The Minister of the Environment appoints individuals from outside the federal public service to serve as panel members or mediators. The Agency assists the review panel,

government departments, provinces and other stakeholders by providing advice and information on the application of the process consistent with the Act. In addition, the Agency administers the deposit of information into a public registry for each of these reviews.

Certain environmental assessments of projects, however, began before the promulgation of the Act. These will continue under the terms of the Act's predecessor, *the Environmental Assessment and Review Process Guidelines Order*, until their completion.

The Agency will be involved in managing eight public panel reviews for 1997-98. Of these reviews, six will be conducted pursuant to the *Canadian Environmental Assessment Act*, and two under the Guidelines Order. Joint federal and provincial process agreements for the conduct of six public panel reviews have been established. Please refer to Appendices 5 and 6 for the costs and the geographical location of these reviews. Further information is available from the Agency's Reference Centre (see Appendix 8). The following are current public panel reviews:

Nuclear Fuel Waste Management and Disposal Concept: This proposal involves the comprehensive examination of scientific and technical aspects for deep geological disposal of nuclear fuel waste. The major issues of concern include the safety and acceptability of the disposal concept, related nuclear fuel waste management issues, and social, economic and environmental implications. The panel will conclude the public hearing process at the end of March 1997. The panel's report, including conclusions and recommendations to the government, is expected to be submitted by September 1997.

Saskatchewan Uranium Mining Developments: A joint federal-provincial panel is reviewing a total of seven uranium mine development proposals in northern Saskatchewan. The issues of concern include the effects of the mining developments on the physical environment, socio-economic impacts, and impacts on health and safety. To date, four of the seven reviews have been completed. Of the three remaining reviews, the panel expects to submit its recommendations on the McArthur River Project early in 1997. Public hearings on the Midwest and Cigar Lake proposals are expected to be held in the first half of 1997, with panel reports anticipated in the third quarter of the year.

Sunshine Ski Development: This proposal involves the expansion of ski facilities at a resort located within the Banff National Park. The issues of concern include the future development of the area and the environmental and directly related socio-economic effects. The panel is awaiting clarification of its terms of reference as a result of a decision by the Federal Court of Appeal.

Terra Nova Offshore Oil Development: This project involves the development and production of petroleum resources from the Terra Nova field approximately 350 km southeast of Newfoundland. The major issue of concern is the potential effects on marine habitat from routine operations and possible accidental events. This review is being conducted jointly with the Canada–Newfoundland Offshore Petroleum Board. The panel was appointed in November 1996 while review of the development application (including the environmental impact statement) began in December 1996. The report is targeted to be completed by the panel in the autumn of 1997.

Sable Island Offshore Energy Project and Maritimes and Northeast Pipeline Project: This proposal involves the extract and refinement of natural gas from numerous fields in the Sable Island area offshore from Nova Scotia. It also includes the construction and placement of pipeline from the fields through Nova Scotia and New Brunswick to domestic and American markets. The major issues of concern include the effects on the fishing

industry in the Sable Island area, and the effects of pipeline construction on various ecosystems. This review is being conducted jointly with the Province of Nova Scotia, the National Energy Board, and the Canada–Nova Scotia Offshore Petroleum Board. Public hearings are expected to commence in April 1997.

Cheviot Coal Project: This proposal involves the construction, operation and decommissioning of a coal mine near Hinton, Alberta. The major issues of concern include socio-economic effects and the impacts on Aboriginal use of land. This review is being conducted jointly with the Alberta Energy and Utilities Board. The panel intends to complete its review and table its report during the current fiscal year.

Voisey's Bay Mineral Development: This project involves the construction, operation and decommissioning of an open-pit and underground nickel, copper and cobalt mine, mill and concentrator in Northern Labrador. The major issues of concern include effects on Aboriginal use of land, sea (including sea ice) and resources including the effects on the disposal of reactive tailings and waste rock. The panel is expected to be appointed and begin its activities in early 1997, following the outcome of negotiations between Aboriginal groups and the federal and provincial governments concerning the review process.

Little Bow Project/Highwood Diversion Plan: This project, located in the South Saskatchewan River Basin of Alberta, consists of the construction of the Little Bow River Reservoir, enlargement of the Little Bow Canal, construction of the Clear Lake Canal and implementation of the Highwood Diversion Plan. The project will be reviewed jointly with the Alberta Natural Resources Conservation Board.

Public participation: The Participant Funding Program enables concerned citizens and organizations to participate effectively in the environmental assessment of projects conducted through mediation and panel review. It helps ensure that decision makers are aware of the views of the public whose interests would be directly affected by a particular project. The Agency currently administers this Program and anticipates allocating up to \$963,000 to eligible participants for eight public panel reviews in 1997-98.

Administration of class screenings and comprehensive studies: The vast majority of environmental assessments conducted are screenings (see Appendix 7) which other federal departments are responsible for administering. However, the Agency is currently developing procedures to advance the review and approval of class screening reports. These reports will provide a means for federal departments to streamline the screening process for classes of similar projects, and hence reduce cost and time requirements.

Projects that have not been referred to the Minister for mediation or public review, but are described on the *Comprehensive Study List Regulations*, require a comprehensive study. Comprehensive studies, like screenings, are based on the principle of self-directed environmental assessment. This means federal departments are responsible for managing the environmental assessment, including determining the scope and factors to be considered, and submitting a report to the Agency. The Agency is responsible for confirming if the information contained in the report meets the requirements of the Act, and ensuring appropriate input has been received from key participant, including the public. It is also responsible for preparing recommendations to the Minister of the Environment. The Agency provides advice and facilitates co-ordination among all proponents and relevant parties, including various levels of government. The Agency expects that approximately ten comprehensive studies will be conducted nation-wide under the Act during 1997-98. Additional information on current or completed comprehensive studies can be obtained from the Agency's Reference Centre.

Procedural advisory services: One objective of the Agency is to ensure that clients have ready access to services to enhance the quality of environmental assessment activities. This includes the provision of expert procedural advice and support, and the identification of opportunities to apply environmental assessment early in the planning and decision-making process. In addition, the Agency provides advice and guidance to clients on the effective application of the Act and on the *Cabinet Directive on the Environmental Assessment of Policy and Program Proposals*.

James Bay and Northern Quebec Agreement (JBNQA): The Agency will continue to support the federal administrator in fulfilling his responsibilities under the JBNQA. The JBNQA establishes requirements for environmental assessments of certain types of development proposals under federal jurisdiction within the region. The Agency will also continue to support Cree local administrators in fulfilling their responsibilities relative to the environmental assessment of development proposals under the JBNQA.

Result Expectation #2: Stakeholders and the public alike have a greater understanding of the federal environmental assessment process, better access, and a better appreciation of its benefits.

Deliverables / Activities

Promotion and communications strategy: A key element of an effective environmental assessment process is its successful promotion to stakeholders. This involves communication initiatives and other activities designed to promote an understanding of environmental assessment and the Agency's role. The major initiatives of the Agency in this area include the public registry system and education and training sessions. The Agency also conducts a comprehensive communications strategy that highlights the benefits of the environmental assessment process to key stakeholders. This strategy includes a World Wide Web information site on the Internet, public notices published in various newspapers, production of general information brochures, including a citizen's guide, and a series of specialized research reports (see Appendix 8 for a complete list of publications available).

Public Registry/Federal Environmental Assessment Index: The Act stipulates that responsible authority departments must maintain a public registry. The public registry is a repository of complete, relevant and reliable information relating to every project for which an environmental assessment has been undertaken. The main objective of the registry is to facilitate meaningful participation of Canadians through transparency and sharing of information. It is supported by the Federal Environmental Assessment Index which is managed by the Agency. The Index is designed to provide convenient and cost-effective public access to basic information about the nature, location and further contacts of projects. Through the Index, information is distributed monthly to over 170 public, university and government libraries, and is also available on the Internet. Currently, the Agency is investigating options to improve the efficiency of reporting projects on the Index.

Education and training sessions: The Agency has offered a basic general training course in the application of the Act, since 1994. The Agency will continue to offer this course to all federal departments; sessions will be scheduled according to demand. The training compendium used as the material for the course is also available for sale separately, from the Agency. The compendium

includes instructional material, a responsible authority's guide, a citizen's guide, fact sheets, and copies of the Act and associated regulations. As new guidance documents are produced for specific aspects of the environmental assessment process (see page 32), the Agency will develop and offer specialized training courses on the use of those guides.

Result Expectation #3: The application of the federal environmental assessment process is more effective and predictable, and is in compliance with the Act and other relevant federal laws and regulations.

Deliverables / Activities

Development of regulations, procedures and guidelines: Work will continue in 1997-98 to implement the Act and its promulgated regulations, and to further develop and enhance the regulatory regime in order to meet specific needs and circumstances of the Agency's clients. These activities are evolving from years of extensive, nation-wide public consultations and continued input from a multi-stakeholder Regulatory Advisory Committee.

New regulations are being developed, in consultation with federal departments and agencies, provincial and territorial governments, the private sector, environmental and Aboriginal groups and the general public. The regulatory regime will eventually encompass more than a dozen regulations that define and clarify the requirements and scope of the Act. Most recently, the Federal Co-ordination Regulations were published in the *Canada Gazette* – Part I (see page 23). During 1997-98, it is anticipated that regulations on other mechanisms will be developed for Crown corporations, panel procedures, projects undertaken by local airport authorities, and an expanded Inclusion List (Part II).

Compliance and monitoring: The Agency will be launching consultations with key stakeholders in the development of a compliance strategy and a process for ongoing monitoring. This will be done in conjunction with the Ongoing Monitoring Program (see page 24). The Agency will work with stakeholders to formalize processes to gather baseline data, which will help refine the quality of information, guidance and training that the Agency provides. The Agency will continue to use communications tools to ensure that stakeholders understand what they must do to adhere to legislative requirements.

In response to client surveys, procedures and guidelines will continue to be developed to facilitate proper conduct of environmental assessments under the Act. These provisions are targeted to those required to plan, manage, conduct or otherwise participate in federal environmental assessments. They also offer a framework for all parties to use in preparing or reviewing environmental assessment reports. In 1997-98, specialized guides targeted at specific stakeholders will be developed. Where appropriate, workshops and specialized training modules will be conducted in support of these guides.

Process efficiency measures: The passage of the Act and its regulations was essential in achieving environmental assessment process reform. It is recognized that environmental assessment is a relatively new public policy initiative, and it will be refined as experience is gained. Although our experience with the new process is very recent, numerous benefits appear to be evolving, including: less litigation; a streamlined environmental assessment process; better co-operation with the provinces through agreements and regional offices; and better monitoring through the Federal Environmental Assessment Index.

In order to fully understand the impacts that the Act may have, a follow-up to the Joint Monitoring Program conducted with Industry Canada will be established. This follow-up will monitor any day-to-day problems experienced with the process, in order to provide an analysis of the costs to industry, and identify benefits which result from the application of environmental assessment.

Other current activities to increase the efficiency of the environmental assessment process include the following:

- a) workshops on complex environmental assessment issues for participants and other stakeholders;
- b) promulgation of the Federal Co-ordination Regulations (see page 23);
- c) development of timelines for panel procedures to ensure panel reviews are conducted in a more predictable manner;
- d) efforts to conclude agreements with provinces to harmonize environmental assessments (see page 22); and
- e) work on further innovations to enhance process effectiveness and efficiency, including the development of non-regulatory standards for environmental assessment (see page 23), and development of procedures to encourage the use of class screenings.

Result Expectation #4: Federal ability to incorporate environmental considerations into policy making is improved.

Deliverables / Activities

Environmental Assessment of Policies and Programs: The Cabinet Directive of June 1990, entitled "The Environmental Assessment Process for Policy and Program Proposals", required the federal government to integrate environmental considerations into policy and program proposals. Policy environmental assessment is an investment in good decision making, as it deals with long-term, cumulative environmental impacts that may be missed in the case-by-case assessment of individual projects. The Agency supports departments by providing advice and guidance on potential environmental effects of policy and program initiatives.

The Agency is currently developing a "hands-on" guide to the application of the environmental assessment process for program and policy proposals in order to assist other federal departments in complying with the Cabinet Directive. In addition, government-wide strategic environmental assessment training is to be conducted during 1997-98. Furthermore, in consultation with stakeholders, the Agency is developing recommendations for strengthening the Directive which will be presented to Cabinet for consideration.

Sustainable Development Strategy: The Agency, in conjunction with other federal departments, is currently developing a series of long-term proposals to improve the integration of environmental factors into federal planning and decision making, in accordance with amendments to the *Auditor General's Act* (Bill C-58). The Agency expects to table its report with Parliament in late 1997. The collective strategies will eventually result in a "greener" government.

The quality and delivery of federal environmental assessment processes will be improved if the following targets are met:

- Panels are being conducted in a more cost effective and timely manner.
- Follow-up programs determine that environmental assessments of projects were accurate, and the measures taken in a public review or comprehensive study to mitigate any adverse environmental effects of a project were effective.
- Litigation actions launched against the Crown with respect to the conduct and execution of the federal environmental assessment process decrease in number.
- Memoranda to Cabinet increasingly incorporate environmental assessment considerations.

GOAL #2 - Harmonize the application of environmental assessment processes across government and with other jurisdictions to the highest standards of environmental quality

To accomplish this, it is vital for the Agency to develop and nurture strategic partnerships. Only by demonstrating leadership and expertise and by sharing knowledge can the Agency gain the leverage to effectively influence the co-ordination of environmental factors into decision making, both at home and abroad.

Result Expectation #1: Strategic partnerships are strengthened, thereby reducing overlap and eliminating duplication in environmental assessment processes.

Deliverables / Activities

Harmonization agreements: All federal, provincial and territorial jurisdictions in Canada operate some form of environmental assessment regime. The application of these may involve overlap and duplication by proponents, the public and government agencies conducting environmental assessments of projects. This can result in conflicting decisions, increased uncertainty, and excessive costs or delays.

Under the Canada-Wide Accord on Environmental Harmonization which will promote the highest standards of environmental quality across Canada, the Canadian Council of Ministers of Environment (CCME) agreed to prepare a new multilateral approach to the harmonization of environmental assessment. The proposed approach would provide a single assessment and review process for projects that involve more than one jurisdiction.

During the upcoming year, the Agency, in conjunction with provincial and territorial governments, will develop a sub-agreement on environmental assessment for CCME consideration in May 1997. In developing the sub-agreement, the Agency will reinforce the federal government's openness in reaching an agreement that is not only good for the environment, but also increases clarity, predictability and certainty for proponents, governments and the public.

To achieve this, the Agency has proposed the development of a practical and pragmatic approach to harmonization, pursuant to two tracks. First, under the auspices of the CCME, effort will be made to develop a Canada-wide common approach to ensure a single environmental assessment is conducted for a project where two orders of government are involved.

The second track will involve the Agency accelerating negotiations with provincial governments on bilateral agreements. This short-term approach is aimed at solving any problems associated with the application of the Act and provincial environmental assessment legislation to the same project. The Framework for Environmental Assessment Harmonization, adopted by the Canadian Council of Ministers of the Environment (CCME) in November 1992, has provided the basis for the development of bilateral agreements. Discussions with British Columbia and Ontario are now at an advanced stage, with agreements expected by the spring of 1997.

Federal Co-ordination: In addition to harmonizing with provincial governments, assessments need to be co-ordinated when more than one federal department is involved in a particular project. To this end, the Agency is nearing completion the Federal Co-ordination Regulations which will reinforce the principle of one project—one assessment and establish timelines. These proposed regulations include the following key elements:

- a) identification and notification of federal departments that may be involved in a project as responsible authorities or as expert departments according to a timeline;
- b) consultation among federal departments regarding the scope of the environmental assessment for the project;
- c) release of environmental assessment determinations by all responsible departments according to an agreed schedule; and
- d) co-ordination of all responsible departments' interests and involvement in comprehensive study recommendations.

These regulations will allow the federal government to co-ordinate its efforts among departments, and act as one unified body. They will provide greater certainty to proponents as to whether their projects are subject to the Act, leading to a more effective and predictable process. They will also facilitate co-ordination with the provinces and territories with respect to environmental assessment. The regulations will be accompanied by a detailed reference guide in order to assist compliance by departments.

Result Expectation #2: The Agency's leadership, process expertise and innovation initiatives support job growth and competitiveness.

Deliverables / Activities

Research and Development: Under the Act, the Agency is responsible for promoting and conducting research and encouraging the development of environmental assessment techniques and practices. Research is being undertaken to find better, more effective ways of integrating environmental assessment considerations into decision making. By contributing to better project planning, the Agency is supporting job creation and sustainable development, both of which lead to increased competitiveness.

In addition, the Agency is investigating innovative ways to improve the conduct of the process through measures such as standards. A pilot project has been launched for standardizing screenings within the federal government to determine whether the predictability and efficiency of the process can be improved. Depending on the success of this project, the concept may be expanded to a national standard.

Ongoing Monitoring Program: In collaboration with key stakeholders, the Agency will be following up the work of the Joint Monitoring Program with an expanded, multi-year monitoring program. The objective of this Program is to evaluate whether environmental assessment is contributing to better project planning and the consideration of environmental effects. In addition, the Program will assist the Agency in determining if environmental assessment is being conducted in a cost-effective manner. To accomplish this, data will be collected on the benefits to industry of preparing environmental assessments under the Act. Data will also be collected on actual and potential gains in sustainability brought about through comprehensive studies and public reviews and the source of, and actual cost associated with, substantive requirements of environmental assessments. This data will include the administration and management of comprehensive studies and public reviews by the Agency.

The follow-up report on the Joint Monitoring Program on the first year of the implementation of the Act has been delayed, but will be released in early to mid-1997. This report will address the minor difficulties that were identified.

Result Expectation #3: Aboriginal regimes maintain or exceed the standards and principles of the Act, and are harmonized with existing environmental assessment processes.

Deliverables / Activities

Aboriginal Affairs: Current federal government policies with respect to Aboriginal land claims and the inherent right to self-government recognize the importance of ensuring that Aboriginal peoples have greater control over their lives. As decision-makers, Aboriginal people require tools to ensure that environmental integrity and sustainable development are achieved for their communities.

The Agency is currently a participant in the settlement of land claims and self-government agreements, most notably in British Columbia. In this regard, the Agency supports the negotiation teams in incorporating principles of the Act and sustainable development into treaty settlements to ensure the highest level of environmental quality. The Agency does this by providing advice and direction on Aboriginal environmental assessment matters, and by developing and implementing training, guidelines and other support materials to federal negotiators. Once these principles are enshrined in treaty settlements, Aboriginal environmental assessment regimes can be harmonized with the existing federal regime. In addition, the Agency is also pursuing an Aboriginal environmental assessment process for federally funded projects located on reserve lands subject to the *Indian Act*.

A feasibility study for the option of developing an Aboriginal environmental assessment standard will be completed in early 1997. Based on the study, the Agency will determine whether the standard can be developed to respond to Aboriginal environmental assessment requirements in respect of projects located on reserve lands subject to the *Indian Act*.

Result Expectation #4: The Agency's leadership and expertise is positively influencing the environmental assessment processes and capacities of the other countries.

Deliverables / Activities

International Affairs: The government is committed to promoting sustainable development in the international sphere. In this context, Canada is signatory to several international agreements involving environmental assessment. International relationships give Canada the opportunity to share environmental assessment expertise and, at the same time, access research being undertaken by other countries. It is a cost-effective way to enhance the Agency's environmental assessment knowledge base. The Agency has taken the lead by providing advice and guidance for programs and activities in the international environmental assessment field, in the context of various agreements and conventions.

In addition, Canada has signed bilateral environmental agreements with Hong Kong, China, Russia, the Netherlands, Poland, Mexico and Chile. These agreements are intended to promote co-operation in environmental matters, and to share environmental management experience. The Agency is actively involved in sharing scientific, technical and environmental knowledge. It is also involved in joint workshops, conferences, programs and projects with Canada's international partners.

Transboundary Issues: As a signatory to the United Nations Economic Commission for Europe *Convention on Environmental Impact Assessment in a Transboundary Context*, the Agency, on behalf of Canada, has been addressing the issues related to the implementation of the Convention so that ratification can occur. This Convention applies to projects located in Canada that may cause significant adverse environmental effects in other countries. The Agency is co-ordinating, on behalf of the Minister of the Environment, a ratification strategy so that federal and provincial legislation are in accordance with the Convention. The issues identified are currently being addressed in conjunction with other transboundary environmental assessment commitments.

Canada, in conjunction with seven other arctic countries, is also a signatory to the Arctic Environmental Protection Strategy (AEPS). The Agency is currently assisting an international technical committee, established under the auspices of the AEPS, to develop procedures and guidelines for environmental assessment in an arctic context.

Canada is also a signatory to the *North American Agreement on Environmental Co-operation*, established under the *North American Free Trade Agreement*. This Agreement also applies to projects likely to cause significant adverse transboundary effects. The Agency, on behalf of Canada, is working with the United States and Mexico to develop recommendations with respect to assessment, notification and mitigation of such projects. It is anticipated that the environment ministers from each country will conclude an agreement during the summer of 1997.

These activities will help to advance Canada's environmental objectives of regulating and controlling adverse transboundary environmental effects and promoting environmental assessment as an effective decision-making tool in support of sustainable development within the international community.

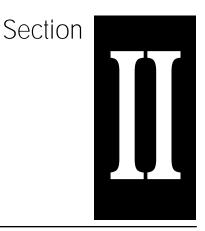
The application of environmental assessment processes across government and with other jurisdictions will be harmonized to the highest standards of environmental quality if the following targets are met:

- Parallel assessments by both federal and provincial governments decrease in number.
- Federal and provincial environmental assessments are increasingly harmonized.
- Reduction in duplication and increase in efficiency in the case of joint or co-operative reviews.
- National and international stakeholders are satisfied with and support the Agency's accomplishments and successes.
- Jobs created in an environmentally sustainable manner through the approval of projects that have undergone environmental assessments.
- Aboriginal regimes are fully harmonized with federal and provincial processes.

3. Change Management Issues

Currently, Agency management is adjusting its priorities to address issues and concerns raised by preliminary indications from the Auditor General. The objectives of the audit are twofold: first, to assess whether the *Canadian Environmental Assessment Act* is being implemented in an economic and efficient manner and whether there are impediments to its implementation; second, to assess the extent to which the Agency is carrying out its responsibilities under the Act.

To ensure resources support the highest priorities, the Agency is strengthening mechanisms for corporate long-range planning and performance measurement through the development of a Strategic Accountability Framework and a Sustainable Development Strategy.



1995-96 PERFORMANCE REPORT

Environmental assessment ... before you decide



A. Summary of Performance

1. Departmental Appropriated Planned and Actual Spending

| (thousands of dollars) | Actual 1993-94 | Actual 1994-95 | Main Estimates 1995-96 | Actual 1995-96 |
|--|-------------------|-------------------|---------------------------|-------------------|
| Business Line Canadian Environmental Assessment Agency | 10,557 | 10,531 | 8,446 | 9,959 |
| Total | 10,557 | 10,531 | 8,446 | 9,959 |

2. Net Cost of the Program

1995-96 Comparison of Main Estimates to Actuals (shaded areas are actuals)

(millions of dollars)

| | Operating | Grants and Contributions | Gross Expenditures | Less Revenues credited to the Vote | Total Main Estimates | | |
|--|-----------|--------------------------|-----------------------|------------------------------------|-------------------------|--|--|
| Canadian Environmental Assessment Agency | 7,323 | 1,323 | 8,646 | (200) | 8,446 | | |
| | 9,650 | 565 | 10,215 | (256) | 9,959 | | |
| Other Revenues and Expenditures Cost of services by other departments | | | | | | | |
| | | | | | 639 | | |
| Net Cost of the Program | | | | | 9,085 | | |
| | | | | | 10,598 | | |

B. Performance Details

The Agency's performance and accomplishments over the previous fiscal years are measured by the two corporate goals, as indicated earlier.

GOAL #1 - Improve the quality and delivery of federal environmental assessment processes

Result Expectation #1: Responsible actions are taken that reflect the values of the Canadian public and sustainable development and thereby achieve a healthy environment and a healthy economy.

Management of the public review process: Since the tabling of the 1996-97 Part III of the Main Estimates, four public reviews were completed and recommendations submitted to ministers for integration into decision making. Please refer to Appendices 5 and 6 for the final costs and geographic location of these reviews. Additional information on these reviews, as well as other completed reviews, can be obtained from the Agency's Reference Centre. The completed public reviews are:

Express Pipeline: This review involved a proposal for the construction and operation of a 610-millimeter diameter crude oil pipeline extending 428 kilometers from Hardisty, Alberta to the Canada – United States boundary near Wild Horse, Alberta. The major issues of concern were the potential impacts on air quality, soils, hydrology, vegetation, wildlife, fisheries and land use. This review, the first to be completed under *the Canadian Environmental Assessment Act*, was also the first to be conducted jointly with the National Energy Board. The panel's report was accepted by the government, and the approval certificate for the project to proceed was issued by the Board in the summer of 1996.

Elliot Lake Uranium Mines Decommissioning: This review involved a proposal to decommission four uranium mine tailings management areas near Elliot Lake, Ontario. The major issues of concern were the health and safety of the public, impacts downstream of the Serpent River Indian Reserve, and viability of a preferred alternative for decommissioning. The panel submitted its report in June 1996 recommending that the project proceed subject to conditions. The government's response to the panel's report is expected in the spring of 1997.

Lachine Canal Decontamination: This review involved a proposal to dispose of contaminated sediments from the Lachine Canal in Montreal and an adjacent area upstream to enable use of the canal for public recreation. Because of responsibilities of the Government of Quebec in an area upstream from the project, a federal-provincial panel was appointed to conduct a joint public review of the project. In its report, submitted to the provincial and federal governments and made public in October 1996, the joint panel recommended not to proceed with the proposed decontamination of the canal because it would offer few environmental benefits. In January 1997, the federal government announced its acceptance of the main recommendation of the joint review panel and agreed not to proceed with the decontamination of the canal's sediments.

BHP Diamond Mine: This review involved a proposal for an open-pit and underground diamond mine proposal in the Lac de Gras area of the Northwest Territories. The major issues of concern included the environmental and socio-economic impacts associated with the development and operation of the mine. The panel completed its report and submitted its recommendations to the government in June 1996. The government issued its response in August 1996, accepting the panel's recommendation, and granted conditional approval to the project. In November 1996, those conditions were removed.

Public Participation: Since the implementation of the Participant Funding Program in 1991, assistance has been provided to 317 individuals or groups, totaling \$4.2 million for 20 public reviews. This included \$470,000 in 1995-96. These individuals and groups have contributed greatly to the shaping of review panel recommendations. Since its inception, requirements for the Participant Funding Program have grown due to increased awareness and public involvement in environmental issues. The Agency completed an evaluation of the effectiveness and efficiency of the Program in 1995-96, and concluded that the Program was meeting its objectives.

Comprehensive Studies: Since promulgation of the Act, the Minister of the Environment has reviewed and approved seven major projects in Canada under the comprehensive study process. The outcome of these reviews was positive because proponents and federal authorities took steps to ensure the environment was protected and the public was involved during planning stages of the project. The environmental assessment of these projects ensured that they will be developed in a manner that promotes sustainable development. These projects will create over 24,000 person-years of employment with capital costs of over 850 million dollars.

These first comprehensive study reports permitted the Agency to further develop guidelines and procedures for preparing and reviewing the reports and for conducting the required public consultation. Proponents have collaborated by placing public notices in local media. The Agency, with the co-operation of its partners, has successfully managed the review process for comprehensive study reports, that is, from the reception of the report from the responsible authority to the decision by the Minister, in an average of 45 days.

Result Expectation #2: Stakeholders and the public alike have a greater understanding of the federal environmental assessment process, better access, and a better appreciation of its benefits.

Promotion and communications strategy: Promotion of the benefits of environmental assessment is a key element of an effective environmental assessment process. The Agency has undertaken a number of initiatives to promote to a broad audience an understanding of environmental assessment, and make more accessible the Agency's knowledge and expertise. Major initiatives include the publication of specialized process guides for practitioners, simplified guides for the public, education and training workshops across the country, and the promotion of the Federal Environmental Assessment Index.

In 1995, the Agency created its Web site or "home page" on the Internet. The site was first intended as a means of facilitating public access to the Index. However, the site (http://www.ceaa.gc.ca) has now expanded to include some of the Agency's extensive information holdings, as well as information on the Act, the Agency and the practice of environmental assessment. In June 1995, the Agency's home page won the Canadian Internet Award for best

law resource. The Agency's World Wide Web site receives, on average, over 40,000 visitors a month, or over 1,300 a day from individuals all across Canada and the world.

Guided by an open, two-way communications policy, the Agency has worked closely with its stakeholders to promote the attainment of mutual objectives. The Agency has worked principally with the federal Senior Management Committee on Environmental Assessment, the multi-stakeholder Regulatory Advisory Committee, federal-provincial Environmental Assessment Administrators and the federal-provincial Regional Environmental Assessment Committees. These committees serve as the eyes and ears of the Canadian public. They also teach others what they have learned from the Agency.

Education and training sessions: Education sessions have been delivered to enhance understanding of the Act and to promote compliance. Since proclamation of the Act, the Agency has conducted 35 full-day education sessions in 15 centres across Canada at partial cost recovery. More than 1,600 participants attended these sessions, including approximately 800 federal officials. As part of its education strategies, the Agency has also published detailed process guides, such as the *Responsible Authority's Guide* and a computerized tutorial; held country-wide training seminars; and provided project-specific advice and guidance to ease the transition to the new regime. Combined revenues generated from the sale of education publications and conducting training sessions across Canada totalled approximately \$150,000 in 1995-96.

Federal Environmental Assessment Index: The Agency developed and implemented in January 1995, a government-wide Federal Environmental Assessment Index, in consultation with all federal government departments. This Index has facilitated public participation in the process and enhanced the exchange of information, thereby speeding up the availability and transfer of information. The Index is a listing of environmental assessments involving the federal government, and is updated monthly. It currently has general information on over 8,000 environmental assessments involving the federal government, and has a sophisticated search capability for users to find detailed information and the source of any environmental assessment listed. Please refer to Appendix 7 for a summary of environmental assessments filed by departments into the Index.

Result Expectation #3: The application of the federal environmental assessment process is more effective and predictable, and is in compliance with the Act and other relevant federal laws and regulations.

Development of regulations, procedures and guidelines: The Agency has been successful in improving the environmental assessment process through amendments to the Act. Specifically, the amendment Bill C-56 established the mandatory application of participant funding to public reviews, required that a response to recommendations of a review panel or a mediator be subject to Governor-in-Council consideration, and highlighted the objective that each project undergoing only one environmental assessment.

The Agency has finalized an additional regulation: *Projects Outside Canada*. This regulation outlines the procedures to follow in assessing projects outside Canada in which the Government of Canada is involved. The Act allows for certain procedures and requirements to be varied for such projects in order to adapt the process for projects undertaken outside of Canada.

In addition, the Agency produced a number of guides and guidelines to assist stakeholders, from practitioners to the general public, in understanding and complying with the Act. They include the following:

- Scope of an Environmental Assessment under the Canadian Environmental Assessment Act (draft),
- Assessing Environmental Effects on Physical and Cultural Heritage Resources,
- Biological Diversity and Environmental Assessment,
- Strategic EA: A Guide for Policy and Program Managers.

Further information regarding available guides and publications can be obtained from the Agency's Reference Centre (see Appendix 8).

Process efficiency: To give effect to this mandate, the Agency created an interdepartmental working committee composed of federal departments involved in undertaking most of the government's environmental assessments. The committee released in mid-1996 a "Discussion Paper on Cost Recovery" and a "Position Paper on Process Efficiency". These papers serve as the basis for extensive consultations with all stakeholders. Following the consultation period, proposals on recovering the cost of environmental assessment and improving the efficiency of the environmental assessment process will be prepared for the consideration of ministers.

Process efficiency is closely associated with the cost recovery initiative. If costs are to be recovered from proponents who benefit directly from environmental assessment, it must be demonstrated that the system is efficient.

The government has already begun to implement process efficiency. The *Canadian Environmental Assessment Act* represents the ongoing evolution of the practice of environmental assessment at the federal level. Two years after the promulgation of the Act, many of the intended reforms are in place and others are being developed.

Result Expectation #4: Federal ability to incorporate environmental considerations into policy making is improved.

In support of the *Cabinet Directive on the Environmental Assessment of Policy and Program Proposals*, the Agency has developed, in consultation with other federal departments, training modules and guides to encourage the incorporation of environmental considerations into policy making. As well, the Agency has provided ongoing advice to other departments as part of the federal policy development process.

GOAL #2 – Harmonize the application of environmental assessment processes across government and with other jurisdictions to the highest standards of environmental quality

Result Expectation #1: Strategic partnerships are strengthened, thereby reducing overlap and eliminating duplication in environmental assessment processes.

Harmonization agreements: The Agency has concluded bilateral agreements with Alberta and Manitoba under the principles of the Canadian Council of Ministers of Environment, Framework for Environmental Assessment Harmonization. These agreements allow for quick and efficient communication of information and effective co-ordination of decision making by both levels of government. In addition, the agreements allow for the conduct of environmental assessments that meet the federal and provincial legal and operational requirements, and the establishment of a regional office to act as a federal liaison with the provincial environmental assessment administrators, stakeholders and developers. Pursuant to obligations under these accords, regional single-window offices have been established (see below).

Single-window regional offices: Regional offices serve as a "single window" for public access to information on the federal environmental assessment process and requirements of the Act. They also facilitate co-ordination of environmental assessment activities among project proponents, potentially affected citizens, provincial, territorial and municipal governments and other federal departments and agencies by providing process advice and direction. This aspect is crucial for the harmonization of processes between the federal and provincial governments. The regional offices represent the Agency in local development planning exercises and in speaking engagements at conferences, meetings and at educational institutions on the federal role in environmental assessment. In addition, these offices offer a walk-in and mail-out service for information and publications regarding the implementation of the Act.

The regional offices are located in Vancouver (serving British Columbia, Yukon and the Northwest Territories); Edmonton (serving Alberta); Winnipeg (serving Manitoba and Saskatchewan); Halifax (serving Newfoundland, Nova Scotia, New Brunswick and Prince Edward Island); and in Hull (serving Ontario and Quebec).

Result Expectation #2: The Agency's leadership, process expertise and innovation initiatives support job growth and competitiveness.

Research and Development: Through the development of guides that clarify application of the Act, the Agency has shared its environmental assessment expertise and knowledge on "best practices" and related innovations. In addition, the Agency hosted an international summit of environmental assessment administrators. This conference resulted in an action program to strengthen the implementation and framework of the effectiveness of environmental assessment; implement an electronic network for environmental assessment managers; and strengthen environmental assessment capacity-building.

Joint Monitoring Program: Following implementation of the Act, the Agency and Industry Canada undertook a joint Program to monitor potential concerns with the administration of the new process, and any positive or negative impacts on competitiveness. The results of the Program indicated after one year that there were no major problems or impacts associated with the process.

Result Expectation #3: Aboriginal regimes maintain or exceed the standards and principles of the Act, and are harmonized with existing environmental assessment processes.

Aboriginal Affairs: During the past year, the Agency provided advice and assistance to federal officials involved in the development of environmental assessment provisions for four comprehensive land claim Final Agreements and nine Agreements in Principle. In addition, the Agency provided advice and assistance on the environmental assessment requirements of the *Framework Agreement on First Nation Land Management*. The Agency's efforts have continued to promote the development of Aboriginal regimes which are consistent with those of other jurisdictions and which may be harmonized with other regimes.

To assist in the negotiation of federal environmental assessment provisions in comprehensive land claim and self-government agreements, the Agency has provided training and information sessions to several federal negotiation teams. In addition, the Agency has prepared for federal negotiators, federal interest statements on environmental assessment requirements, discussion documents on environmental assessment and the Act, and negotiation guidelines on environmental assessment requirements.

In October 1995, the Agency distributed the "Options for Environmental Assessment by First Nations on Reserves" paper to Band Councils throughout Canada. The paper outlined possible consultative and process development options for the proposed *Canadian Environmental Assessment Act* regulations dealing with Indian lands and funding. This is only the first step in a series of consultations to be conducted with First Nations across Canada.

Result Expectation #4: The Agency's leadership and expertise is positively influencing the environmental assessment processes and capacities of other countries.

International Affairs: Canada has come to be well regarded internationally in the field of environmental assessment. The Canadian environmental assessment process was recently praised in the Organization for Economic Co-operation and Development's Environmental Performance Reviews: "Notable achievements have been made in integrating environmental considerations into economic and sectoral policies". The Agency also received the International Association for Impact Assessment's Outstanding Achievement Award in 1995.

At the 1996 International Association for Impact Assessment's annual conference in Lisbon, Portugal, the Agency presented the final report of the *International Study of the Effectiveness of Environmental Assessment*. The objective of the study was to strengthen environmental assessment as a practical tool for decision making in support of sustainable development. It drew primarily on experience and sound business practice to identify lessons for the future. The results of the study were options on improving existing environmental assessment processes and identification of areas that needed further research.

The Agency also finalized a report for the establishment of an environmental assessment managers network, in collaboration with international agencies and organizations. This network will utilize the communication resources of the Internet, and allow for information and expertise to be shared among international partners for the betterment of environmental assessment practices worldwide.

Transboundary Issues: An implementation plan and procedures for the *Convention on Environmental Impact Assessment in a Transboundary Context* were developed and a federal-provincial agreement on transboundary environmental assessment was discussed with the Canadian Council of Ministers of Environment (CCME) in June 1994.

SUPPLEMENTARY INFORMATION

Environmental assessment ... before you decide



APPENDIX 1 - Organization

1.1 Organizational Structure

The Canadian Environmental Assessment Agency is designated as a Department under Schedule I.1 of the *Financial Administration Act* and reports directly to the Minister of the Environment. The Agency is headed by a President who is responsible for fulfilling the Program's objective.

The organizational structure is simple and comprises two levels: the executive (encompassing the President and two Vice Presidents) and the teams. Following are the current teams under the model described above with their mission statements for the 1997-98 fiscal year:

Executive: Provide overall strategic direction and management, and set the context for the Agency's activities. This team is also manages Parliamentary relations, ministerial services and correspondence.

Public Review and Participant Funding: Develop and manage effective and independent public reviews and mediations to fulfill the Agency's mission. This team also manages the Participant Funding Program.

Class Screenings and Comprehensive Studies: Undertake and manage the Agency's responsibilities for comprehensive studies and class screenings; and advocate timely, efficient, high-quality environmental assessments of projects.

Client Liaison: To ensure the efficiency of federal environmental assessments through interdepartmental co-ordination and harmonization with environmental assessment processes of provinces and other jurisdictions. In addition, the headquarters and regional offices provide the Agency's clients with ready access to information, procedural advice and Agency services that enhance the quality of environmental assessment activity and compliance with the Act and its regulations.

Regulatory Development and Compliance Monitoring: Provide an effective legislative and regulatory framework for integrating environmental assessment into federal decision-making; monitor and promote compliance within that framework; and explore alternatives to regulations to address problems.

Environmental Assessment Enhancement and International Affairs: Function as a centre of expertise on good environmental assessment practices and ensure that Canada's international environmental assessment interests and commitments are met. The mission includes the continued enhancement of the Agency's environmental assessment knowledge base; the transfer of this knowledge, including training on the Act, to Agency clients; and the development of processes, procedures and standards to advance the efficient practice of environmental assessment.

Aboriginal Affairs: Provide advice on Aboriginal environmental assessment matters to the Agency and other clients in order to shape the federal approach to integrating environmental assessment requirements into comprehensive land claims agreements, and self-government agreements and federal devolution initiatives; provide advice and support services to the federal administrator of the *James Bay and Northern Quebec Agreement (JBNQA)*; and, manage the environmental assessment processes established under the JBNQA and related environmental assessment activities.

Communications and Information Management: In support of the Agency's objectives, provide value-added communications advice, translation and editing services, information distribution services to internal and external clients, and specialized information management and informatics services; promote environmental assessment to the public; manage a reference centre; and a national Federal Environmental Assessment Index, an Internet site and a communications program which facilitate informed public participation in the federal environmental assessment process.

Comptroller and Administration: Provide financial and administrative services to the Agency, including the development of mechanisms for cost recovery.

Legal Affairs: Provide professional legal services to the Agency and effectively identify potential legal issues and those associated with the design and implementation of the Act and the environmental assessment regulatory framework.

Human Resources: Provide professional advice and human resource services to all of the Agency's employees, develop the concept of semi-autonomous work teams for the Agency, and assist in its implementation.

APPENDIX 2 - Personnel Requirements

2.1 Summary by Professional Category

| | Actual 1994-95 | Actual 1995-96 | Estimates 1996-97 | Estimates 1997-98 | Planned 1998-99 | Planned 1999-2000 |
|----------------------------------|-------------------|-------------------|----------------------|----------------------|--------------------|----------------------|
| Order-in-Council Appointments | 0 | 1 | 1 | 1 | 1 | 1 |
| Executive Group | 8 | 7 | 6 | 6 | 6 | 6 |
| Scientific & Professional | 6 | 4 | 4 | 5 | 5 | 5 |
| Administrative & Foreign Service | 48 | 54 | 57 | 58 | 58 | 58 |
| Technical | 0 | 0 | 0 | 0 | 0 | 0 |
| Administrative Support | 25 | 18 | 20 | 25 | 25 | 25 |
| Operational | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 87 | 84 | 88 | 95 | 95 | 95 |

Full-Time Equivalent (FTE) is a measure of human resource consumption based on average levels of employment. FTE factors out the length of time that an employee works during each week by calculating the rate of assigned hours of work divided by scheduled hours of work. FTEs are not subject to Treasury Board control but are disclosed in Part III of the Estimates in support of personnel expenditure requirements specified in the Estimates.

APPENDIX 3 - Additional Financial Information

3.1 Details of Revenues by Source

| (thousands of dollars) | Actual 1994-95 | Actual 1995-96 | Estimates 1996-97 | Estimates 1997-98 | Planned 1998-99 | Planned 1999-2000 |
|--|-------------------|-------------------|----------------------|----------------------|--------------------|-------------------|
| Revenues credited to the Vote | | | | | | |
| Cost recovery for environmental assessment services | 12 | 105 | 0 | 129 | 29 | 0 |
| Cost recovery for publications, training and education material (federal) | 71 s | 61 | 122 | 77 | 79 | 62 |
| Cost recovery for publications, training and education material (external) | 109 s | 90 | 141 | 82 | 70 | 58 |
| Cost recovery for the Federal Environmental Assessment Index | 0 | 0 | 0 | 90 | 0 | 0 |
| Total credited to the Vote | 192 | 256 | 263 | 378 | 169 | 120 |
| Revenues credited to the Consolidated Revenue Fund | | | | | | |
| Cost recovery for environmental assessment services | 0 | 28 | 0 | 0 | 0 | 0 |
| Total credited to the CRF | 0 | 28 | 0 | 0 | 0 | 0 |
| Total Program Revenues | 192 | 284 | 263 | 378 | 169 | 120 |

3.2 Details of Transfer Payments

| (dollars) | Actual 1994-95 | Actual 1995-96 | Estimates 1996-97 | Estimates 1997-98 | Planned 1998-99 | Planned 1999-2000 |
|--|-------------------|-------------------|----------------------|----------------------|--------------------|----------------------|
| Contributions | | | | | | |
| Contributions to assist public participation in environmental assessment reviews | 809,294 | 469,638 | 1,227,000 | 963,000 | 0 | 0 |
| Contribution to the Province of Quebec – James Bay and Northern Quebec Agreement | 95,000 | 95,000 | 95,000 | 95,000 | 0 | 0 |
| Total Contributions | 904,294 | 564,638 | 1,322,000 | 1,058,000 | 95,000 | 95,000 |

Note: Public reviews initiated prior to January 19, 1995 will continue to be conducted according to the terms of the Environmental Assessment and Review Process Guidelines Order, including any contribution arrangements for these reviews. Projects referred after January 19, 1995 will be conducted according to the Canadian Environmental Assessment Act.

3.3 Presentation by Standard Object

| (thousands of dollars) | Actual 1994-95 | Actual 1995-96 | Estimates 1996-97 | Estimates 1997-98 | Planned 1998-99 | Planned 1999-2000 |
|---|-------------------|-------------------|----------------------|----------------------|--------------------|----------------------|
| Personnel | | | | | | |
| Salaries and wages | 4,178 | 4,406 | 4,125 | 4,110 | 4,135 | 4,166 |
| Contributions to employee benefit plans | 542 | 615 | 598 | 699 | 703 | 708 |
| | 4,720 | 5,021 | 4,723 | 4,809 | 4,838 | 4,874 |
| Goods and Services | | | | | | |
| Transportation and communication | 918 | 876 | 418 | 610 | | |
| Information | 342 | 388 | 186 | 349 | | |
| Professional and special services | 3,082 | 2,876 | 1,373 | 2,860 | | |
| Rentals | 183 | 162 | 77 | 130 | | |
| Purchased repair and upkeep | 151 | 17 | 8 | 107 | | |
| Utilities, material and supplies | 213 | 241 | 115 | 130 | | |
| Other expenditures | 64 | 25 | 12 | 67 | | |
| Minor Capital * | 146 | 44 | 21 | 100 | | |
| | 5,099 | 4,629 | 2,210 | 4,353 | 3,092 | 2,994 |
| Transfer Payments | | | | | | |
| Voted | 904 | 565 | 1,322 | 1,058 | 95 | 95 |
| | | | | | | |
| Gross Expenditures | 10,723 | 10,215 | 8,255 | 10,220 | 7,856 | 7,843 |
| Less: Revenues credited to the Vote | (192) | (256) | (263) | (378) | (169) | (120) |
| Net Budgetary Expenditures | 10,531 | 9,959 | 7,992 | 9,842 | 7,687 | 7,723 |

^{*} Minor Capital is the residual after the amount of controlled capital has been established. In accordance with the Operating Budget principles, these resources can be interchanged with Personnel and Goods and Services expenditures.

3.4 Contingent Liabilities

As of March 31, 1996, there are no contingent liabilities outstanding against the Canadian Environmental Assessment Agency.

APPENDIX 4 - Statutes Administered by Canadian Environmental Assessment Agency

The only statute administered by the Agency is the Canadian Environmental Assessment Act.

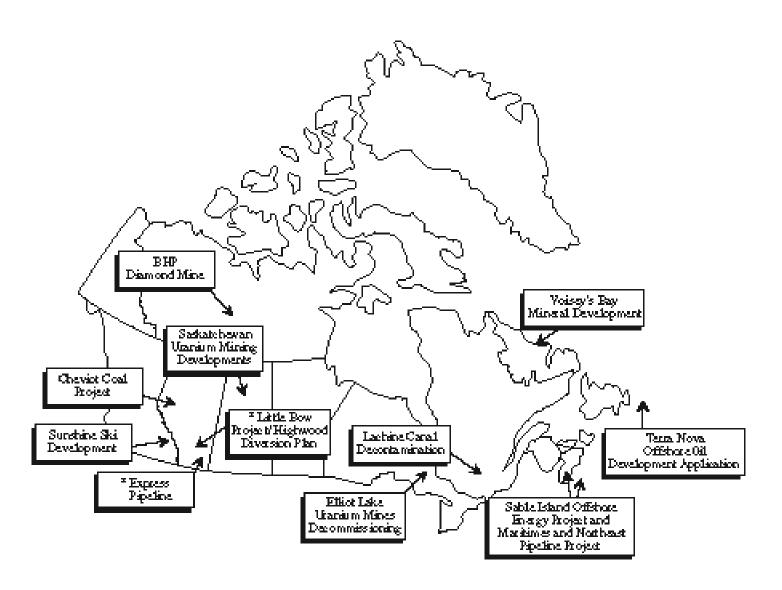
APPENDIX 5 - Cost of Environmental Assessment Public Reviews

| Public Reviews (thousands of dollars) | Pre 1995-96 Costs | 1995-96 Actuals Costs | 1996-97 Forecast Costs | 1997-98 Forecast Costs | Total Costs |
|---|----------------------|--------------------------|---------------------------|---------------------------|----------------|
| Ongoing Public Reviews | | | | | |
| Nuclear Fuel Waste Management and Disposal Concept (*) | 3,735 | 1,127 | 1,602 | 332 | 6,796 |
| Saskatchewan Uranium Mining Developments | 1,288 | 512 | 601 | 98 | 2,499 |
| Sunshine Ski Development | | 82 | 6 | 468 | 556 |
| Terra Nova Offshore Oil Development | | | 22 | 7 | 29 |
| Sable Island Offshore Energy Project and Maritimes and Northeast Pipeline Project | | | 133 | 75 | 208 |
| Cheviot Coal Project | | | 191 | | 191 |
| Voisey's Bay Mineral Development | | | 272 | 897 | 1,378 |
| Little Bow Project / Highwood Diversion Plan | | | 29 | 238 | 267 |
| Completed Public Reviews (S | ince 1996-97 | Main Estima | tes Tabling) | | |
| Express Pipeline | | 101 | | | 101 |
| Elliot Lake Uranium Mines Decommissioning | 181 | 241 | 39 | | 461 |
| Lachine Canal Decontamination | 194 | 16 | 107 | | 317 |
| BHP Diamond Mine | 296 | 863 | 162 | | 1,321 |

Note: These figures represent net Agency costs only. Specific costs include operating, direct salaries, and public participation funding contributions. They do not reflect costs incurred by initiating departments, departments called for scientific and technical expertise, the private sector, or provinces.

^(*) Participant Funding costs are covered by the Atomic Energy of Canada Limited.

APPENDIX 6 - Geographic Distribution of Public Reviews



Note: Nuclear Fuel Waste Management and Disposal Concept is a concept and is not site specific.

^{*} Bring Express & Little Bow straight down half the lenght of the arrow head.

APPENDIX 7 - Federal Environmental Assessment Index Statistics

The following table is a listing of all environmental assessments filed by departments and agencies. This listing has been extracted from the Federal Environmental Assessment Index. These environmental assessments cover the period January 19, 1995 to December 31, 1996.

| Department | Screenings | Comprehensive Studies | Total EAs |
|--|------------|------------------------------|-----------|
| Agriculture and Agri-Food Canada | 732 | 0 | 732 |
| Atlantic Canada Opportunities Agency | 461 | 0 | 461 |
| Atomic Energy Control Board | 32 | 1 | 33 |
| Canadian Heritage | 1,155 | 0 | 1,155 |
| Canadian International Development Agenc | y 23 | 0 | 23 |
| Correctional Service Canada | 4 | 0 | 4 |
| Department of Foreign Affairs and International Trade | 5 | 0 | 5 |
| Environment Canada | 944 | 2 | 946 |
| Federal Office of Regional Development – Quebec | 1,097 | 0 | 1,097 |
| Fisheries and Oceans | 555 | 10 | 565 |
| Health | 4 | 0 | 4 |
| Human Resources Canada | 62 | 0 | 62 |
| Indian and Northern Affairs Canada | 1,473 | 1 | 1,474 |
| Industry Canada | 118 | 0 | 118 |
| National Defence | 231 | 2 | 233 |
| National Energy Board | 126 | 0 | 126 |
| National Transportation Agency of Canad | a 140 | 0 | 140 |
| Natural Resources Canada | 116 | 0 | 116 |
| Public Works and Government Services Canada | 110 | 1 | 111 |
| Revenue Canada, Customs, Excise and Taxation | 2 | 0 | 2 |
| Transport Canada | 783 | 0 | 783 |
| Western Economic Diversification Canada | a 272 | 0 | 272 |
| TOTAL | 8,445 | 17 | 8,462 |

APPENDIX 8 - Agency Publication List/References

The Agency is currently reviewing its cost-recovery policy with respect to publications. Publications of a general nature are free of charge and available on the Internet or in printed versions. Publications of a technical nature, which are destined for specialized groups, have an associated price and are not available on the Internet. Agency publications can be consulted free of charge at any library taking part in the federal government's Depository Services Program. The following is a list of selected titles that can be obtained from the Agency's Reference Centre:

Reference Centre 200 Sacré-Coeur Boulevard Hull, Quebec K1A 0H3

Telephone: (819) 994-2578 Facsimile: (819) 953-2891

Internet Site: http://www.ceaa.gc.ca Internet E-mail: parents@fox.nstn.ca

1. General

- Environmental Assessment: It's in our Hands (This brochure is available for the visually challenged in alternative formats: audio cassette, large print, computer diskette and braille.)
- Accessible Public Information on Federal Environmental Assessments (Federal Environmental Assessment Index brochure)
- Fact Sheets Series
 - I. Highlights of the Canadian Environmental Assessment Act
 - II. An Overview of the Canadian Environmental Assessment Process
 - III. The Canadian Environmental Assessment Agency
 - IV. Putting the Act into Practice the Canadian Environmental Assessment Act and Regulations
 - V. Public Participation under the Canadian Environmental Assessment Act
- The Canadian Environmental Assessment Process, Citizen's Guide, 1995
- First Annual Report, January 19 to March 31, 1995
- Annual Report, April 1, 1995 to March 31, 1996

2. Environmental Assessment Process Guides

- The Responsible Authority's Guide (\$46.00)
- Training Compendium (\$56.00) (includes the Responsible Authority's Guide, fact sheets, the Act and regulations as well as CLEAR, a computerized tutorial on the application of the Act.)
- Physical and Cultural Heritage Resources, April 1996 (New Reference Guide of the Responsible Authority's Guide) (\$4.25)

3. Environmental Assessment Panel Reports

- Air Traffic Management in Southern Ontario, Interim Report of the Environmental Assessment Panel, 1992
- Dominique-Janine Extension, McLean Lake Project and Midwest Joint Venture, 1993
- Dry Storage of Irradiated Nuclear Fuel from the Gentilly 2 Power Station, 1994
- Fraser-Thompson Corridor Review, 1986
- Low-Level Military Flying Activities in Labrador and Northern Quebec, 1995
- McArthur Underground Exploration Program, 1993
- Northern Diseased Bison, 1990
- Rafferty-Alameda Project, 1991
- Pine Coulee Water Management Project, Willow Creek Basin, Southwest of Stavely, Alberta, 1995
- Rabbit Lake Uranium Mining A-Zone, D-Zone and Eagle Point, 1993
- Vancouver International Airport, Parallel Runway Project, 1991
- Express Pipeline Project, 1996
- Decommissioning of Uranium Mine Tailings Management Areas in the Elliot Lake Area, 1996
- NWT Diamonds Project, 1996

4. Special Publications

- Sandspit Small Craft Harbour Mediation Process, A Review and Evaluation (\$9.95)
- An Evaluation of the Environmental Impact Statement on Atomic Energy of Canada Limited's Concept for the Disposal of Canada's Nuclear Fuel Waste, Report of the Scientific Review Group of the Environmental Assessment Panel, October 1995 (\$20.00)
- An Evaluation of the Environmental Impact Statement on Atomic Energy of Canada Limited's Concept for the Disposal of Canada's Nuclear Fuel Waste. An Addendum to the Report of the Scientific Review Group, September 1996 (\$20.00)
- International Study of the Effectiveness of Environmental Assessment (a joint initiative between the Canadian Environmental Assessment Agency and the International Association for Impact Assessment)
 - Information Bulletin, No. 1, March 1994
 - Proposed Framework, March 1994
 - International Summit on Environmental Assessment, Final Report, December 1994
 - Information Bulletin, Update 1995
 - Towards an Environmental Assessment Network, December 1995

- Environmental Assessment: Toward Improved Effectiveness Interim Report and Discussion Paper, December 1995
- Environmental Assessment in Canada: Frameworks, Procedures and Attributes of Effectiveness, March 1996
- Environmental Assessment in Canada: Achievements, Challenges and Directions,
 June 1996
- Environmental Assessment in a Changing World: Evaluating Practice to Improve Performance, Final Report, June 1996 (\$24.95)

5. Research And Development Series

- Directory of Environmental Assessment Practices in Canada, July 1995 (\$6.25)
- Strategic Environmental Assessment, A Bibliography, June 1996 (\$4.75)
- A Guide on Biological Diversity and Environmental Assessment, April 1996 (prepared jointly with the Biodiversity Convention Office, Environment Canada)

6. Electronic Publications

- Federal Environmental Assessment Index (updated monthly)
 - Internet version: http://www.ceaa.gc.ca
 - CD-ROM Version (Subscription: \$120.00/year, except for participants in the government's Depository Services Program)
- *CLEAR* Computerized tutorial on the application of the *Canadian Environmental Assessment Act* (\$23.00 up to \$470.00 for a site licence)
- Cumulative Environmental Effects: Cross-Referenced Annotated Bibliography, October 1996 (available in Internet version only)