

Canadian Environmental Assessment Agency

2003-2004 Estimates Report on Plans and Priorities

A handwritten signature in black ink, appearing to read "David Anderson", with a stylized flourish at the end.

**The Honourable David Anderson, P.C., M.P.
Minister of the Environment**

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SECTION I Messages

Minister's Message

I am pleased to present the Canadian Environmental Assessment Agency's *2003-2004 Estimates, Report on Plans and Priorities*. This report outlines the Agency's key plans, priorities, and expected benefits for Canadians in the coming year. These benefits derive from the Agency's mission to provide Canadians with high-quality environmental assessments.

Environmental assessment is a front-line tool for protecting the environment that Canadians enjoy so much. It is a systematic process of gathering information to help decision makers approve projects that are compatible with a healthy, sustainable environment for both present and future generations.

This year promises to be an especially challenging one for the Agency with the anticipated royal assent of Bill C-9, An Act to amend the *Canadian Environmental Assessment Act*. The Agency's focus will be on bringing the provisions of Bill C-9 into force in a timely fashion so that Canadians can benefit from a strengthened environmental assessment process.

While delivering its core programs, the Agency will continue to build partnerships with its stakeholders, take steps to improve the consistency and predictability of the environmental assessment process, and build a service organization that achieves better results for Canadians.

It gives me great pleasure, therefore, to submit the Agency's *2003-2004 Estimates, Report on Plans and Priorities*.

David Anderson, P.C., M.P.
Minister of the Environment

Management Representation Statement

I submit, for tabling in Parliament, the *2003-2004 Report on Plans and Priorities* for the Canadian Environmental Assessment Agency. This document has been prepared based on the reporting principles and disclosure requirements contained in the *Guide to the preparation of the 2003-2004 Report on Plans and Priorities*:

- It accurately portrays the organization's plans and priorities.
- The planned spending information in this document is consistent with the directions provided in the Minister of Finance's Budget and by the Treasury Board Secretariat.
- It is comprehensive and accurate.
- It is based on sound underlying departmental information and management systems.

The reporting structure on which this document is based has been approved by Treasury Board ministers, and is the basis for accountability for the results achieved with the resources and authorities provided.



Sid Gershberg
President
Canadian Environmental Assessment Agency

SECTION II **Raison d'Être**

The Agency provides leadership and serves as a centre of expertise for federal environmental assessment. It is responsible for the overall administration of the federal environmental assessment process, which included more than 6,700 assessments carried out by federal departments and agencies in 2001-2002.

THE AGENCY'S MISSION:

To provide Canadians with high-quality environmental assessments that contribute to informed decision making in support of sustainable development.

Headed by the President, who reports directly to the Minister of the Environment, the Agency is mandated by the following instruments:

- i) the *Canadian Environmental Assessment Act* and its accompanying regulations;
- ii) the Canada-Wide Accord on Environmental Harmonization and bilateral agreements with provincial governments that set out mutually agreed upon arrangements for cooperative environmental assessments; and
- iii) international agreements containing environmental assessment provisions to which Canada is a party, the most notable being the United Nations *Economic Commission for Europe Convention on Environmental Impact Assessment in a Transboundary Context* (ratified in May 1998).

In addition, the Agency assists the Minister of the Environment in implementing *The 1999 Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals* by providing guidance to federal departments and agencies on environmental assessment considerations and requirements in respect of proposed policies and programs.

The primary roles of the Agency are to:

- administer the federal environmental assessment process established by the Act and its regulations;
- provide administrative and advisory support for review panels, mediations, and comprehensive studies;
- ensure opportunities for meaningful public participation in the federal environmental assessment process;
- provide participant funding to individuals and organizations to take part in panel reviews;
- develop legislation and regulations related to environmental assessment;

- provide policy advice and guidance for the federal government on environmental assessment and strategic environmental assessment;
- promote the uniformity and harmonization of environmental assessment activities across Canada at all levels of government;
- promote sound environmental assessment practices in a manner consistent with those established in the Act;
- promote the development of class screening processes for projects with insignificant environmental effects;
- promote the use of strategic environmental assessment as a key tool to support sustainable decision making; and
- promote or conduct research on environmental assessment matters.

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*. As the federal administrator, the President is responsible for ensuring both the integrity and the delivery of environmental reviews under federal jurisdiction in the territory covered by the Agreement. The President also seeks to ensure the coordination of environmental assessment requirements under the Agreement with those of the Act.

SECTION III Planning Overview

Planning Context

The Agency operates in an environment that is growing in complexity and importance. Domestically, there is a need for continuing coordination of environmental assessment processes and practices across the country. Multiple levels of government are striving to be more effective and efficient in their models of service delivery. The Canadian public expects this, and the Agency is taking a leadership position in this regard. In addition, federal government themes, such as integrating the principles of modern comptrollership into everyday operations, supporting the Government On-Line initiative, and incorporating objectives from the Agency's Sustainable Development Strategy continue to influence the development of its priorities and action plans.

On the international front, globalization and extended trade relations are driving the need for improved cooperation and coordination of environmental assessment policy and practice. Canada's position must be well developed and articulated when discussions and negotiations affecting our national interest, both public and private sector, occur on the international stage.

Finally, the most significant single planning issue is the impending royal assent of Bill C-9, An Act to amend the *Canadian Environmental Assessment Act*, which is expected in 2003. The Agency will align its ongoing programs with the new legislation.

Critical Issues

This section outlines the main factors affecting the Agency's development of priorities and plans, as well as its program delivery.

Review of the Canadian Environmental Assessment Act: The review of the *Canadian Environmental Assessment Act* was completed in March 2001, with the tabling of Bill C-19, An Act to amend the *Canadian Environmental Assessment Act*. The Bill was assigned a new number, Bill C-9, in October 2002. The Standing Committee on Environment and Sustainable Development completed its clause-by-clause review of Bill C-9 on December 11, 2002. Bill C-9 will promote several new activities and initiatives. During this planning period, the Agency will work closely with federal authorities in moving forward to full implementation of the amended Act. The federal government has committed incremental funding of \$51.2 million over five years and \$8 million per year afterwards to implement the strengthened environmental assessment process proposed in Bill C-9. Once the Bill receives royal assent, \$13.1 million will be provided to 20 departments, agencies, and boards so that steps may be taken to quickly bring the new provisions into force.

Shared Environmental Management Responsibility: Under the Canadian Constitution, responsibility for environmental management is an area of shared jurisdiction. A spirit of cooperation has emerged among the federal, provincial, and territorial governments, each with their own authorities and responsibilities for carrying out environmental assessment. To promote the most effective and efficient environmental assessment regime for Canadians, the Agency continues to foster cooperation through bilateral agreements. Four agreements are currently in place, and discussions are planned or under way with other interested jurisdictions.

Balancing Competing Interests: Environmental assessment means different things to different people and can give rise to many sensitive issues related to development, environmental protection, Aboriginal interests, and federal-provincial relations. Projects being assessed are generally increasing in complexity and profile, with competition between stakeholder interests. Balancing these interests while maintaining productive relationships and delivering high-quality assessments for Canadians is an ongoing challenge.

Aboriginal Peoples: Aboriginal peoples have strong interests in environmental assessment issues. These interests include:

- participating in environmental assessments where the exercise of Aboriginal or treaty rights may be negatively affected by development;
- considering traditional knowledge in the conduct of environmental assessments;
- developing the capacity to participate in and conduct environmental assessments on their lands; and
- ensuring minimal disruption of traditional lifestyles and the natural environment.

The Agency plans to establish the Aboriginal Advisory Committee to provide Aboriginal perspectives on the federal environmental assessment process. It will be important to cultivate support and goodwill within the Aboriginal community for the success of this committee.

Sustainable Development Strategy: This strategy is central to the Agency's mission and mandate. The Agency's Sustainable Development Strategy for 2001-2003, *Environmental Assessment: A Critical Tool for Sustainable Development*, focuses on:

- expanding knowledge and understanding of environmental assessment, both within and outside government;
- building effective relationships with partners; and
- strengthening the Agency's capacity to deliver its products and services.

Over the coming months, the Agency will evaluate the current Sustainable Development Strategy to determine its accomplishments. This information will be used in the development of the Agency's third Sustainable Development Strategy, due in Parliament in December 2003. Detailed information on the Sustainable Development Strategy can be found at the Agency's Web site: http://www.ceaa-acee.gc.ca/sds-sdd_e.htm.

Improved Federal Policy Development: The Agency is a strong advocate for the application of strategic environmental assessment as a tool to support improved decision making. Since the completion of *The 1999 Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals*, federal departments have increasingly recognized the role of this valuable tool in helping to promote sustainable development. The Agency will continue to develop its advocacy and advisory role, track national and international development in the field, and provide leadership in this rapidly evolving field of policy research.

Competitiveness: In a global economy, public policies must be scrutinized for their impacts on competitiveness. Effective environmental assessment processes provide net economic benefits to society. Currently, the cost of environmental assessment in Canada is a low percentage of the total cost of a project. Greater certainty, predictability, and efficiency in the process remain key to competitiveness. The Agency will continue to incorporate these objectives into its plans.

Implications of North American Energy Issues: As a result of supply and demand pressures for energy, the United States is pursuing policies that are intended to address U.S. energy security concerns by increasing and strengthening the North American energy supply. This may generate an increase in the number of environmental assessments related to proposed energy development projects. The Agency will ensure that this issue, which is of both international and domestic importance, is addressed.

Dispute Resolution: This is an effective means to improve the potential of the environmental assessment process to meet its objectives. It can enhance the quality of federal decisions and may reduce delays. The Agency recognizes the benefits of using a dispute resolution approach throughout the environmental assessment process. The anticipated changes resulting from Bill C-9 will provide a clearer mandate and role for the Agency regarding the use of dispute resolution in the environmental assessment process. As a result, the Agency is positioning itself to champion dispute resolution in environmental assessment.

The Kyoto Protocol: The Government of Canada has committed to reaching its greenhouse gas emissions target of 6% below 1990 levels by the period 2008 to 2012. Environmental assessment will be an important tool in providing information on a project's greenhouse gas emissions, helping to minimize the risks to projects, and the environment, from climate change impacts.

Planning and Performance Information: The Agency will continue its efforts to improve the way that it measures and presents planning and performance information. This report is organized to improve consistency between planning and performance reporting. During the planning period, the Agency will strengthen its performance measurement system, using a more integrated approach to report performance and results, in a manner that is meaningful to Canadians.

Risks and Challenges

There are risks and challenges that the Agency must address when developing its plans. Unknown demands for activities such as review panels can pose a challenge for the allocation of limited available resources, as does cultivating meaningful public input that corresponds to the scope or profile of a project. Obtaining commitment from partners to provide adequate resources to joint initiatives is a challenge, potentially delaying completion of some Agency plans. Completing projects and programs in a timely fashion, given the uncertainty of the timing of royal assent of Bill C-9, will also be a challenge for the Agency. By carefully managing relationships, new programs will be introduced to stakeholders, including efficiency and effectiveness measures. The Agency will strive to mitigate the specific challenges and risks related to each of its priorities and plans.

Stakeholders and Partners

The Agency works with a wide range of stakeholders and develops partnerships to promote sound environmental assessment practices in Canada and abroad. The Agency includes the following among its partners:

Federal Departments and Agencies – The Agency administers the federal environmental assessment process. It assists federal departments and agencies in meeting their obligations under the Act and the 1999 Cabinet Directive. Through its operational policies and procedures, the Agency improves the way in which environmental assessments are conducted at the federal level. In addition, the Agency works closely with federal departments and agencies on comprehensive studies. The Agency also works with other departments and agencies in providing administrative and technical support to review panels and mediators, and in developing training and guidance material.

Provincial and Territorial Governments – The Agency works closely with other jurisdictions to coordinate federal and provincial environmental assessment activities, such as joint panel review processes for major projects. It also negotiates federal-provincial framework agreements, and works with provincial and territorial governments on all types of environmental assessment review processes.

Aboriginal Peoples – The Agency works with Aboriginal peoples to ensure that the environmental assessment regimes developed and implemented pursuant to comprehensive land claims agreements, self-government agreements and devolution initiatives, such as the *Framework Agreement on First Nation Land Management*, are consistent with the requirements of the Act, and can be coordinated with existing environmental assessment regimes.

Industry / Proponents – Central to the Agency's mandate is providing all proponents, including the federal government, with a timely and predictable process, and access to both the tools and the information that they need to comply with the Act.

Public and Non-governmental Organizations – The Act promotes the integration of public values in decision making. Accordingly, the Agency seeks to maximize the public's participation throughout the environmental assessment process, and places strong emphasis on transparency and information sharing. The Agency provides participant funding to individuals and organizations to take part in review panels.

International Community – International partnerships give Canada the opportunity to share environmental assessment expertise and, at the same time, provide access to the research being undertaken in other countries. Keeping in step with the environmental initiatives of international organizations and other countries also helps to ensure the competitive position of Canadian exporters. In addition, Canada's international environmental assessment responsibilities must respect foreign policy and trade practices, and ensure consistency with the processes of other countries and organizations. As a party to the United Nations Economic Commission for Europe (UNECE) *Convention on Environmental Impact Assessment in a Transboundary Context*, Canada is required to meet the obligations that it subscribed to under the Convention.

The Agency will continue to actively represent Canada's interests. As a North American Free Trade Agreement partner, Canada has agreed to work with Mexico and the United States on the development of an agreement on transboundary environmental impact assessment. The Agency is leading Canada's participation in this work.

SECTION IV Plans and Priorities by Strategic Outcomes

The Agency has identified three Strategic Outcomes that are central to this Report on Plans and Priorities. They frame the long-term benefits that it seeks to provide to Canadians. The benefits are derived from the Agency's mission to provide Canadians with high-quality environmental assessments that contribute to informed decision making in support of sustainable development.

The Agency's plans and priorities for the 2003-2004 fiscal year are organized under these Strategic Outcomes. To achieve each of these Strategic Outcomes, the Agency has highlighted specific areas that it will address over the next three years to support its mission. These areas serve as the intermediate outcomes for the Report on Plans and Priorities and the objectives of the Agency's 2001-2003 Sustainable Development Strategy.

Strategic Outcomes	Intermediate Outcomes – Sustainable Development Objectives
1. Effective and efficient environmental assessment	1.1 Be recognized as a credible advocate of high-quality environmental assessment 1.2 Advance the science and practice of environmental assessment 1.3 Learn from experience and share results
2. Coordinated and harmonized environmental assessments	2.1 Clarify and improve environmental assessment processes with other jurisdictions and other federal partners 2.2 Strengthen relationships with partners and stakeholders
3. Consistent and predictable application of environmental considerations in federal decision making	3.1 Improve the Agency's capacity to monitor, assess and foster compliance 3.2 Address gaps in the application of the <i>Canadian Environmental Assessment Act</i>

The remainder of this section describes the Agency's 2003-2004 plans and priorities under each Strategic Outcome. Bill C-9 is the most significant planning consideration for this period. Consequently, many of the Agency's plans depend on royal assent of Bill C-9.

STRATEGIC OUTCOME 1: EFFECTIVE AND EFFICIENT ENVIRONMENTAL ASSESSMENT

THE AGENCY IS COMMITTED TO PROVIDING CANADIANS WITH ENVIRONMENTAL ASSESSMENTS THAT ARE EFFECTIVE, EFFICIENT, INVOLVE PUBLIC PARTICIPATION, AND SUPPORT THE PRINCIPLES OF SUSTAINABLE DEVELOPMENT.

Environmental assessment at the federal level is based on the principle of self-assessment. Federal departments and agencies responsible for making decisions regarding projects are also responsible for conducting the environmental assessments of those projects. They determine the scope of the project and the factors to be considered, manage the process, and ensure that the assessment is conducted according to requirements of the *Canadian Environmental Assessment Act* or *The 1999 Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals*.

The Agency is an advocate of sound environmental assessment. This advocacy is central to its leadership role within the Canadian environmental assessment community. The Agency provides relevant and timely advice, guidance, training, and recommendations to federal decision makers and interested stakeholders. Specifically, it provides administrative and advisory support to review panels, and receives and reviews comprehensive study reports for complex projects, making them available to and inviting comments from the public.

To achieve this Strategic Outcome, the Agency will concentrate on the following Intermediate Outcomes – Sustainable Development objectives:

- 1.1 Be recognized as a credible advocate of high-quality environmental assessment.
- 1.2 Advance the science and practice of environmental assessment, at both the project and strategic level.
- 1.3 Learn from experience and share results.

INTERMEDIATE OUTCOME – SUSTAINABLE DEVELOPMENT OBJECTIVE 1.1:

Be recognized as a credible advocate of high-quality environmental assessment

This Intermediate Outcome supports the Agency's mandate, and shows leadership within the environmental assessment community. To achieve this outcome, the Agency needs to sustain the quality of advice and support that it provides. Staff must have a high level of subject-matter and process expertise, access to current and reliable information, as well as mechanisms for continuous process improvement. Modern comptrollership practices address those needs by promoting a work environment that fosters and facilitates sharing of ideas, innovation, continuous learning, and process improvement.

This outcome will be pursued through three priorities, as detailed below.

PRIORITY A – Pursue Activities that Raise the Profile of the Organization and Enhance its Recognition for Providing Quality Advice

Benefits / Results for Canadians

To deliver on its mandate, the Agency must have a solid reputation within the environmental assessment community. Raising the profile of the organization will enable the Agency to have greater influence in the environmental assessment process, as it affects Canadian interests. This will increase the likelihood that appropriate, effective, and sound practices are employed during environmental assessments and that the public's issues are considered during the decision-making process.

Plans

The Agency plans to address this priority through several activities. These include further developing relationships through day-to-day contacts on ongoing projects, together with the following actions:

- a) managing current panel review processes and any new review panels that are established;
- b) hosting a federal workshop on the practice of strategic environmental assessment; and
- c) participating in the annual International Association for Impact Assessment Conference and the Francophone Secretariat of the International Association for Impact Assessment Symposium.

The first item is a continuation from last year's Report on Plans and Priorities, and has been successful at keeping the Agency well positioned within the environmental assessment community. The second will help to determine the current state of practice and identify areas for further development. Both will raise the profile of the Agency through exposure and promotion of sound environmental assessment practices. The workshop is consistent with the Sustainable Development Strategy commitment to host an event for developing evaluation criteria for strategic environmental assessments.

The Agency will coordinate the federal government's participation at both the International Association for Impact Assessment Conference and the Francophone Secretariat of the International Association for Impact Assessment Symposium.

Challenges and Risks

The Agency faces several challenges to implementing these plans. The demand for new review panels is uncertain. As a result, there is a risk of not having sufficient resources to meet the demand for review panels, some of which are not eligible for cost recovery. Enhancing project resource forecasting and ensuring that sound practices are employed in decision making can reduce this risk.

Assessing Performance

Measuring performance of these plans will include a qualitative assessment of the level of stakeholder satisfaction with the panel review process. It will also include assessing the workshop results through a satisfaction survey, the level of attendance, and the clarity of recommendations flowing from the conference proceedings. Recognition from experts within the international community, and international environmental organizations will be a proxy for the Agency's reputation as an expert in environmental assessment. Performance will be assessed by the number of requests received for further information, expertise, assistance, and documents from International Association for Impact Assessment members and conference participants.

PRIORITY B – Establish, Maintain, and Improve Processes that Support Environmental Assessment

Benefits / Results for Canadians

Process improvements will contribute to better environmental assessments and therefore address the needs of Canadians in a more effective and consistent manner. Better processes assist with the implementation of projects, enhancing the ability of assessments to identify and appropriately mitigate potentially adverse environmental effects. Process improvements that harmonize and coordinate environmental assessments across jurisdictions increase the likelihood that Canadians' needs are being addressed.

Plans

To support this priority, the Agency will engage in the following initiatives:

- a) provide advisory services, coordination, opportunities for public comment, and ministerial support for comprehensive studies and for implementing changes to the comprehensive study process;
- b) develop ministerial guidelines on public participation in screenings pursuant to paragraph 58(1)(a) of the Act; and
- c) ensure that northern pipeline proposals requiring the application of the Act are subject to a thorough and efficient assessment with appropriate public participation.

The Agency's comprehensive study process will be amended to improve coordination, public participation, as well as process predictability and certainty. Thorough assessments of northern pipeline projects will contribute to addressing the needs of Aboriginal people and northerners.

These are ongoing initiatives from 2002-2003, and will continue through the 2003-2004 planning time frame. Completion of the ministerial guidelines is expected in the autumn of 2003.

Challenges and Risks

There are challenges in ensuring that environmental assessments comply with legislation and existing agreements, and in encouraging meaningful public input. Facilitating the process in a timely fashion can be difficult, depending on the complexity of the issues. Complexity and resource constraints increase the risk of process delays.

Assessing Performance

The success of these plans will be measured by assessing the satisfaction of stakeholders with the environmental assessment process. In addition, the level of public participation will be used to gauge the appropriateness of the initiatives. In the longer term, the Agency's quality assurance program will be used to assess the effectiveness of the ministerial guidelines on public participation.

PRIORITY C – Maintain a High Level of Internal Expertise

Benefits / Results for Canadians

The competence of staff contributes to the Agency's ability to facilitate effective environmental assessments for Canadians. Recognized expertise and competencies promote the credibility of the Agency within the environmental assessment community. Qualified staff will ensure that the Agency remains a relevant force within the environmental assessment process.

Plans

In 2002-2003, the Agency embarked on modernizing human resource management. The plans that support this priority in 2003-2004 are as follows:

- a) implement an Environmental Assessment Practitioners' Recruitment and Training Program;
- b) staff strategically in support of the Agency's priorities; and
- c) encourage continuous learning by implementing a continuous learning policy.

Targeted recruitment adds expertise to the Agency, and formal training programs will enhance the current capabilities of the team. A continuous learning policy will foster the establishment of personal learning plans, providing for learning and professional development within the Agency.

These plans are ongoing, and set the foundation for keeping the staff's skills current and relevant within the environmental assessment community.

Challenges and Risks

The challenges in implementing these initiatives rest on the ability to allocate sufficient staff time to training activities, based on the demand for services and the level of resources within the organization. If these human resource plans are not pursued, there is a risk that the skill set and capabilities of the team will decline over time, potentially damaging the effectiveness of the Agency.

Assessing Performance

The Agency will monitor the status of these initiatives through adapting indicators outlined in the Treasury Board Secretariat's *Framework for Good Human Resources Management in the Public Service*. Information will be obtained from a variety of sources, including public service employee surveys, client surveys, and periodic reports to central agencies.

INTERMEDIATE OUTCOME – SUSTAINABLE DEVELOPMENT OBJECTIVE 1.2:

Advance the science and practice of environmental assessment

Advancing the technical and practical aspects of environmental assessment is a tangible means of strengthening the entire assessment process. This Intermediate Outcome provides support to all of the stakeholders and contributes to the future well-being of Canada's environment.

Implementation of modern comptrollership practices in the areas of management of partnerships and evaluative measurement will assist the Agency in delivering on this outcome. Partnerships in both practice and scientific advancement are an important element of this outcome, as the Agency can best advance these items with the contribution of stakeholders. Developing solid partnership relationships and measuring the effectiveness of those partnerships will help to ensure that environmental assessments are efficient, effective, and address the concerns of Canadians.

This outcome will be pursued through two priorities, as set out below.

PRIORITY A – Develop Tools and Mechanisms that Support the Process of Environmental Assessment

Benefits / Results for Canadians

Better tools and mechanisms will increase the consistency and predictability of environmental assessments, and lead to the consistent application of mitigation measures to deal with potentially adverse environmental impacts. Mechanisms that are well documented and easily accessed lead to a broader understanding of issues such as impacts of trade on the environment, involvement of Aboriginal peoples in the environmental assessment process, as well as research and development activities.

Plans

There are many planned activities that will be undertaken to support this priority, specifically:

- a) develop modifications to class screening processes;
- b) establish the Aboriginal Advisory Committee to provide Aboriginal perspectives on the federal environmental assessment process;
- c) participate in and provide expertise to steering committees established pursuant to the 2001 *Framework for Conduction Environmental Assessments of Trade Negotiations*, and support research undertaken through the Policy Research Initiative on Environment and Trade;

- d) build partnerships through the Agency's research and development program by providing leadership and financial support to research and development projects that improve the science and practice of environmental assessment, and conduct an internal evaluation of the Agency's research and development program;
- e) develop amendments to the *Exclusion List Regulations*, in concert with other government departments and environmental partners; and
- f) enhance the role of facilitation and dispute resolution in environmental assessments.

The tools and mechanisms that will be derived from these activities will assist in the efficient allocation of resources for conducting assessments, as well as promote an inclusive, thorough process which strives to address all relevant interests.

Several initiatives are ongoing from previous planning periods and some are new to the 2003-2004 plan. Ongoing activities include amending the *Exclusion List Regulation*, enhancing the role of facilitation and dispute resolution, and building partnerships through the research and development program. New activities include evaluating the research and development program, participating in the environmental assessment steering committees for trade agreements, as well as research on the environment and trade.

Many of these plans support the Agency's Sustainable Development Strategy (SDS). Research and development activities also align with the Agency's SDS. Implementing changes to the class screening process will increase its visibility, directly linking to the Agency's SDS commitment.

Challenges and Risks

There are a variety of challenges to implementing the subject plans, such as:

- designing class screening processes that meet the needs of all parties involved and that avoid overlap and duplication;
- ensuring meaningful public input is obtained during the development of class screening processes;
- reaching and reassuring environmental advocacy groups that the Exclusion List does not include environmentally significant projects;
- maintaining the credibility of the Agency's facilitation and dispute resolution services in difficult and complex circumstances; and
- cultivating support and goodwill within the Aboriginal community for the activities of the Aboriginal Advisory Committee.

To mitigate the risks associated with these challenges, the Agency will be inclusive and consultative as it develops and supports the development of new practices and assessment tools.

Assessing Performance

The success of these initiatives will be assessed in various ways. Assessing the number of projects covered by declared class screening reports and monitoring the reduction in routine environmental assessments conducted by federal departments will provide a measure of the success of changes to the class screening process. Participation of Aboriginal groups will be a barometer for the success of the development of the Aboriginal Advisory Committee, as will the level of response from the stakeholders (the public, industry associations, private sector firms, and non-governmental organizations) for the trade related initiative. With respect to the research and development program, success will be determined by assessing the number of: partnership agreements; contribution agreements awarded; partnerships created during the evaluation of research proposals; as well as the overall participation of the community in research and development events. Successful resolution of disputes where Agency assistance is requested will help to assess performance.

PRIORITY B – Provide a Mechanism for Stakeholders to Participate in the Environmental Assessment Process

Benefits / Results for Canadians

Better access to environmental assessment tools will lead to more efficient, timely, and consistent environmental assessments. Improvements to the public registry system will facilitate more meaningful public participation through availability of timely information. Facilitating public participation will ensure that the environmental assessment process addresses the needs of Canadians.

Plans

There are three main initiatives to support this priority, namely:

- a) creating an electronic public registry to improve public access and promote participation;
- b) providing increased opportunities for the public to participate in comprehensive studies; and
- c) continuing to investigate transboundary petitions and requests.

These plans are generally a continuation of the Agency's 2002-2003 activities. However, the plans for improving the public registry have been modified to reflect the proposed legislative changes currently being considered within the parliamentary process. Improving the public's access to the public registry is directly linked to the Agency's Sustainable Development Strategy. To assist and foster public participation in the comprehensive study process as provided in Bill C-9, the Agency's existing Participant Funding Program will be expanded.

Progress has been made in many areas, with development activities on a public registry Web site proceeding in preparation for parliamentary approval of the necessary legislative amendments. The work plans for these activities have been adjusted to better fit with the parliamentary process. The Agency expects to report on the progress of transboundary activities in 2003-2004.

Challenges and Risks

Timeliness of action in all areas will be a significant challenge. The development of the registry Web site, timely processing and delivery of participant funding, as well as the coordinated action of federal partners and project proponents of transboundary requests will all require the focused action of limited resources. To reduce these risks, the Agency has begun preparatory work on these initiatives.

Assessing Performance

The Agency will monitor and assess the performance of these initiatives by: measuring the satisfaction of both the public and federal departments with the Canadian Environmental Assessment Registry; measuring and improving the process time required to advertise, review applications and provide funding to successful participant funding applicants; and determining the resolution rate and process time for transboundary petitions and requests.

INTERMEDIATE OUTCOME – SUSTAINABLE DEVELOPMENT OBJECTIVE 1.3:

Learn from experience and share results

Continuous learning contributes to excellence, and is especially important when leadership is an overriding objective of the organization. The Agency's desire to be a dominant advocate for effective environmental assessments in Canada requires that continuous learning be explicitly pursued. Leadership and advocacy also require promotion, engagement, and sharing within the target community. Emphasis must be placed on sharing the results of scientific advancements, improved environmental assessment practices, and ongoing assessment work with industry.

Several modern comptrollership principles will contribute to this outcome. Some of the prerequisites for learning and sharing are appropriate tools, such as knowledge management systems, a culture that encourages people to share their knowledge and experience with a wide range of stakeholders, as well as an understanding of the effect of sharing certain information. Organizations that do not explicitly assess risk tend to be averse to sharing. Modern comptrollership principles foster an environment of openness through mature risk management, as well as an understanding of the Agency's risk profile and management's tolerance for risk.

PRIORITY – Promote Continuous Learning, the Development of New Environmental Assessment Practices, and the Integration of Environmental Factors in Decision Making

Benefits / Results for Canadians

Continuous learning involves regularly reviewing activities and accomplishments, assessing successes, and modifying processes to improve outcomes. Reviewing and improving the Sustainable Development Strategy supports continuous learning, and ultimately, positive environmental assessment outcomes for Canadians. Tackling new environmental assessment practices such as incorporating climate change considerations, developing resource material on strategic environmental assessment, and coordinated training approaches will improve the overall environmental assessment process within Canada.

In addition, sharing results develops a common understanding of the state of the art within the environmental assessment community, and leads to the integration of environmental impacts into decision-making processes for new projects. Pursuing initiatives that make environmental assessment information more accessible to Canadians will provide an opportunity for more and better public input into the process.

Plans

The Agency will pursue this priority through implementation of several plans. The plans for 2003-2004 are as follows:

- a) lead government-wide efforts to promote compliance with the Act through long-term coordinated approaches to training and guidance;
- b) develop, in cooperation with the provinces, territories and other federal stakeholders, guidance on incorporating climate change considerations into environmental assessments;
- c) continue to provide leadership on strategic environmental assessments through the development of operational policies and procedures;
- d) evaluate its second Sustainable Development Strategy (2000-2003), and prepare a third Strategy (2003-2006) to be tabled in Parliament in December 2003;
- e) continue to work toward the development of guidelines for the use of traditional knowledge in environmental assessments;
- f) establish a repository for summaries of follow-up programs; and
- g) develop, host and/or participate in monthly learning sessions known as the Learning Series.

A strategic plan for training and guidance for 2002-2005 has been developed, and is being implemented. The plan will assist in promoting compliance with the Act in 2003-2004. Increasing the awareness of greenhouse gas emissions and stimulating discussion on climate change will ensure that climatic impacts are part of all environmental assessments. Promoting strategic environmental assessments will focus on providing advice and support to other government departments on the implementation of *The 1999 Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals*, as well as developing resource material on the practice and evaluation of strategic assessments. Evaluation and review activities will focus on lessons learned, leading to effective improvements in strategy development. The Agency will work with Aboriginal groups to set the foundation for incorporating traditional knowledge in environmental assessments.

The repository will provide an accessible location for the Agency to collect information on the results of follow-up programs that have been conducted pursuant to environmental assessments, and facilitate access to this information by partners within the environmental assessment community. Making this information available on a Web site aligns with the Government On-Line initiative. Distributing and sharing information through joint meetings and specific learning sessions is an ongoing commitment of the Agency. The development of the repository for follow-up information is a new initiative for 2003-2004.

Challenges and Risks

Promoting compliance with the Act through training and guidance activities across the government is dependent upon the active participation of other federal departments and agencies. Facilitating strategic environmental assessments will also require the participation of departments and agencies; inadequate resources could put the success of the initiative in jeopardy. With respect to climate change considerations, issues that arose prior to the ratification of the Kyoto Protocol may be reflected in the reluctance of partners to adopt this guidance. There is ongoing debate in the international sphere on how to provide adequate protection for the intellectual property rights of the traditional knowledge holders, and the Agency anticipates a high level of interest in this area. There is a risk that Canadian Aboriginal groups may suggest that the Aboriginal Advisory Committee does not adequately address the issues of protection of intellectual property and appropriate methodologies for the collection of traditional knowledge.

Developing relevant and timely topics for the Learning Series will require a concerted effort by staff. Introducing the repository project to the stakeholders will be challenging given that this is a new program, based on policy rather than legislation. It will require a marketing plan to encourage participation of the responsible authorities in the program.

Assessing Performance

Feedback on client satisfaction will provide a benchmark for assessing training and guidance products and services. The key indicator of success for the incorporation of climatic considerations in environmental assessments will be the production of practical and useful guidance documents. The Agency has a Sustainable Development coordinator and committee to manage the implementation of the strategy, and progress will be monitored through an internally developed management system. The level of participation of Aboriginal groups in developing guidelines for incorporation of traditional knowledge will be used to assess the success of this plan.

The Agency will monitor attendance and participation in the Learning Series to continually assess the relevance and quality of the program. The assessment of the repository system will occur over the longer term given the timing associated with the receipt of follow-up results. The assessment will include measurements of: participation rates; quantity of information gathered within the repository; increase in utilization of Web page and library, and the time required to post follow-ups to the repository.

STRATEGIC OUTCOME 2: COORDINATED AND HARMONIZED ENVIRONMENTAL ASSESSMENT

THE AGENCY IS COMMITTED TO PROVIDING CANADIANS WITH ENVIRONMENTAL ASSESSMENT APPROACHES THAT ARE COORDINATED ACROSS GOVERNMENT AND HARMONIZED WITH OTHER JURISDICTIONS.

With shared responsibility for the environment, a single project in Canada will often be subject to the environmental requirements of more than one government, including federal, provincial, territorial, and Aboriginal groups. As such, the project will be subject to multiple and diverse environmental assessment regimes and each party will be required to undertake an environmental assessment in accordance with its own legal environmental assessment requirements. Coordination of environmental assessment is therefore required to avoid duplication, increase certainty, as well as reduce costs and delays.

The Agency continues to develop strong relationships with other jurisdictions and partners in order to establish common goals and advance the interest of sound environmental assessment.

To achieve this Strategic Outcome, the Agency will concentrate on the following Intermediate Outcomes – Sustainable Development Commitments:

- 2.1 Clarify and improve environmental assessment processes with other jurisdictions and other federal partners.
- 2.2 Strengthen relationships with partners and stakeholders.

INTERMEDIATE OUTCOME – SUSTAINABLE DEVELOPMENT OBJECTIVE 2.1:

Clear and coordinated environmental assessment processes with other jurisdictions and other federal partners

The coordination of consistent and clear environmental assessments across jurisdictions will raise the level of consistency, effectiveness, and long-term efficiency. Canadians expect their governments to coordinate the delivery of services in a cost-effective manner.

This outcome focuses on the need to work with other jurisdictions to negotiate, implement, and administer arrangements for cooperative environmental assessment. Modern comptrollership practices will help the Agency to establish the foundation for creating, measuring effectiveness, and moving forward with partnerships. Modern comptrollership encourages clear process definition and continuous improvement activities that are consistent with best practices.

This outcome will be pursued through two priorities, as detailed below.

PRIORITY A – Establish Cooperative Environmental Assessment Processes Across Jurisdictions to Maximize Predictability, Increase Efficiency and Minimize Conflicts, While Strengthening Effectiveness and Accountability

Benefits / Results for Canadians

Coordinated and cooperative environmental assessment provides a clear and understandable process that facilitates public participation and benefits Canadians. Cooperation also contributes to efficiency and improved overall effectiveness by ensuring that environmental effects of proposed projects are jointly considered before governments make decisions. Coordination with international jurisdictions ensures that the Canadian perspective is taken into account, to protect the interests of citizens and industry.

Plans

This priority will be addressed through the implementation of many initiatives by the Agency. These are:

- a) continue to provide support to federal negotiators in addressing environmental management issues in Aboriginal land claims and self-government agreements;
- b) negotiate and implement agreements on environmental assessment, including bilateral agreements with interested provinces and territories;
- c) negotiate and implement project-specific agreements to enhance the effectiveness and efficiency of cooperative environmental assessment processes;
- d) develop Canadian position(s) and, when necessary, participate in negotiations regarding the following international issues: Canada, United States and Mexico trilateral agreement on transboundary environmental impact assessment, administrative agreement to facilitate the implementation of obligations under the Espoo Convention, and ratification of the Madrid Protocol to the Antarctic Treaty; and
- e) develop position(s) for Canada's participation in the Convention on Biological Diversity working group on the integration of biological diversity issues into international environmental assessment guidance.

Supporting federal negotiators will ensure that sound environmental assessment regimes meet or exceed the requirements of the Act within Aboriginal land claims and self-government agreements. It is important to ensure that the obligations, which flow from the Espoo Convention and other international agreements, are met in a manner that is consistent with domestic environmental assessment policy and legislative requirements. In addition to international participation, the Agency will promote domestic awareness of biological diversity issues related to environmental assessment.

The activity in support of federal negotiators continues as an ongoing program. The only substantive issue in the past year was the slow down of the process due to a referendum on treaty negotiations. There has been ongoing engagement of provincial and territorial governments and Aboriginal organizations in the development of bilateral agreements, and this work will continue. Developing project-specific agreements is an ongoing program. International discussions are ongoing and Canada's interests continue to be brought to the table.

Challenges and Risks

Engaging other jurisdictions, whether domestic or international, requires careful management of relationships. Progress in coordinating processes is dependent upon clear statements of intent, and on promoting positions in a collaborative fashion. Negotiations can sometimes stall, with these delays often outside of the control of the Agency. Specifically, failure to reach agreement on domestic environmental processes can lead to duplication, extended time frames for assessments, and confusion of the public. Failing to have a consistent presence and sound position at the international table can result in new obligations for Canada that are incompatible with our environmental assessment practices or legislative requirements. To mitigate the risks, the Agency will develop an open and transparent approach for involving federal departments, provinces and territories, and Aboriginal organizations in the development of Canadian positions.

Assessing Performance

The Agency will gauge the success of its initiatives through assessing the degree to which environmental assessment provisions are negotiated into self-government and land claim agreements. Successful negotiation of domestic agreements will be the benchmark for coordinating with jurisdictions across the country. In the international arena, the degree of cooperation with negotiating partners will be assessed. The number of cooperative agreements or arrangements on environmental assessment will be used to assess the degree of streamlining among multiple jurisdictions.

PRIORITY B – Facilitating the Development of a Coordinated Environmental Assessment Regime

Benefits / Results for Canadians

International exchanges of information with environmental assessment experts provide a wide range of views and perspectives that can be useful in developing Canadian solutions. Developing guidelines for coordinated federal responses to project proponents and the general public increases the reliability and predictability of the environmental assessment process. In particular, coordinated responses to large pipeline and energy development projects will improve project implementation and assist in mitigating adverse environmental effects.

Plans

The Agency will support this priority by implementing the following plans:

- a) develop amendments to the *Federal Coordination Regulations* in conjunction with other departments to accommodate changes proposed in Bill C-9;
- b) develop ministerial guidelines on the conduct of comprehensive studies;
- c) develop a guideline with the National Energy Board on the conduct of joint panel reviews of pipelines and other energy projects; and
- d) continue to evaluate and improve the coordination process for the *James Bay and Northern Quebec Agreement (JBNQA)*.

Work on the *Federal Coordination Regulations*, ministerial guidelines on the conduct of comprehensive studies, and guidelines with the National Energy Board are new initiatives for 2003-2004. Ministerial guidelines will be developed through appropriate level consultation with federal departments, agencies, stakeholders, and industry.

Support of the *James Bay and Northern Quebec Agreement* is an ongoing activity. By continuing to evaluate and improve the coordination process for the *JBNQA*, the Agency is building effective partnerships as outlined in its Sustainable Development Strategy, with other federal government departments, provincial and territorial governments, and Aboriginal groups.

Challenges and Risks

The *Federal Coordination Regulations* will need to have close linkages to Federal Environmental Assessment Coordinator (FEAC) provisions of Bill C-9. There will be a learning curve for all parties in the application of the FEAC process. There will also be a challenge in balancing the expectations of industry and provincial governments with those of the public and environmental groups.

Assessing Performance

The Agency will evaluate the progress of these initiatives through evaluating input from provincial partners and the reports from Federal Environmental Assessment Coordinators. The satisfaction of industry and public stakeholders will also be assessed with respect to the development of guidelines (ministerial and National Energy Board), as will the timeliness of the progress in completing these initiatives.

INTERMEDIATE OUTCOME – SUSTAINABLE DEVELOPMENT OBJECTIVE 2.2:

Strengthen relationships with partners and stakeholders

Interaction with others within the environmental assessment community is a key activity for delivering on the Agency's mandate.

The following two priorities support this Intermediate Outcome.

PRIORITY A – Build Strong Relationships with Partners And Stakeholders

Benefits / Results for Canadians

Building stronger relationships enables the Agency to influence its partners and stakeholders in a more effective manner, supporting the development and advancement of sound environmental assessment practices across the country. This helps to improve the certainty, predictability, and timeliness of environmental assessments, supporting the government's focus on developing a strong economy in partnership with healthy communities.

Plans

The Agency will pursue relationship-building activities through the following initiatives:

- a) continue to enhance the role of regional offices as key centres of guidance and assistance to partners in the federal environmental assessment process; and
- b) strengthen relationships with partners through interdepartmental and multi-stakeholder committees such as the Regulatory Advisory Committee, the Senior Management Committee on Environmental Assessment, provincial environmental assessment administrators, federal councils and the Regional Environmental Assessment Committees.

These plans support “smart regulation” as outlined in the 2002 Speech from the Throne, to strengthen the economy and not compromise community health and well-being.

These are ongoing plans with no substantive changes to existing activities. The Agency expects to report on them in the 2003-2004 Departmental Performance Review.

Challenges and Risks

The primary challenges are allocating sufficient resources to the plans and successful engagement of key partners.

Assessing Performance

Measures such as the increase in volume of enquiries for regional office assistance, the level of satisfaction of partners and stakeholders with regional office services, and attendance levels at meetings of interdepartmental and multi-stakeholder committees will assist the Agency in assessing the progress of these plans.

PRIORITY B – Facilitate Good Communications and Cooperation Among Partners and Stakeholders

Benefits / Results for Canadians

The benefits of cooperation and excellent communications between stakeholders are reduced duplication, more consistent processes across the country, and better accountability at the local level. These activities support the devolution of responsibilities to the most appropriate and effective level of government and ensure that both quality and consistency in environmental assessment continue.

Plans

This priority involves a broad range of activities. As an initial step to addressing this priority, the Agency will focus on the following plans:

- a) provide advice in negotiations to devolve federal authorities to territorial governments;
- b) assist the Government of the Yukon in the development of a new environmental assessment regime; and
- c) continue discussions with Aboriginal groups to provide the opportunity for the development and adoption of subsection 59(1) regulatory environmental assessment regimes under the Act for band councils.

The Agency will focus on ensuring a smooth transition to new territorial processes during devolution of authority, working toward cooperative processes for future joint assessments. The Agency's work in this area will ensure that there are no gaps created in the use of environmental assessment.

Discussions with Aboriginal groups are ongoing regarding a pilot project involving several Nova Scotia Mi'kmaq First Nations. The pilot project consists of the application of a draft regulation to First Nation projects, and will be completed by December 2003.

Challenges and Risks

For the federal government, the resource requirements to support the devolution of federal authority are significant and there will be challenges to meet this workload. It will be important to assure stakeholders that devolution will not result in lower accountability for sound environmental decision making, or in unnecessary delays or complications to government approvals. There is a risk of significant delays in these negotiations, which is not totally within the Agency's control. It will also be a challenge to encourage additional First Nation band councils to consider adopting an environmental assessment regime through a subsection 59(1) regulation.

Assessing Performance

The Agency will assess the progress of these plans through evaluating the level of public confidence in the consistency and quality of environmental assessments during the transition period. The programs will ultimately be successful if there is coordinated administration and uniform processes for environmental assessments following devolution. In particular, the number of band or tribal councils expressing interest and entering into the development process for a subsection 59(1) regulation will indicate the success of this plan.

STRATEGIC OUTCOME 3: CONSISTENT AND PREDICTABLE APPLICATION OF ENVIRONMENTAL ASSESSMENT IN FEDERAL DECISION MAKING

**THE AGENCY IS COMMITTED TO PROVIDING CANADIANS WITH CONSISTENT
AND PREDICTABLE APPLICATION OF ENVIRONMENTAL CONSIDERATIONS IN
FEDERAL DECISION MAKING.**

The Agency has a leadership role in assisting federal departments and agencies to comply with the *Canadian Environmental Assessment Act* and *The 1999 Cabinet Directive on the Environmental Assessment of Policy, Plan and Program Proposals*. Although neither the Act nor the Directive explicitly contains enforcement provisions, an Agency priority is to work with other government departments to promote consistent application of both instruments. An additional priority is addressing areas where discrepancies or gaps within the federal environmental assessment process may exist.

To achieve this Strategic Outcome, the Agency will concentrate on the following Intermediate Outcomes – Sustainable Development Objectives:

- 3.1 Improve the Agency's capacity to monitor, assess, and foster compliance.
- 3.2 Address gaps in the application of the *Canadian Environmental Assessment Act*.

INTERMEDIATE OUTCOME – SUSTAINABLE DEVELOPMENT OBJECTIVE 3.1:

Improve the Agency's capacity to monitor, assess, and foster compliance

To be effective, the Agency must have the capacity to monitor and evaluate the environmental assessment process for compliance with the Act. These competencies also support the ability to foster compliance by providing high-quality advice to project proponents and other governments.

Monitoring, assessing, and fostering compliance requires a knowledgeable well-trained workforce, robust processes for monitoring and quality systems (e.g. standards, record keeping systems, and performance measurements). Modern comptrollership aims to create and improve organizational capacity by defining the elements necessary to support activities such as the Agency's quality assurance program.

PRIORITY – Enhance Monitoring and Assessing Capabilities of the Agency to Promote Compliance

Benefits / Results for Canadians

Better ability to monitor and assess the results of environmental assessments will increase the level of confidence that Canadians have in the consistency and appropriateness of these assessments. With regard to the monitoring and review of new government initiatives, incorporating environmental factors early in the policy development process will result in better environmental management for Canadians. A focus on capabilities and quality will provide the foundation that the Agency requires to remain a relevant proponent of sound environmental assessment practice, particularly as it strives to foster compliance with the Act and the 1999 Cabinet Directive.

Plans

The Agency will implement the following plans in support of the subject priority:

- a) review new government initiatives for environmental assessment and strategic environmental assessment implications, providing advice to the Minister and other government departments as required; and
- b) establish a government-wide quality assurance program for federal authorities and entities specifically regulated under the Act.

The quality assurance program will include an ongoing mechanism to monitor compliance with the Act, as well as the quality of the individual assessment. The Agency will adopt a highly consultative approach in the design of the program, as well as in the setting of objectives for its operation. In the first year, the focus will be on consultation, with finalization of the program and development of the appropriate support organization expected in 2004-2005.

The review of government initiatives is an ongoing program, and there is no substantive change from the previous plan. The Agency has undertaken initial planning of the quality assurance program, but recognizes that it cannot initiate detailed discussions with client departments until the legislative basis has been finalized.

Challenges and Risks

The Agency needs to demonstrate strong leadership by setting reasonable goals for the available resources. There is a risk that stakeholders will perceive an increase in the application of resources to all projects, including those with minimal environmental effects. The Agency must mitigate this perception and ensure that the available resources are applied in proportion to the relative potential for adverse environmental effects.

The Agency will also need to continue to promote the 1999 Cabinet Directive and encourage better compliance in the implementation of the Directive. Additionally, the Agency will need to ensure better compliance in the application of the Act to new federal government initiatives.

Assessing Performance

In the first year, the success of the quality assurance program development will be assessed through the completion of stakeholder consultation. After the development of the program, an immediate assessment will be the number of quality issues identified by the new process. Better compliance, as well as increased quality of proposals for new government initiatives, will be assessed by the number and nature of comments provided to federal organizations. In the longer term, the success of the quality assurance program will be measured by the percentage decrease in quality gaps identified in environmental assessments under the Act.

INTERMEDIATE OUTCOME – SUSTAINABLE DEVELOPMENT OBJECTIVE 3.2:

Address gaps in the application of the Canadian Environmental Assessment Act

Improving consistency and predictability requires that the Agency address several areas where discrepancies within the federal environmental assessment process may exist. The Agency seeks to identify discrepancies and works with partners to address them through a variety of activities.

PRIORITY – Identify and Address Areas Where Discrepancies Within the Federal Environmental Assessment Process Exist

Benefits / Results for Canadians

During the Five Year Review of the *Canadian Environmental Assessment Act*, the Canadian public expressed an interest and expectation that gaps in the federal environmental assessment framework would be identified and addressed. The revision and amendment of this framework will lead to a more standardized application of environmental assessment practices across the country.

Plans

The Agency will pursue the priority of addressing discrepancies within the environmental assessment process through several initiatives. These include:

- a) seek approval of environmental assessment regulations for airport authorities;
- b) develop amendments to the *Canada Port Authority Environmental Assessment Regulations* to incorporate changes to the Act;
- c) seek approval for amendments to the *Inclusion List Regulations* and *Law List Regulations*;
- d) develop amendments to environmental assessment regulations relating to the introduction of new federal nuclear legislation; and
- e) begin to develop options for implementing environmental assessment requirements that will apply to federal Crown corporations three years after royal assent of Bill C-9.

Several of these plans will proceed after royal assent of Bill C-9, and are generally ongoing programs. The amendments will bring the regulations into conformity with the Act, thereby facilitating environmentally informed decisions regarding development projects and promoting sustainable development.

Challenges and Risks

The development of appropriate regulations for Crown corporations will be a key challenge given the number and diverse nature of Crown corporations. Another challenge will be working with the port authorities to ensure that appropriate amendments are made to the *Canada Port Authority Environmental Assessment Regulations* coincidental to the coming into force of Bill C-9.

Assessing Performance

The Agency will monitor the progress of these plans after royal assent of Bill C-9.

Developing amendments with the support of stakeholders in a timely manner will demonstrate successful completion of the initiative.

SECTION V Organization

Human Resource Management

The Agency depends on the sustained efforts of a professional, motivated, representative workforce, which is aligned to meet the organization's business needs. The Agency is committed to ensuring that it is an exceptional workplace of choice. As such, the Agency will work to mobilize the energies and talents of staff, and manage for results, while respecting public service values and ethics. Necessary plans will be in place to ensure that the competencies of people are managed wisely for a sustainable workforce. Continued investments and actions will be deployed to create an enabling work environment that fosters the well-being of individuals.

Strategic Outcomes and Agency Business Line

The Agency has one business line, which is also its mission to provide Canadians with high-quality federal environmental assessments that contribute to informed decision making in support of sustainable development.

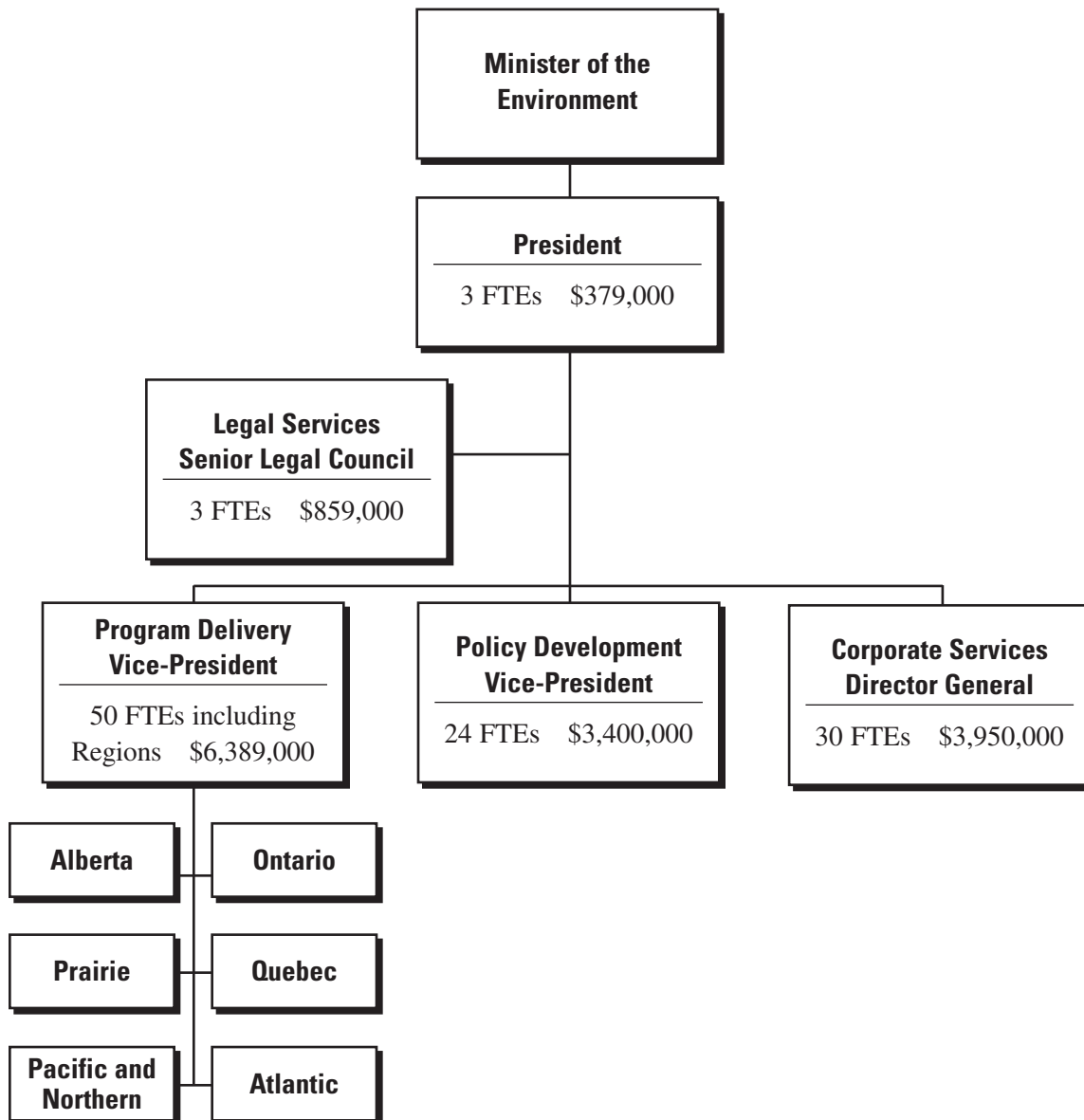
The Strategic Outcomes provide structure to the Report on Plans and Priorities and explain the benefits that the Agency provides to Canadians. The cost of each Strategic Outcome includes all direct expenditures, as well as a proportionate allocation of approximately \$6 million in indirect program costs (including management and administration, overhead, and services provided without charge). Total resources by Strategic Outcome are thereby reconciled with the net cost of the program figures (see Table 2: Departmental Planned Spending).

Table 1: Strategic Outcomes and Business Lines

Agency Business Line is Environmental Assessment	Strategic Outcome 1	Strategic Outcome 2	Strategic Outcome 3	Total
	Effective and efficient environmental assessment	Coordinated and harmonized environmental assessments	Consistent and predictable application of environmental considerations in federal decision making	
	\$9,035,000	\$4,243,000	\$1,699,000	\$14,977,000

Accountability

The Agency fulfils its mission through one business line, which is to provide Canadians with high-quality federal environmental assessments that contribute to informed decision making in support of sustainable development. The reporting structure to the Minister of the Environment is shown in Figure below.



Departmental Planned Spending

Table 2: Departmental Planned Spending

	Forecast Spending* 2002-2003	Planned Spending 2003-2004	Planned Spending 2004-2005	Planned Spending 2005-2006
	<i>(thousands of dollars)</i>			
Budgetary Main Estimates	15,177	16,242	16,101	15,722
Less: Respendable Revenue	(3,501)	(3,501)	(3,501)	(3,501)
Total Main Estimates	11,676	12,741	12,600	12,221
Adjustments**	2,566	-	-	-
Net Planned Spending	14,242	12,741	12,600	12,221
Less: Non-respendable revenue	-	-	-	-
Plus: Cost of services received without charge	2,162	2,236	2,262	2,281
Net Cost of Program	16,404	14,977	14,862	14,502
Full-Time Equivalents	110	110	110	110
Additional funding proposed for implementation of the amended <i>Canadian Environmental Assessment Act</i> (Bill C-9)	-	4,868	5,214	4,295

* Reflects best forecast of total planned spending to the end of the fiscal year.

** Adjustments to forecast spending consist of approvals obtained since the Main Estimates and include Budget initiatives, Supplementary Estimates, and other adjustments.

SECTION VI Annexes

Summary of Transfer Payments

Table 3: Summary of Transfer Payments

	Forecast Spending 2002-2003	Planned Spending 2003-2004	Planned Spending 2004-2005	Planned Spending 2005-2006
	<i>(thousands of dollars)</i>			
Contributions	542	1,395	1,395	1,395
Canadian Environmental Assessment Agency				
Total Transfer Payments	542	1,395	1,395	1,395

Note: Planned contributions to facilitate public participation in review panels (i.e. participant funding) are directly related to the overall level of panel activity undertaken in a given year. The Agency has established a planned level of \$1 million in participant funding, although actual costs may vary substantially from year to year. At the time of printing, 2002-2003 participant funding costs are expected to be less than \$100,000.

Source of Respendable and Non-respendable Revenue

Table 4: Source of Respendable and Non-respendable Revenue

	Forecast Revenue 2002-2003	Planned Revenue 2003-2004	Planned Revenue 2004-2005	Planned Revenue 2005-2006
	<i>(thousands of dollars)</i>			
Respendable Revenue				
Revenues credited to the Vote				
Cost recovery for environmental assessment services	-	3,351	3,351	3,351
Cost recovery for publications, training, and education materials (federal)	192	90	90	90
Cost recovery for publications, training, and education materials (external)	112	60	60	60
Total Respendable Revenue	304	3,501	3,501	3,501
Non-respendable Revenue				
Refund from Previous Year Expenditures	-	-	-	-
Total Program Revenues	304	3,501	3,501	3,501

Note: Cost recovery for environmental assessment services includes a proposed \$3.4 million authority for recovery of panel review costs which is dependent on the level of panel activities eligible for cost recovery. If there are no review panels conducted during 2003-2004 that are eligible for cost recovery in accordance with the Ministerial Order, this authority will not be used.

Net Cost of Program for the Estimates Year

Table 5: Net cost of Program for the Estimates Year

	Canadian Environmental Assessment Agency (thousands of dollars)
Net Planned Spending	12,741
<i>Plus:</i> Services Received without Charge	
Accommodation provided by Public Works and Government Services Canada	1,267
Contributions covering employees' share of employees insurance premiums and expenditures costs paid by Treasury Board	506
Workers' compensation coverage provided by Human Resources Development Canada	-
Salary and associated expenditures of legal services provided by Justice Canada	463
2003-2004 Net Cost of Program	14,977

Major Federal Statutes and Agreements Administered

The only federal statute solely administered by the Agency is the *Canadian Environmental Assessment Act*. The Minister has responsibility to Parliament for the following associated regulations:

Table 6: Major Federal Status and Agreements Administered

<i>Law List Regulations</i>	SOR/94-636 (October 7, 1994)
<i>Comprehensive Study List Regulations</i>	SOR/94-638 (October 7, 1994)
<i>Inclusion List Regulations</i>	SOR/94-637 (October 7, 1994)
<i>Exclusion List Regulations</i>	SOR/94-639 (October 7, 1994)
<i>Federal Authorities Regulations</i>	SOR/96-280 (May 28, 1996)
<i>Projects Outside Canada Environmental Assessment Regulations</i>	SOR/96-491 (November 7, 1996)
<i>Regulations Respecting the Coordination by Federal Authorities of Environmental Assessment Procedures and Requirements</i>	SOR/97-181 (April 8, 1997)
<i>Environmental Assessment Review Panel Service Charges Order</i>	SOR/98-443 (August 26, 1998)
<i>Canada Port Authority Environmental Assessment Regulations</i>	SOR/99-318 (July 28, 1999)

In an effort to improve the coordination and cooperation of environmental assessment processes, the Agency has also signed bilateral agreements with four provincial governments: British Columbia, Alberta, Saskatchewan, and Manitoba. The Agency will be working in 2003-2004 to conclude similar agreements with Ontario, Newfoundland and Labrador, and other interested jurisdictions.

Regulatory Initiatives

The following table outlines the Agency's major and significant regulatory initiatives scheduled for implementation during 2003-2004.

Table 7: Regulatory Initiatives

REGULATORY INITIATIVES	EXPECTED RESULTS
<p>Initial development of Crown Corporation Regulations</p> <p>Crown corporations will become federal authorities three years after royal assent of Bill C-9. Regulations will set out a modified environmental assessment process for specific Crown corporations or classes of corporations in recognition of their unique circumstances.</p>	<ul style="list-style-type: none"> • A plan for the development of future regulations. • A framework for these regulations that will serve as a basis for consultations with Crown corporations and interested stakeholders.
<p>Amendments to <i>Exclusion List Regulations</i></p> <p>New entries will be added to these regulations to prescribe new classes of projects to be excluded from environmental assessment, and to modify thresholds of certain existing entries.</p>	<ul style="list-style-type: none"> • Reductions in the numbers of environmental assessments of projects having insignificant effects conducted by federal responsible authorities, particularly at the screening level. • More efficient and effective use of environmental assessment resources.
<p>Amendments to <i>Federal Coordination Regulations</i></p> <p><i>Federal Coordination Regulations</i> will be amended to take into account changes proposed in Bill C-9.</p>	<ul style="list-style-type: none"> • Increased coordination among federal departments in fulfilling environmental assessment requirements and improved coordination with other participants in the environmental assessment process, including provinces, industry, environmental organizations, and others. • A more timely and predictable environmental assessment process once Bill C-9 comes into force. • Increased transparency in the environmental assessment process.
<p>Amendments to <i>Canada Port Authority Environmental Assessment Regulations</i></p> <p>In accordance with changes proposed in Bill C-9, amendments to these regulations are needed to ensure the comprehensiveness, consistency, transparency, and overall quality of port authorities environmental assessment processes.</p>	<ul style="list-style-type: none"> • A comprehensive environmental assessment process that captures all appropriate Canadian port authority activities for assessment. • Improved consistency and quality of the environmental assessment process for Canadian port authorities. • Increased transparency and greater opportunities for public involvement in the assessment process.

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<p>Airport Authority Regulations</p> <p>In accordance with changes proposed in Bill C-9, these regulations would close a gap in the Act by requiring airport authorities to conduct an assessment of environmental effects of projects located on the federal land over which those authorities have administration, management, or other specified rights or interests.</p>	<ul style="list-style-type: none"> • A comprehensive environmental assessment process that captures all appropriate airport authority activities for assessment. • Improved consistency and quality of the environmental assessment process for airports. • Increased transparency and greater opportunities for public involvement in the assessment process.
<p>Amendments to <i>Inclusion List Regulations</i> and <i>Law List Regulations</i> to ensure that an environmental assessment under the <i>Canadian Environmental Assessment Act</i> process is conducted prior to the issuance of a licence under the <i>International Boundary Waters Treaty Act Regulations</i>.</p>	<ul style="list-style-type: none"> • Improved consistency and quality of the environmental assessment process for projects and activities affecting Canada – U.S. trans-boundary waters.
<p>Amendments to <i>Inclusion List Regulations</i>, <i>Law List Regulations</i>, and <i>Comprehensive Study List Regulations</i> relating to offshore oil and gas</p> <p>Relevant exploration and development authorizations of the Canada-Nova Scotia Offshore Petroleum Board and the Canada-Newfoundland Offshore Petroleum Board will be brought under the Act.</p> <p>Appropriate offshore exploration and development projects throughout Canada will be subject to the Comprehensive Study List environmental assessment requirements.</p>	<ul style="list-style-type: none"> • A consistent and appropriate federal environmental assessment regime throughout Canada's offshore frontier areas.
<p>Amendments to <i>Inclusion List Regulations</i>, <i>Exclusion List Regulations</i>, <i>Law List Regulations</i>, and <i>Comprehensive Study List Regulations</i> related to nuclear safety and control</p> <p>The preparation of amendments to <i>Inclusion List Regulations</i>, <i>Exclusion List Regulations</i>, <i>Law List Regulations</i>, and <i>Comprehensive Study List Regulations</i> under the Act will reflect the repeal of the <i>Atomic Energy Control Act</i> and its replacement by the <i>Nuclear Safety and Control Act</i>.</p>	<ul style="list-style-type: none"> • To maintain the previous links that existed between the <i>Atomic Energy and Control Act</i> and the <i>Canadian Environmental Assessment Act</i>.

For Further Information

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Canadian Environmental Assessment Agency

<http://www.ceaa-acee.gc.ca>

Canadian Environmental Assessment Agency's Sustainable Development Strategy Link

http://www.ceaa-acee.gc.ca/sds-sdd_e.htm

Treasury Board Secretariat's Web site

<http://www.tbs-sct.gc.ca>