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Major Projects Management Office
Bureau de gestion des grands projets



Guide to Identifying a Major Resource Project

May 2010



Canada

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Introduction

The *Guide to Identifying a Major Resource Project* (MRP Guide) has been prepared by the Major Projects Management Office (MPMO¹) in collaboration with federal departments and agencies involved in the MPMO Initiative. The MRP Guide will help to clarify the term “major resource project” (MRP) as it relates to the federal government’s regulatory process governing large-scale natural resource projects. The MRP Guide will also provide information on how the MPMO determines if a particular proposed project qualifies as an MRP.

What is an MRP?

The *Cabinet Directive on Improving the Performance of the Regulatory System for Major Resource Projects* (available at www.mpmo-bggp.gc.ca/documents-eng.php) defines an MRP as:

“a large resource project which is subject to a comprehensive study, a panel review, or a large or complex multi-jurisdictional screening, as defined under the *Canadian Environmental Assessment Act* (CEAA).”

The following four questions are used to help determine if a proposed project meets the Cabinet Directive’s definition of an MRP under the MPMO Initiative (see Figure 1 for an illustration of these questions):

1) Is the project large and does it involve or is it related to natural resources?

MRPs are large-scale projects that involve or are related to natural resources. “Large” refers to:

- the physical or geographic extent of the project;
- the scale of project activities; and/or
- the potential environmental or social impacts of the project.

MRPs involve or are related to natural resources, which may include extracting, processing, refining, producing, distributing, re-processing, transporting, disposing of and/or reclaiming natural resources, as well as decommissioning and reclaiming sites used for any of these activities. Some examples of resource sectors that are considered include mineral and metal mining, oil sands development and processing, and energy generation and transmission.

¹ More information about the MPMO is available at www.mpmo.gc.ca

2) Is the project, or any component of it, likely to require a federal regulatory decision that will trigger an environmental assessment (EA) under the CEAA?

The *Law List Regulations* under the CEAA provide a list of provisions of statutes and regulations that “trigger” the requirement for a federal EA under the CEAA.

Federal departments and agencies responsible for these provisions should be consulted early in the planning stages to determine their potential roles and responsibilities vis-à-vis the proposed project. In addition to determining if these departments and agencies are likely to have regulatory decisions to make, early consultation will help determine if an EA may be required. Additional information about the CEAA and the *Law List Regulations* are available at www.ceaa-acee.gc.ca.

3-a) Is it likely that the EA will be conducted as a comprehensive study or review panel?

A comprehensive study is one of four types of EAs. A comprehensive study is required when any component of a proposed project is listed on the *Comprehensive Study List Regulations* (CSLR). The CSLR are available at www.ceaa-acee.gc.ca.

The CSLR identify projects and classes of projects that the federal government has determined are likely to cause significant adverse environmental effects because of their nature and size. A resource project will be included in the MPMO Initiative if it requires a federal regulatory decision that triggers an EA and has a component that is listed in the CSLR.

Examples of projects that are identified by the CSLR include the proposed construction, decommissioning, or abandonment of a:

- hydroelectric generating station with a production capacity of 200 MW or more;
- dam or dyke that would create a reservoir with a surface area exceeding the annual mean surface area of a natural water body by 1500 hectares or more;
- heavy oil or oil sands processing facility with an oil production capacity of more than 10 000 m³/d;
- metal mine, other than a gold mine, with an ore production capacity of 3000 t/d or more; and
- gold mine, other than a placer mine, with a production capacity of 600 t/d or more.

Any large resource project that is referred to a review panel under the CEAA will be included in the MPMO Initiative. This referral can happen early in the process, or after a screening or comprehensive study process has already commenced.

3-b) If the EA will likely be conducted as a screening, does it meet the criteria established for screenings to be considered an MRP?

If no component of the proponent's proposal is described on the CSLR then a project could still be an MRP if it meets the criteria established for screenings to be considered an MRP.

A screening is also a type of EA under the CEAA. In order to meet the criteria for an MRP, a project that requires a screening under the CEAA must be multi-jurisdictional and large or complex.

A multi-jurisdictional screening is a federal screening of a project that is also subject to an EA by another jurisdiction. For example, a proposed 150 MW hydroelectric facility would likely require a federal regulatory decision, as well as an EA (screening type) pursuant to the CEAA. The same facility may also require a provincial EA. If so, this constitutes a multi-jurisdictional screening with federal and provincial governments working together to complete a coordinated EA that meets the requirements of both jurisdictions.

The factors that may determine if a screening is large or complex include:

- there are two or more responsible authorities (RAs);
- the physical or geographic extent of the project;
- the output/production, investment value and/or regional economic benefits;
- the type of technology being considered for the project;
- the potential for transboundary effects;
- the nature and extent of potential public and/or Aboriginal interest;
- any unusual, special or unique factors to consider; and/or
- if it's a greenfield project.

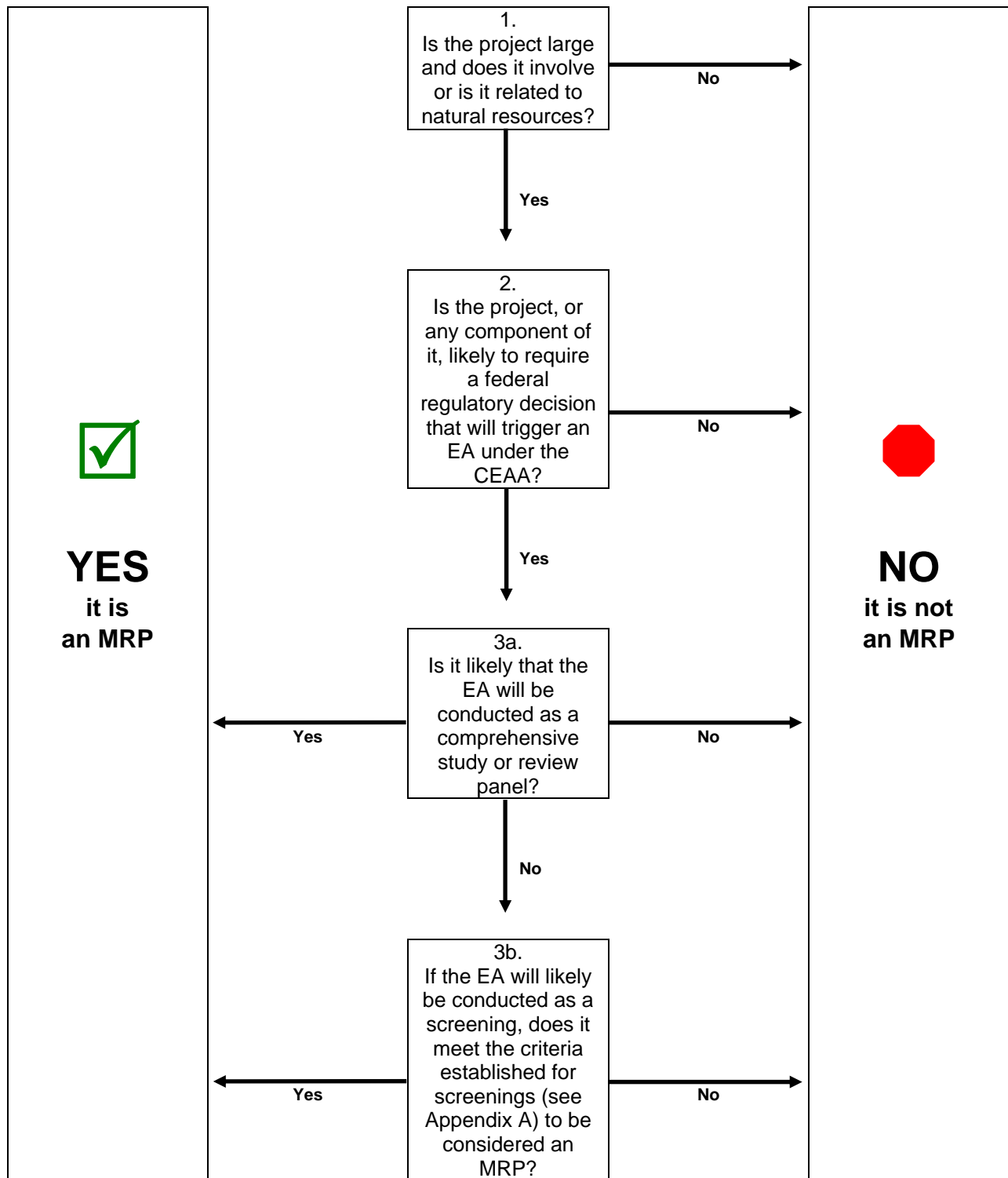
The form used by the MPMO to help determine if projects subject to screenings would be subject to the MPMO Initiative can be found in Appendix A.

Notes:

- If a project is considered to be an MRP after the initial assessment of available information, but is later determined to not require an EA under the CEAA, then the project would no longer be subject to the MPMO Initiative.
- In general, the MPMO Initiative only applies to projects south of the 60th parallel².

² Some projects (e.g. pipelines, transmission lines) that extend both north and south of the 60th parallel may be subject to the MPMO Initiative.

Figure 1: Identifying an MRP



Are proposed National Energy Board (NEB) projects included in the MPMO Initiative?

NEB projects that are subject to a comprehensive study qualify as MPMO projects. These types of projects include proposed construction of oil and gas pipelines more than 75 kilometres on new right-of-way. In addition, any proposed NEB project that requires a Hearing under sections 52 and 58.16 of the *National Energy Board Act* (NEBA) falls within the MPMO Initiative. Additional information about the NEB and the NEBA is available at www.neb-one.gc.ca.

What are some examples of MRPs?

Examples of MRPs that could fall under the MPMO Initiative include:

- mines;
- facilities for the milling, processing, or refining of ore, or facilities to manage waste from these processes;
- federally-regulated pipelines;
- liquefied natural gas terminals;
- energy production facilities (e.g. nuclear, fossil fuel, hydroelectric power, tidal power, wind);
- heavy oil, oil sands mines, or in-situ projects;
- electrical transmission lines; and
- water management facilities handling large quantities of water (e.g. dams or dykes for the storage or diversion of water).

What if I still have questions?

For further information please contact the MPMO at 613-995-7515 or mpmo-bggp@nrcan-rncan.gc.ca.

Appendix A

DETERMINATION OF MPMO STATUS: SCREENING-TYPE ENVIRONMENTAL ASSESSMENTS

| | |
|---|--|
| PROJECT NAME AND LOCATION | |
| PROJECT SUMMARY (2-3 sentences about key project components & location) | |

| Multi-jurisdictional Criteria | YES/NO/ UNKNOWN | NOTES |
|---|--------------------|-------|
| Does the project trigger an EA by another jurisdiction? | | |
| Large or Complex Criteria | | |
| Are two or more RAs likely to be involved? | | |
| Does the project contain new or innovative technology? <ul style="list-style-type: none"> Uncertain methodology for assessment Uncertain environmental effects | | |
| Are there potential transboundary effects? | | |
| Is significant public interest/scrutiny anticipated? | | |
| Is significant Aboriginal interest/scrutiny anticipated? | | |
| Are there unusual, special or unique factors to consider? | | |
| Is this a greenfield project? | | |
| Is the project relatively large? <ul style="list-style-type: none"> Physically/geographically? Project output/production? Investment value? Regional economic benefits? | | |
| Other Considerations | | |
| Provincial views, if known | | |

| | |
|--|------------------|
| In consideration of the above, is the project large and complex, i.e., an MPMO project, YES/NO? | RATIONALE |
| | |
| CEA Agency Officer | |
| MPMO Officer | |
| MPMO Director approval | Name: Date: |