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Environmental Assessment
What Is It ?
Where Is It Going?

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ENVIRONMENTAL ASSESSMENT - WHAT IS IT? WHERE IS IT GOING?

THE LAST DECADE IN THIS COUNTRY, AND IN FACT IN MOST OF THE INDUSTRIALIZED WORLD, HAS SEEN THE RAPID DEVELOPMENT OF A NEW FACET OF GOVERNMENT ACTIVITY THAT IS BEGINNING TO HAVE AN INCREASING, AND OFTEN SIGNIFICANT, IMPACT UPON THE DECISIONS OF INDUSTRY AND GOVERNMENTS, WITH CONSIDERABLE ARGUMENT ABOUT WHETHER IMPACT IS POSITIVE OR NEGATIVE. I REFER TO THE PROCEDURE OR PROCESS BY WHICH GOVERNMENTS REVIEW AND ASSESS THE ENVIRONMENTAL IMPACTS OF PROJECTS OR DEVELOPMENT. IT IS BECOMING SAFE TO CONCLUDE THAT EVERY NEW MAJOR DEVELOPMENT, WHETHER IT CONCERNS ECONOMIC INFRA-STRUCTURE, INDUSTRIAL DEVELOPMENT, OR RESOURCE DEVELOPMENT, IS LIKELY TO COME UNDER ONE FORM OR ANOTHER OF THIS TYPE OF REVIEW WHEN ONE CONSIDERS THAT PROCESS FOR THIS REVIEW DOES NOT REPLACE THE MORE TRADITIONAL AND ESTABLISHED GOVERNMENT CONTROL OR REGULATORY MECHANISMS, THAT IT MAY BE DUPLICATED AT OTHER LEVELS OF GOVERNMENT, AND, IN VARYING DEGREES, THAT IT IS LIKELY TO TAKE PLACE IN A PUBLIC FORUM THAT IS OFTEN HIGHLY CHARGED, IT IS EASY TO APPRECIATE THE CONFUSION THAT OFTEN RESULTS IN THE MINDS OF THE KEY PARTICIPANTS; GOVERNMENT, INDUSTRY, AND THE PUBLIC. INCREASINGLY IT IS BECOMING NECESSARY FOR GOVERNMENT TO CLARIFY TO ITSELF AND OTHERS, JUST WHAT IS EXPECTED FROM THESE PROCESSES, WHERE DO THEY FIT INTO OVERALL PLANNING AND DECISION-MAKING, HOW CAN THEY CONTRIBUTE TO BETTER DECISION MAKING WITHOUT STOPPING THE WORLD WHILE THEY TAKE PLACE, AND JUST WHAT IS EXPECTED OF PARTICIPANTS.

ENVIRONMENTAL REVIEW AND ASSESSMENT PROCESSES ARE A REACTION BY GOVERNMENT TO THE WIDE SPREAD PUBLIC CONCERN OVER THE DETERIORATION OF THE NATURAL ENVIRONMENT, AND TO A FEELING THAT GOVERNMENT AND INDUSTRY HAVE NOT GIVEN SUFFICIENT CONSIDERATION TO IMMEDIATE AND LONG TERM ENVIRONMENTAL IMPACTS WHEN CONSIDERING OPTIONS FOR DEVELOPMENTS, OR IN PLANNING AND DESIGNING THE DEVELOPMENTS THEMSELVES. BECAUSE, THIS IS A CONCERN THAT TOUCHES UPON EVERYONE IN VERY PERSONAL WAYS, BECAUSE THERE IS SKEPTICISM ABOUT GOVERNMENT AND INDUSTRY WILLINGNESS TO ATTACH A PRIORITY TO THIS CONCERN, THERE IS A DEMAND THAT THE PUBLIC BE MADE AWARE OF PROJECTED IMPACTS AND AVAILABLE OPTIONS, AND PARTICIPATE MORE DIRECTLY IN THE EVALUATION OF THOSE IMPACTS AND OPTIONS.

IN ESTABLISHING A PROCESS TO DEAL WITH THIS CONCERN, IT IS NECESSARY FOR THE PROCESS TO MEET SEVERAL OBJECTIVES, SOME OF WHICH ARE DIFFICULT TO RECONCILE.

FIRST, THE PROCESS MUST ENSURE THAT GOVERNMENT IS MADE AWARE OF THE POTENTIAL IMMEDIATE AND LONG TERM ENVIRONMENTAL EFFECTS OF THE PROPOSALS IT ENCOURAGES OR APPROVES, AS WELL AS THE MEASURES AVAILABLE TO CONTROL OR MITIGATE THESE EFFECTS. A MAJOR OBJECTIVE IS THAT THE PROCESS SHOULD NOT SEEK TO REPLACE THE POLITICAL DECISION-MAKING OF GOVERNMENT BY EVALUATING ALL FACTORS RELATED TO THE PROPOSAL, BUT RATHER AID THAT DECISION-MAKING BY STATUE IN DETAIL THE FACTORS FOR ONE KEY ELEMENT OF A DECISION; THE ENVIRONMENTAL CONSIDERATIONS.

SECONDLY, THE PROCESS PROVIDES ADVICE WITHIN A REASONABLE TIME. STUDIES AND ANALYSIS CAN OFTEN GO ON CONTINUOUSLY, PARTICULARLY IN HIGHLY COMPLEX FIELDS SUCH AS ENVIRONMENTAL IMPACTS, BUT WELL BEYOND THE TIME WHEN REASONABLE CONCLUSIONS CAN BE DRAWN FROM THE INFORMATION AVAILABLE AND SOUND JUDGMENTS MADE. INDUSTRY MUST MAKE DECISIONS. TO MAKE THOSE DECISION IT NEEDS DIRECTION FROM GOVERNMENT. IT IS IN THE PUBLIC INTEREST FOR GOVERNMENT TO GIVE THAT DIRECTION AS SOON AS PRACTICALLY POSSIBLE WHETHER THAT DIRECTION IS "NO", "YES", OR MORE PROBABLY "YES WITH QUALIFICATIONS. "

THIRDLY, THE PROCESS SHOULD COMPLEMENT RATHER THAN COMPLICATE THE OTHER REGULATORY MACHINERY OF GOVERNMENT AND MINIMIZE DUPLICATION WITH THE SIMILAR PROCESSES OF OTHER LEVELS OF GOVERNMENT.

FINALLY, AND PERHAPS MOST IMPORTANTLY, THE PROCESS MUST BE DESIGNED TO ENSURE THAT THE PUBLIC HAS ACCESS TO ALL OF THE INFORMATION USED IN CARRYING OUT THE EVALUATION AND IS ABLE TO CONTRIBUTE AND ADD KNOWLEDGEABLY TO THAT BODY OF INFORMATION. THIS WILL INEVITABLY, AND I THINK CORRECTLY, REQUIRE ANY EFFECTIVE REVIEW PROCESS TO ADOPT A BROAD DEFINITION OF THE WORD ENVIRONMENT, BECAUSE EXPERIENCE SHOWS THAT THE CONCERN OF THE PUBLIC AS A WHOLE, AND PARTICULARLY THE PUBLIC CLOSE TO PROPOSED DEVELOPMENTS, WILL NOT BE RESTRICTED TO THE PHYSICAL ENVIRONMENT. THE EFFECT OF CHANGES TO THE PHYSICAL ENVIRONMENT CAN OFTEN HAVE SUBTLE, BUT IMPORTANT, EFFECTS UPON OTHER THINGS THAT TOUCH

UPON THE MENTAL AS WELL AS PHYSICAL WELL-BEING OF PEOPLE. A PROCESS THAT IS INCAPABLE OF CONSIDERING THESE EFFECTS, HOWEVER DIFFICULT IT MAY BE TO DO SO OBJECTIVELY, AND AVOIDING THE FINE LINE THAT DIVIDES SOCIAL IMPACT ASSESSMENT FROM POLITICAL EVALUATION AND DECISION-MAKING, WILL NOT FIND PUBLIC ACCEPTABILITY.

PERHAPS NOW A FEW WORDS ABOUT THE FEDERAL GOVERNMENT'S ENVIRONMENTAL REVIEW AND ASSESSMENT PROCESS, EARP AS ITS EUPHEMISTICALLY KNOWN, AS AN INTRODUCTION TO SOME OF MY VIEWS ON THE NATURE OF ITS FURTHER EVOLUTION. IT IS A PROCESS THAT APPLIES TO ALL FEDERAL GOVERNMENT DEPARTMENTS, FOR PROJECTS THAT THEY PLAN AND IMPLEMENT DIRECTLY, AND THOSE WHERE THEIR APPROVAL OR SUBSTANTIAL FINANCIAL ASSISTANCE IS REQUIRED.

THERE ARE TWO PRINCIPAL FEATURES WHICH SET IT APART FROM OTHER SIMILAR PROCESSES WITHIN OTHER JURISDICTIONS. THE FIRST OF THESE IS THAT IT IS BASED UPON THE PRINCIPLE OF SELF-ASSESSMENT. GOVERNMENT DEPARTMENTS ARE EXPECTED TO CARRY OUT THEIR OWN EVALUATION OF THE PROPOSED ACTIVITY, INVOLVING TECHNICAL EXPERTISE FROM OTHER DEPARTMENTS AS NECESSARY, AND REACH A DECISION AS TO ITS POTENTIAL ENVIRONMENTAL IMPACT. SHOULD THEY CONCLUDE THAT THE POTENTIAL IMPACT IS SIGNIFICANT, IN THEIR OWN OBJECTIVE ANALYSIS OR IN A SUBJECTIVE VIEW OF THE LIKELY DEGREE OF PUBLIC CONCERN, THE PROJECT IS REFERRED TO THE ENVIRONMENTAL ASSESSMENT REVIEW OFFICE FOR THE INSTITUTION OF A FORMAL, PUBLIC, REVIEW

THE SECOND FEATURE IS THAT THE ASSESSMENT AND REVIEW PROCESS IS NOT STATUTORY. DECISIONS ARE NOT BINDING, PROCEDURES NOT RIGIDLY PRESCRIBED, AND UNLESS OBTAINED SPECIALLY UNDER ENQUIRIES LEGISLATION, THERE IS NO POWER TO SUBPOENA WITNESSES OR REQUIRE THEM TO TESTIFY UNDER OATH. THE PROCESS WAS ESTABLISHED BY A CABINET DIRECTIVE, REQUIRING COMPLIANCE BY ALL FEDERAL DEPARTMENTS, AND THE MINISTER OF THE ENVIRONMENT HAS THE RESPONSIBILITY TO CARRY IT OUT. WHILE IN SOME RESPECTS THIS PRESENTS DIFFICULTIES, IT HAS ALLOWED AND ENCOURAGED THE EVOLUTION OF THE PROCESS, THROUGH EXPERIENCE AND IT HAS CONTRIBUTED GREATLY TO THE DEVELOPMENT OF AN EFFECTIVE AND USEFUL EVALUATIVE TOOL THAT HAS GAINED CONSISTENTLY IN CREDIBILITY AND ACCEPTABILITY.

AFTER A PROJECT IS REFERRED TO THE FEDERAL ENVIRONMENTAL ASSESSMENT REVIEW OFFICE, A PANEL IS APPOINTED BY THE MINISTER OF THE ENVIRONMENT TO CARRY OUT THE ASSESSMENT AND REPORT TO HIM ITS CONCLUSIONS AND RECOMMENDATIONS.

THE PANEL, AS ITS FIRST STEP, PREPARES AND PUBLISHES A SET OF GUIDELINES FOR THE PREPARATION, BY THE PROPONENT, OF AN ENVIRONMENTAL IMPACT STATEMENT IN WHICH THE NATURE OF THE PROPOSED ACTIVITY IS DEFINED, AND PROJECTIONS ARE MADE ON THE LIKELY EFFECT OF THIS ACTIVITY UPON THE ENVIRONMENT. DEPENDING ON THE NATURE, SCALE, AND SENSITIVITY OF THE ACTIVITY, A SERIES OF PUBLIC MEETINGS MAY BE HELD TO HEAR COMMENTS ABOUT THESE GUIDELINES BEFORE THEY ARE MADE FINAL.

AFTER THE ENVIRONMENTAL IMPACT STATEMENT IS RECEIVED IT IS MADE PUBLIC AND FORMS THE BASIS FOR AN EXTENSIVE SET OF PUBLIC MEETINGS, WHERE PUBLIC MAY COMMENT ON THE STATEMENTS DEFICIENCIES OR OFFER ADDITIONAL INFORMATION. THE PROPONENT IS EXPECTED TO PARTICIPATE FULLY IN THESE MEETINGS TO EXPAND UPON THE ENVIRONMENTAL IMPACT STATEMENT AND ANSWER SPECIFIC QUESTIONS OR REQUESTS FOR ADDITIONAL INFORMATION FROM THE PANEL. THE PANEL, AT THIS STAGE, MAY ALSO INVITE OUTSIDE EXPERTS TO COMMENT, AS WELL AS CONSIDER BRIEFS FROM THE APPROPRIATE GOVERNMENT DEPARTMENTS AND AGENCIES, IN RESPONSE TO THE IMPACT STATEMENT. FOLLOWING THESE PUBLIC MEETINGS, THE PANEL, UNLESS SUBSTANTIAL DEFICIENCIES, REACHES ITS CONCLUSIONS, IT SEES AND MAKES RECOMMENDATIONS IN A REPORT TO THE MINISTER OF THE ENVIRONMENT.

THE PROCESS HAS CHANGED IN PRACTICE CONSIDERABLY SINCE ITS EARLY YEARS. INITIALLY, THE PANELS APPOINTED BY THE MINISTER CONSISTED ENTIRELY OF PUBLIC SERVANTS WITH PROFESSIONAL BACKGROUNDS SUITED TO THE ANALYSIS OF A PARTICULAR PROPOSAL AND ALWAYS INCLUDED A REPRESENTATIVE OF THE REFERRING DEPARTMENT OR AGENCY. INCREASINGLY, PANELS ARE CONSTITUTED TO ENSURE A BALANCE OF EXPERIENCE AND PROFESSIONAL BACKGROUNDS SUFFICIENT TO ALLOW REASONABLE JUDGEMENTS TO BE MADE. THE REFERENCE OR INITIATING DEPARTMENT NO LONGER HAS A MEMBER ON THE REVIEWING PANEL AND GOVERNMENT EXPERTISE IS PRESENTED TO THE PANEL AT THE PUBLIC MEETING STAGE.

AT THE OUTSET OF THIS ADDRESS I SET OUT SOME PRETTY AMBITIOUS OBJECTIVES FOR A USEFUL ENVIRONMENTAL ASSESSMENT AND REVIEW PROCESS. IT IS PERHAPS NOW APPROPRIATE TO OUTLINE SOME OF THE FURTHER EVOLUTION I SEE OCCURRING WITHIN OUR PROCESS TO MEET THOSE OBJECTIVES.

FIRST OF ALL, I THINK IT IS IMPORTANT CONCEPTUALLY TO PERCEIVE OUR PROCESS, AND ORGANIZE IT ACCORDINGLY, TO BE ONE WHICH IS DIRECTED TOWARDS PROVIDING, OR NOT PROVIDING, AN ENVIRONMENTAL APPROVAL-IN-PRINCIPLE. THIS SHOULD TAKE PLACE AT THE EARLIEST PLANNING STAGE AND ENABLE THE GOVERNMENT TO DECIDE AT AN EQUALLY EARLY STAGE WHETHER THE PROJECT IS ENVIRONMENTALLY ACCEPTABLE AND WHAT GENERAL CONDITIONS SHOULD GOVERN IT. IT SHOULD CONCENTRATE ON DEFINING AND EVALUATING THE MAJOR ISSUES, LEAVING MORE DETAILED EXAMINATION OF ENGINEERING DESIGNS, AND CAPABILITIES TO BE DETERMINED AT A LATER STAGE BY THE APPROPRIATE REGULATORY AGENCIES.

THIS APPROACH HAS THE ADVANTAGE OF PROVIDING SOME SECURITY TO INDUSTRY BEFORE COMMITTING THEMSELVES TO THE LARGER EXPENDITURES THAT MORE DETAILED PLANNING INEVITABLY ENTAILS. IT HAS THE FURTHER ADVANTAGE OF COMPLEMENTING, RATHER THAN DUPLICATING ANY SUBSEQUENT MORE DETAILED ANALYSIS AND DECISIONS UNDERTAKEN BY EXISTING REGULATORY AGENCIES. EQUALLY IMPORTANT, IT IS LIKELY TO PROVIDE USEFUL DIRECTION TO BOTH GOVERNMENT AND INDUSTRY ABOUT THE SPECIFIC AREAS IN WHICH THEIR SUBSEQUENT EFFORTS SHOULD BE CONCENTRATED. FINALLY, IT SHOULD REASSURE THE PUBLIC THAT THESE SUBSEQUENT EFFORTS WILL RESULT IN AN ENVIRONMENTALLY ACCEPTABLE RESULT.

SECONDLY, WHILE MUCH CAN BE DONE TO FORMALIZE AND TIGHTEN UP THE INITIAL SELF-ASSESSMENT PROCEDURES AND MAKE THE PUBLIC AWARE OF THE CONCLUSIONS FROM THIS ASSESSMENT, THE APPROACH ITSELF SHOULD BE RETAINED. REFERRAL OF PROPOSALS TO THE MORE EXHAUSTIVE ANALYSIS AND PUBLIC REVIEW SHOULD REMAIN THE EXCEPTION RATHER THAN THE RULE AND MORE AND MORE THE REVIEW SHOULD CONSIDER THE UNIQUE SCALE OR NATURE OF THE PROJECT. AS MUCH AS POSSIBLE THESE MORE COMPREHENSIVE REVIEWS SHOULD BE DIRECTED TOWARDS ENVIRONMENTAL SIGNIFICANCE IN GEOGRAPHIC OR GENERIC TERMS. THIS, OF COURSE, WOULD BE QUITE COMPATIBLE WITH THE "APPROVAL-IN-PRINCIPLE" THRUST I SPOKE ABOUT EARLIER.

THE PROCESS SHOULD BE LESS SUBSERVIENT TO AND LESS DEPENDENT UPON THE PROPONENT'S ENVIRONMENTAL IMPACT STATEMENT, AND THAT STATEMENT SHOULD BE MORE CONCENTRATED UPON THE SPECIFIC ISSUES THAT ARE ESSENTIAL TO AN EVALUATION.

IT SEEMS TO ME THAT A MORE EFFECTIVE REVIEW CAN BE CARRIED OUT IF THE PANEL WERE ABLE TO CONSIDER THE EXISTING GOVERNMENT POLICY AND REGULATORY FRAMEWORK WITHIN WHICH THE PROPOSAL WOULD TAKE PLACE, BE REGULATED AND CONTROLLED, SO IT COULD REACH CONCLUSIONS ON ACTIONS THAT WOULD BE DESIREABLE FOR GOVERNMENT AND INDUSTRY TO TAKE IF THE PROJECT TOOK PLACE. IT IS BECOMING INCREASINGLY NECESSARY TO DEFINE MORE CLEARLY THE ESSENTIAL ISSUES, AND AVOID UNECESSARILY LENGTHY AND COSTLY RESEARCH AND EXAMINATION OF ISSUES AND AREAS, ONLY PERIPHERAL TO THE CENTRAL ISSUES.

FINALLY, IT WILL BE NECESSARY TO DEVELOP A MORE RATIONAL MEANS OF EVALUATING THE SOCIAL IMPACT THAT IS PART OF, OR STEMS FROM ENVIRONMENTAL IMPACT. WHILE RECOGNIZING THE DANGERS INVOLVED IN DEALING WITH THIS AREA, PARTICULARLY WHERE IT BEGINS TO TOUCH UPON THOSE FACETS OF JUDGMENT THAT ARE MORE APPROPRIATELY AND PERHAPS ONLY DEALT WITH IN OUR SOCIETY BY POLITICAL INSTITUTIONS, IT IS INVARIABLY SOCIAL IMPACT WHICH ATTRACTS THE GREATEST PUBLIC CONCERN. AT THE ONE EXTREME, IT IS NECESSARY TO AVOID THE NUMBERS GAME AND POPULARITY CONTEST APPROACH THAT CAN GIVE TOO MUCH EXPRESSION TO IRRATIONAL CONCERNS. AT THE OTHER EXTREME IT IS IMPOSSIBLE TO CONSIDER THE EFFECTS OF A PROPOSAL UPON THE FISH AND WILDLIFE WITHOUT CONSIDERING AS WELL THE EFFECTS UPON THE PEOPLE WHO DEPEND UPON THEM AND WHO SHARE THE SAME ENVIRONMENT.

I TRUST, LADIES AND GENTLEMEN, THAT THE GENERAL DESCRIPTION OF THE CONTINUING EVOLUTION OF OUR PROCESS HAS INDICATED THAT THE OBJECTIVES I OUTLINED EARLIER CAN BE ACHIEVED. I CONTINUE TO BE OPTIMISTIC THAT ENVIRONMENTAL ASSESSMENT NEED NOT BE A THREAT OR AN INSURMOUNTABLE OBSTACLE TO INDUSTRY, JUST AS I AM CONFIDENT THAT THE INCREASING ATTENTION PAID BY INDUSTRY TO THE ENVIRONMENT WILL ULTIMATELY RESULT IN A REDUCTION IN THE COMPLEXITY OF THESE ASSESSMENTS. THE PROCESS CAN BE STREAMLINED IN WAYS THAT WILL CONTINUE TO PROVIDE EFFECTIVE PUBLIC PARTICIPATION, WHILE PROVIDING BENEFITS TO INDUSTRY AND GOVERNMENTS IN

BETTER AND MORE TIMELY DECISIONS. WE ARE COMMITTED TO MOVING THIS
PROCESS, FOR WHICH I AM RESPONSIBLE, IN THE DIRECTION I HAVE OUTLINED.
IN SO DOING WE WILL ASSIST IN BRINGING INDUSTRY, GOVERNMENT, AND THE
PUBLIC TOWARDS THE ATTAINMENT OF SOMETIMES DIFFERENT, BUT NOT
INCOMPATIBLE, GOALS. WE MOVE TOWARDS CO-OPERATION NOT CONFRONTATION.

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