

Federal Environmental Assessment and Review Process

Register of Panel Projects

FEDERAL ENVIRONMENTAL ASSESSMENT REVIEW OFFICE
HULL, QUEBEC K1A 0H3

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FEDERAL ENVIRONMENTAL ASSESSMENT AND REVIEW PROCESS: BRIEF SUMMARY

The 'Environmental Assessment and Review Process Guidelines Order' was issued June 21, 1984, as an Order in Council. These Guidelines, which replace previous cabinet decisions, give detailed effect to the broad responsibilities of the Minister of the Environment stated in the Government Organization Act of 1979.

The Guidelines apply to any federal department, board, or agency and any regulatory body (where there is no legal impediment or duplication). Parent Crown corporations are to participate on the basis of corporate policy and legislative authority.

The Environmental Assessment Review Process (EARP) is applicable to proposals:

- that are to be undertaken directly by the government;
- for which the government makes a financial commitment;
- that are located on federally administered land, including offshore;
- that may have an environmental effect on an area of federal responsibility.

Each department is responsible for the assessment of any proposal for which it has the decision-making authority. It must determine if the environmental effects are:

- of a kind that do not produce any adverse environmental effects, in which case it is automatically excluded from further assessment;
- insignificant or mitigatable with known technology;
- unknown, in which case further study and reassessing will be required;
- unacceptable, in which case the project must be modified or abandoned;
- potentially significant, in which case the proposal is referred to the Minister of the Environment for public review by a panel. (A public review might also be requested where there is significant public concern.)

The Federal Environmental Assessment Review Office (FEARO) administers the process for the Minister of the Environment and its Executive Chairman is directly responsible to the Minister.

FEARO drafts panel terms of reference and identifies potential panel members for the public review. It provides the panel chairman, when appropriate, and the panel executive secretary and panel secretariat. It also negotiates provincial and territorial participation in reviews and establishes general procedural guidelines for panels.

A public review is conducted by an independent panel, members of which are appointed by the Environment Minister. Members must be unbiased, free of potential conflict of interest and political interest, and have special knowledge and experience. The Minister also issues the terms of reference for each panel. The scope of a review involves the environmental effects and directly related social effects, including those external to Canada. With the agreement of the Environment and the initiating Minister, the scope of a review may be broadened to include such matters as general socio-economic effects, technology assessment, and project need.

Panels issue their own detailed procedures and conduct a public information program to explain the review. The procedures may include matters such as the requirements for guidelines for the preparation of an environmental impact statement (EIS), the time available for public comment on the guidelines and on the EIS, and the manner in which public hearings will be held. At the end of its review a panel gives a report with conclusions and recommendations to the Environment and initiating Ministers and the report is made public.

The initiating department ensures that decisions made by Ministers are incorporated into the design, construction, and operation of the proposal and that suitable implementation, inspection, and monitoring programs are established. The initiating Minister is responsible for determining the manner of response to the panel's report so that the public is informed of the outcome of the review.

SHOAL LAKE COTTAGE LOT DEVELOPMENT

Initiator: Department of Indian & Northern Affairs

Contact: E. Harrigan, Director General, Ontario Region
Indian & Northern Affairs Canada 25 St. Clair
Ave. E., Toronto, Ont. M4T 1M2

Proponent: Shoal Lake Band No. 40

Description

The proposed project is located at the north-west corner of Shoal Lake on the Manitoba-Ontario border (Shoal Lake Indian Reserve 40). The proponent has proposed construction of approximately 350 cottage lots on the peninsula between Snowshoe Bay and Indian Bay. Shoal Lake is the source of water of the city of Winnipeg.

Status under EARP

The project was referred for Panel review on March 31, 1980. The Panel formed in January 1981 includes:

R.G. Connelly, Chairman
FEARO
Hull, Quebec

Lance Roberts
University of Manitoba
Winnipeg, Manitoba

William Ward
Winnipeg, Manitoba

David Witty
Hilderman, Feir, Witty and Associates
Winnipeg, Manitoba

Philip Gardner
Chief
Eagle Lake Band, Ontario

Executive Secretary to the Panel:
Carol Martin, FEARO, Hull, Quebec
K1A 0H3 (819) 997-1000

In February 1983, The Minister of Environment issued the Panel with new terms of reference which focus on the water quality and socio-economic aspects of the project. The March 1981 Guidelines for the preparation of an EIS were amended by the Panel in March 1983 and issued to the proponent. Sufficient copies of an EIS for public and government agency review were received in May 1984. Upon receipt of the EIS, the Panel distributed it for review. Following receipt of comments and on the basis of its own review, the Panel determined that the EIS was deficient and requested additional information from the proponent in August 1984. The proponent's response was received in February 1985 and in March 1985, the Panel concluded that the information was sufficient to proceed to the public meeting stage of the review.

Future events

The Panel is ready to hold public meetings. The Band has not yet indicated its willingness to participate in the public meetings.

WEST COAST OFFSHORE EXPLORATION

Federal Initiator: Canada Oil and Gas Lands Administration

Contact: M. Ruel, Director General, Environmental Protection Branch, Canada Oil and Gas Lands Administration, 355 River Road, Ottawa, Ontario, K 1A 0E4

Description:

Chevron Canada Resources Limited and Petro-Canada Inc. have both indicated an interest in petroleum exploration activities off the B.C. coast between the northern end of Vancouver Island and the B.C./Alaska border. The exploration program would involve seismic exploration in addition to the drilling of some exploratory wells. A moratorium on offshore exploration drilling has been in place since 1972 and would have to be removed before exploration activities could recommence.

Basis of Review:

A Memorandum of Agreement was signed in September, 1983 by the federal and provincial Energy Ministers calling for a joint federal-provincial public review of the environmental and related socio-economic effects of a renewed program of petroleum exploration. The Agreement calls for the review to be operated under a joint framework established under the provincial Environment Management Act and EARP.

Status under EARP

A Panel was formed in June, 1984 reporting to both the federal and provincial Ministers of Environment. In November, 1984, Petro-Canada announced that it would not be participating in the review, however, Chevron continued as an active participant. As one of

its first tasks, the Panel held a series of public information meetings in November, 1984. Shortly thereafter, the Panel finalized a list of questions to government and industry entitled 'Requirements for Additional Information'. Responses to these questions were received in February, 1985 in the form of two documents, one from Chevron and one from federal and provincial government agencies. These two documents along with the previously prepared Chevron and Petro Canada Initial Environmental Evaluations formed the main information base for the review. The Panel's hearings which are divided into Community Sessions and General Sessions started on September 9, 1985 and finished in November, 1985.

The Panel's final report was presented to the federal and provincial environment and energy Ministers April 29, 1986. It was released publicly at the same time. In the report, the Panel concluded that exploration could only proceed if a number of restrictions were imposed on the program and a number of conditions followed. The Panel's report includes recommendations on a number of issues relating to the Protection of the offshore fishing industry and the minimization of the program's social and cultural impacts on the area's residents.

Panel members are:

E. Cotterill, Chairman, Calgary, Alta.
C. Bellis, Masset, B.C.
P. Gelpke, West Vancouver, B.C.
A. Milne, Sidney, B.C.
N. Nelson, West Vancouver, B.C.

Co-Executive Secretaries to the Panel are:

D.W.I. Marshall, and J.P. Sector
510-750 Cambie St.
Vancouver, B.C., V6B 2P2 (604) 666-2431

MILITARY FLYING ACTIVITIES IN LABRADOR AND ADJACENT PARTS OF QUEBEC

Initiator and Proponent: Department of National Defence

Contact: Mr. A.T. Downs, Director, Conservation and Environment, Department of National Defence, 101 Colonel By Drive, Ottawa, Ontario K1A 0K2

Description

The existing low-level flight training involves the use of the Goose Bay airfield, buildings, facilities, infrastructure, equipment and flying areas. These areas consist of 100,000 km² of airspace. Between 60 and 75 aircraft making up to 150 sorties daily are at Goose Bay during training periods. A practice target area for dummy weapons is also used by the aircraft.

The Tactical Fighter Weapons Training Centre (TFWTC) would be established in the early 1990's. This would mean the modernization of existing facilities to permit the complete training of fighter pilots, including low-level flights.

Status under EARP

The project was referred for a public review on February 13, 1986.

In July, 1986 the Minister of the Environment appointed an Environmental Assessment Panel to conduct a public review of the project and issued its terms of reference. The Panel members are:

David H. Barnes, Chairman
FEAR0
Hull, Quebec

W. D. Stewart
Almonte, Ontario

Diane Martin
Cartwright, Labrador

Tom H. Northcott
Northland Associates Ltd.
St. John's, Newfoundland

Paul Wilkinson
Paul Wilkinson and Associates
Montreal, Quebec

Tim McNeill
Makkovik, Labrador

Executive Secretary to the Panel:

Carol Martin
FEAR0
Hull, Quebec
K1A 0H3 (819) 997-2212

Mrs. Diane Martin was appointed to the panel in October 1986. She replaced Mrs. Beatrice Watts who resigned. Mrs. Watts had been appointed when the Panel was formed.

A replacement for William Jourdain, who also resigned, is being sought. An appointment is expected shortly.

In August, 1986 the Panel issued draft guidelines for the preparation of an Environmental Impact Statement (EIS) by the Department of National Defence. Public meetings were held in September, October, and November 1986 in 18 communities and cities in Newfoundland and Labrador and in Quebec to hear public comments on the draft guidelines. The Panel issued its final guidelines in January, 1987.

The Panel recommended interim measures to the Minister of National Defence, to limit the number of low level military flights in the training areas and the minimum altitudes of these flights at certain times during the year.

The Panel also recommended that efforts should be made to improve communications between the Department of National Defence and the users of the land over which the flights are occurring.

The panel asked the Minister of the Environment whether its terms of reference would allow it to make a recommendation that the current and anticipated low-level training be phased out or terminated. The Minister replied that because of the Government's bilateral agreements with some of its NATO allies, it could not accept such a recommendation. However, the Minister asked the panel to describe in its report all the relevant issues and concerns, including effects that cannot be mitigated.

Future Events

The next phase of the review will be the preparation and the submission of the Environmental Impact Statement. When submitted, the Panel will do a technical review of the EIS and the public will be invited to participate. Public hearings will be held only when the Panel is satisfied that the EIS is adequate.

SAINT-JEAN-SUR-RICHELIEU RUNWAY EXTENSION

Initiator and Proponent: Department of Transport

Contact: M. Sylvain Lessard
A/Regional Director
Airports Operations
Quebec Region
Department of Transport
Dorval, Quebec
H4Y 1B9

Description:

The proposal under review involves lengthening the main runway to a total length of 1,795 metres and to construct appropriate ancillary works including the upgrading of drainage networks and ditching, and modifications to the sewage system.

Status under EARP:

This project was referred for a public review on April 23, 1987 because of public concern. While the proposal is subject to the EARP, steps are being taken to ensure

consultation with the Quebec Minister of the Environment because of strong interest and active co-operation in the environmental assessment of projects in this province. The federal Minister of the Environment will soon appoint an environmental assessment panel. He will ask his Quebec counterpart to nominate a member of the panel and will also consult with him on the panel's terms of reference.

Once appointed, the panel will determine whether any additional information is required beyond that provided in the initial environmental evaluation prepared by Transport Canada.

Executive Secretary to the Panel:

J. M. Bourgon
Federal Environmental Assessment
Review Office
Hull, Quebec
Tel.: (819) 997-2213

CLEAN UP AND DISPOSAL OF LOW-LEVEL RADIOACTIVE WASTES

Dormant

Federal Initiator: Department of Energy, Mines and Resources

Contact: J. D. McTaggart-Cowan, Energy, Mines and Resources, 580 Booth Street, Ottawa, Ontario, K1A 0E4

Proponent: Atomic Energy of Canada Limited (AECL) and Eldorado Resources Limited

Description

Eldorado Resources intends to create a permanent disposal facility for some 660,000 cubic metres of low-level radioactive wastes and soils stored at waste management sites in Port Granby and Welcome. The facility would also hold 150,000 cubic metres of historic wastes and soils in Port Hope, which are the responsibility of the Low Level Radioactive Waste Management Office of AECL.

Status under EARP

The proposal was referred for public review in June, 1986. The review was postponed following representations from local politicians and residents. The Minister of State for Forestry and Mines appointed a task force in October, 1986 to report on the most promising technology for low-level radioactive waste disposal, the most promising areas in Ontario to use those technologies,

and the most promising approaches for site selection within the province. The Task Force is expected to complete its work by the fall of 1988.

Five panel members were appointed in June 1986.

Raymond Robinson, Chairman
FEARO
Hull, Quebec

Audrey Armour
York University
Toronto, Ontario

Peter Bird
Ottawa, Ontario

Robert Gillham
University of Waterloo
Waterloo, Ontario

William Harland
Shawinigan Consultants Inc.
Montreal, Quebec

Executive Secretary to the Panel:
Guy Riverin, FEARO, Hull Quebec
K1A 0H3 (819) 997-2244

Two of the panel members have resigned. Ms. Armour was named as a member of the Task Force. Mr. Harland was sent on assignment for his company outside Canada.

FRASER RIVER SHIPPING CHANNEL

Dormant

Initiator: Public Works Canada

Contact: R. Bryant Canadian Coast Guard, 224 West Esplanade Ave. North Vancouver, B.C. V7M 3J7

Description

Public Works Canada's original proposal for improvements to the shipping channel in the Lower Fraser River, from New Westminster to the Strait of Georgia, involved the installation of river training walls at five separate

locations. These structures were designed to enable the river to become primarily self-scouring and provide for a 12.2 m shipping channel. Cost-benefit studies indicated that this proposal was not economically attractive. Planning for this project then shifted to a revised scheme involving structures at only two locations and providing for a 10.7 m shipping channel. Project responsibility now rests with the Canadian Coast Guard.

For information:

Paul Scott, FEARO, 510-750 Cambie St.
Vancouver, B.C. V6B 2P2 (604) 666-2431

VANCOUVER INTERNATIONAL AIRPORT

Dormant

Initiator: Transport Canada, (Canadian Air Transportation Administration)

Contact: L. Rogers, Vancouver International Airport, Vancouver, B.C., V7B1T6

Description

Construction and operation of a third runway at Vancouver International Airport to improve the aircraft handling

capability. The third runway is to be parallel to the main east-west runway and constructed entirely within the Sea Island dykes.

For information:

P. Scott, FEARO, 510-750 Cambie St.
Vancouver, B.C. V6B 2P2 (604) 666-2431

Panel Reports

1. Nuclear Power Station at Point Lepreau. New Brunswick, (May 1975)
2. Hydro Electric Power Project, Wreck Cove, Cape Breton Island. Nova Scotia, (July 1977)
3. Alaska Highway Gas Pipeline Project. Yukon Territory. (Interim report, August, 1977)
4. Eldorado Uranium Refinery Proposal, Port Granby, Ontario. (May, 1978)
5. Shawkak Highway Project. Yukon Territory-British Columbia. (June, 1978)
6. Eastern Arctic Offshore Drilling-South Davis Strait Project. N. W.T. (November, 1978)
7. Lancaster Sound Offshore Drilling Project. N. W.T. (February, 1979)
8. Eldorado Uranium Hexafluoride Refinery. Ontario. (February, 1979)
9. Roberts Bank Port Expansion. British Columbia. (March, 1979)
10. Alaska Highway Gas Pipeline, Yukon Hearings. (August, 1979)
11. Banff Highway Project (east gate to km 13). Alberta. (October, 1979)
12. Boundary Bay Airport Reactivation. British Columbia. (November, 1979)
13. Eldorado Uranium Refinery, R.M. of Corman Park. Saskatchewan (July, 1980)
14. Arctic Pilot Project (Northern Component). N.W.T. (October, 1980)
15. Lower Churchill Hydroelectric Project. Newfoundland and Labrador. (January, 1981)
16. Norman Wells Oilfield Development and Pipeline Project. N.W.T. (January, 1981)
17. Alaska Highway Gas Pipeline. Yukon Territory. (July, 1981) (Routing Alternatives Whitehorse/Ibex Region)
18. Banff Highway Project (km 13 to km 27). Alberta. (April, 1982)
19. Beaufort Sea Hydrocarbon Production Proposal. (Interim Report) (April, 1982)
20. CP Rail Rogers Pass Development. British Columbia. (Final Report) April, 1982)
21. Alaska Highway Gas Pipeline. Yukon Territory. (Final Report) (October, 1982)
22. CP Rail Rogers Pass Development. British Columbia. (Final Report) (August, 1983)
23. CN Rail Twin Tracking Program. British Columbia. (Interim Report)
24. Venture Development Project. Nova Scotia. (December, 1983)
25. Beaufort Sea Hydrocarbon Production and Transportation. (Final Report) (July 1984)
26. Port of Quebec Expansion Project. Quebec. (September, 1984)
27. Beaufort Sea Hydrocarbon Production and Transportation. (Inuktitut Version) (July, 1984)
28. CN Rail Twin Tracking Program, British Columbia (March, 1985)
29. Second Nuclear Reactor, Point Lepreau. New Brunswick (May, 1985)
30. Hibernia Development Project. Newfoundland and Labrador. (December, 1985)
31. Fraser Thompson Corridor Review. British Columbia. (January, 1986)
32. West Coast Offshore Hydrocarbon. British Columbia. (April, 1986)