

Study of Institutional Arrangements for the Conduct of SIA's

L.J. D'Amore & Associates Ltd.

**A Manuscript Report Prepared for the
Canadian Environmental Assessment
Research Council
August 1986**

FOREWORD

The Canadian Environmental Assessment Research Council (CEARC) was established in 1984 by the federal Minister of the Environment through the Federal Environmental Assessment Review Office (FEARO), to advance the theory and practice of environmental assessment (EA). As part of its commitment to improve EA in Canada, CEARC encouraged research in several areas related to environmental assessment. The research results are presented in three series of publications: Research Prospectus, Background Papers and Manuscript Reports.

This report is part of the Manuscript Report series which is composed primarily of individual research papers sponsored, completely or in part, by CEARC. The Manuscript Reports are provided in the language and format in which they were submitted. **They are not subject to peer review and do not necessarily reflect the views and policies of CEARC.**

Microfiche copies of CEARC publications can be ordered through:

Micromedia Limited
165 Hotel de Ville
Place du Portage, Phase II
Hull, Quebec
G8X 3X2

Tel : 1-800-567-1914 (Canada), (819) 770-9928
Fax : (819) 770-9265

For more information on **CEARC's** work, please contact:

Federal Environmental Assessment Review Office
Process Development Division
14th Floor, Fontaine Building
200 Sacré-Coeur Boulevard
Hull, Quebec K1A 0H3
Tel : (819) 953-8591 or 953-0036
Fax : (819) 994-1 469

* Her Majesty in Right of Canada owns all intellectual and other property rights and title in the CEARC Reports.

TABLE OF CONTENTS

	Page
PART I - INTRODUCTION	
A. Background	1
B. Purpose	3
C. Approach to Study	4
D. Towards an Analytical Framework and Conceptual Understanding of the Institutional Arrangements for SIA	10
PART II - AN ASSESSMENT OF INSTITUTIONAL ARRANGEMENTS	
A. Legislation	18
British Columbia	18
Alberta	19
Ontario	20
The Importance of Legislation	23
B. Responsible Agencies	24
British Columbia	24
Alberta	25
Ontario	28
Observations	28
C. Administration of the Act	32
Role of Administering Agencies	32
Compliance with Guidelines	35
Public Consultation	37
Accountability	37
The Bconoaic Context and its Effects	38
The Decision Requiring an EA	40
The Debate Over Broad Guidelines	40
Other Observations	41

TABLE OF CONTENTS (cont.)

	Page
D. The EA/SIA Review Process	42
Information Flow	42
The Role of Government Reviewers	45
Issues Related to the EA/SIA Process	49
E. The Conduct of Social Impact Assessments	54
General	54
Lack of Accountability to Local Communities	55
The Limitations of "Government Review" Based SIA's	57
Scoping and Terms of Reference	58
The Lack of Qualitative Issues	60
Cumulative Impacts	62
The Integration of Social, Economic, and Biophysical Factors	66
F. Impact Monitoring and Management	68
British Columbia	68
Alberta	70
Ontario	70
G. The Hearings Process	72
General	72
costs	74
Litigative Nature of Hearings Process	76
The Effect of Hearings on the EIA Process	76
Intervener Funding	77
H. Government-Proponent-Community Relations	80
Overview	80
The Municipality - Junior Partner in the Process	82
The Special Situation of Rural Areas	84
The Competition for Tax Revenues	85
Government Response to Impacts	86
Tumbler Ridge: A Pro-Active Response	88

TABLE OF CONTENTS (cont.)

	Page
PART III - CONCLUSIONS & RECOMMENDATIONS	
TOWARDS AN "IDEAL MODEL" FOR INSTITUTIONAL ARRANGEMENTS	
Legislation	93
Guidelines	93
Regulatory Agencies	94
Administration of the Act	97
The EA/SIA Process	98
The Conduct of Social Impact Assessments	100
Cumulative Impacts	102
Integration of Social-Economic-Biophysical Factors	103
Impact Monitoring and Management	103
Hearings	104
Government-Proponent-Community Relations	106
APPENDIX A: Flow Charts of the EA Process	
APPENDIX B: Tumbler Ridge	

PART I - INTRODUCTION

A. BACKGROUND

The Canadian Environmental Assessment Research Council (CEARC) was established in January 1984 by the Federal Minister of the Environment with the support of the Federal Environmental Assessment Review Office (FEARO). The main purpose of CEARC is to advise governments, industry, and universities on ways to improve the scientific, technical, and procedural basis for environmental impact assessment.

The twelve-member Council is drawn from federal and provincial governments, the private sector, and the university community. While the council is administratively supported by a Secretariat drawn from the staff of FEARO and Environment Canada, CEARC is an independent organization and source of advice.

CEARC's aim is to contribute to the quality of the natural and social environment in Canada through the following objectives:

- a) Advise on the need for and adequacy of research related to environmental impact assessment.
- b) Review and comment on the use of scientific information and the place of environmental impact assessment in planning and development.
- c) Encourage new ideas and research directed towards improving the concept, practice, and effectiveness of the assessment of social and environmental impacts.

The Council, either separately or in cooperation with other agencies, facilitates research relevant to environmental impact assessment through undertaking comprehensive state of the art reviews, sponsoring technical workshops, supporting graduate students, and providing a focal point for information on current impact assessment research and experts in Canada.

One of the areas of research interest identified by CEARC was the “Institutional Arrangements by Which Social Impact Assessments Are Conducted in Canada”. This research interest was based on the growing recognition that the identification, assessment, and management of social impacts is, to a large extent, dependent on the institutional parameters and dynamics which frame SIA. These include legislation, the government review process, the proponent’s approach to SIA, and the methods by which municipalities, interested groups, and individuals participate in the process. Institutional arrangements affect the scope, methods, comprehensiveness, integration with other elements of the environmental assessment, and even findings of the SIA. As well, institutional arrangements can influence the extent to which the SIA process itself can generate positive or negative social consequences.

The term social impact assessment encompasses:

- a) Demographically related changes, e.g. the effects of increases or decreases in population growth on community infrastructure, cohesion, and services;
- b) Economically related changes, e.g. the effects of new patterns of employment and income on different groups in a community and on revisions in land use values and taxation;
- c) Culturally related changes, e.g. the effects of change on community institutions, local traditions, and societal values and on the quality of life of individuals in communities;
- d) Resource related changes, e.g. the effects and significance of changes in the natural systems upon which people depend for subsistence, employment, or recreation;
- e) Changes in community infrastructural requirements, e.g. health, social, recreational, educational, religious, justice services and facilities.

B. PURPOSE

The report seeks to provide a review and assessment of **institutional arrangements for SIA in three selected provinces, and from this review to establish criteria for evaluating the effectiveness of institutional arrangements including:**

**legislation
regulatory agencies
reviewing agencies
government review process
proponent
communities
organizational relationships
information flow/communications
conduct of SIA's**

These criteria are presented in the form of an "Ideal Model" in Part IV **of the** report, "Conclusions and Recommendations".

C. APPROACH TO STUDY

The report is based on a review and assessment of institutional arrangements for SIA in three provinces: British Columbia, Alberta, and Ontario. These provinces were selected by the consultant and agreed to by the client, based on the following criteria:

provinces where institutional arrangements were first to be installed (i.e. legislative requirements, EIA guidelines);

provinces where the most experience in SIA exists;

provinces where the practice of SIA appears to be most advanced in terms of utilizing state of the art concepts.

Selection was not by an objective measure of the above criteria but rather based on the judgement of the consultant.

The study process was one that involved the regulatory agency of each province, agencies involved in the review of socio-economic dimensions of an EIA*, proponent organizations (public, quasi-public, and private), social impact assessors (consultants and academics), and spokespersons for community and public interest groups.

The approach to the study was essentially open-ended, seeking to identify key issues related to institutional arrangements and the methods by which institutional arrangements might be improved. Through this process, and by identifying what aspects of institutional arrangements were working well, a tentative "Ideal Model" for institutional arrangements was developed for the final report.

The study design itself was a modified Delphi process, both in the main flow of the project (Figure 1a, Basic Study Approach) and in the

* In Ontario, the preferred term is EA or environmental assessment.

study process within each province (Figure 1b, Provincial Study Process). It is based on expert opinion, anonymity of sources, and an iterative process which seeks to build knowledge, confirm the validity of observations, and evolve, to the extent possible, to a beginning consensus on key issues and means by which institutional arrangements could be improved or enhanced.

The report, therefore, is based on "expert opinion", filtered through several iterations and supplemented by the judgement of the consultant. There is no attempt to "defend" any of the observations by more detailed, analytical research methods.

Figure 1a outlines the basic approach to the study. A literature review was conducted to identify research related to various components of the study and to seek out any existing conceptual frameworks for the analysis of institutional arrangements. The literature review included probes with key agencies and individuals within the U.S. network of social impact assessors.

As well in this early stage, letters were sent to 10-12 of the most prominent professionals in Canada engaged in SIA. The purpose of the study was stated and a request was made for views on key issues related to the institutional arrangements of SIA in the practitioner's home province.

These first two steps began to give an appreciation of the complexity of what was to be studied and various topics for further exploration in the review of each province.

Following the study review of British Columbia, an interim report was prepared for the CEARC Advisory Committee. This in turn provided necessary feedback related to the deficiencies in the first provincial review and a basis for improving the study process in Ontario and Alberta.

Figure 1b outlines the study process which occurred in each province. The process began with a review of documentation made available by the regulating agency. This included relevant legislation, EIA Guidelines, and other supportive documentation as appropriate. Regulating agencies also submitted a written response

FIGURE 1A - BASIC STUDY APPROACH

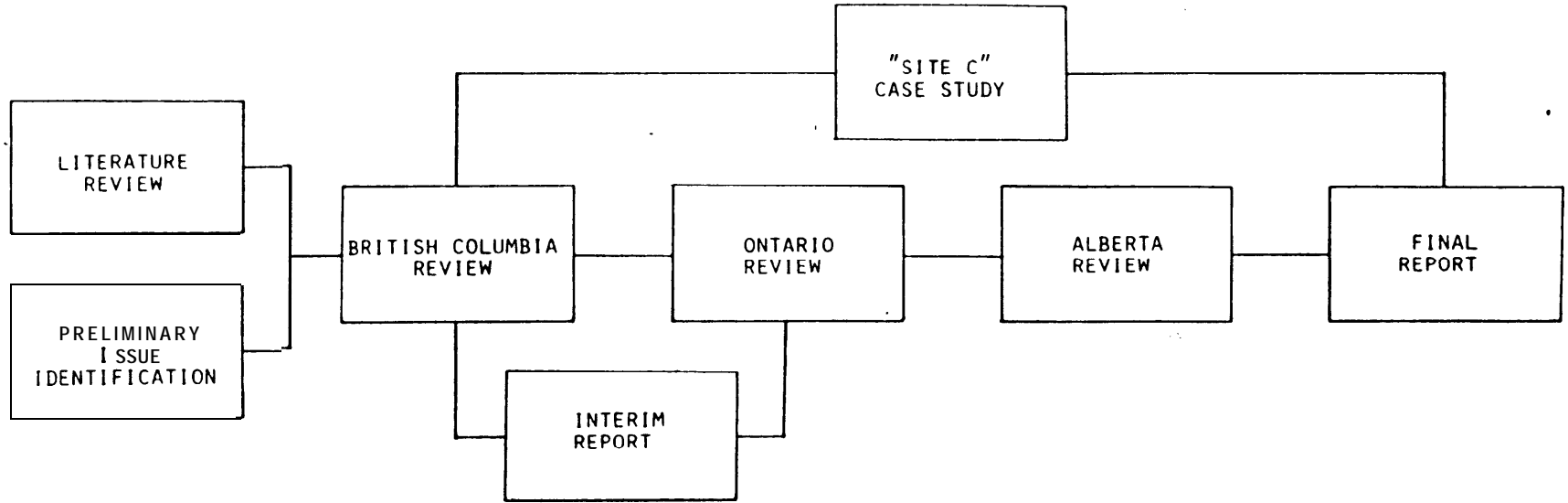
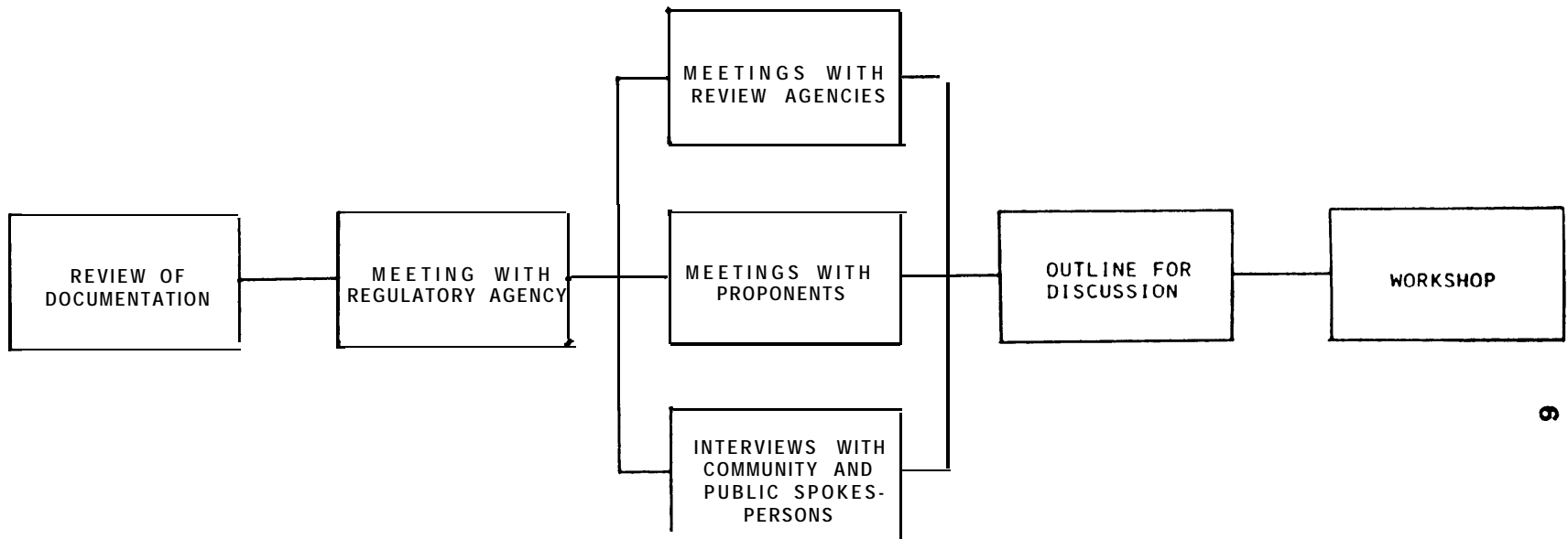


FIGURE 1B - PROVINCIAL STUDY PROCESS



which gave further description to various aspects of the government review process such as authority structure, the role of review agencies, etc.

This preliminary review of documentation provided the basis for a more in-depth discussion of provincial policies, guidelines, organization structure and linkages, information flows, etc. when meeting with the provincial regulatory agencies. These meetings also explored key issues from the perspective of the regulatory agency and those aspects of institutional arrangements which they felt were working well.

Subsequent meetings were conducted with reviewing agencies to explore their role in the process and their views on the social aspects of the EIA process; with at least three proponents in each province; and with persons who had played significant roles as community spokespersons in an EIA process or as spokespersons representing a broader "public interest" in the province. Often, these latter contacts were by telephone interview because of time restraints and/or the distances involved.

Following these meetings and interviews, a synthesis of the input received was prepared in outline form. This synthesis became the basis for an all-day workshop which included representatives from government, proponents, community and public interest spokespersons, and practitioners of SIA, both consultants and academics. The size of the workshops varied from about twelve to twenty.

The intent of the workshops was to confirm and expand on the various issues identified and to attempt to reach a consensus on recommendations to improve institutional arrangements. These recommendations were not intended to be province-specific, but generic in nature with regard to an improvement of the institutional framework for SIA in Canada.

The study process also included one case study, the B.C. Hydro "Site C" project, in order to examine institutional arrangements of at least one province within the context of a major project.

This report is not an attempt to evaluate institutional arrangements of any one province, but rather from the review and assessment of practices in those provinces with the most experience, to develop a tentative "Ideal Model" towards which to evolve our institutional policies and practices for SIA in Canada as a whole.

Limitations of the Study

As the first effort to assess institutional arrangements for SIA in Canada, there is little precedence from which to develop a conceptual framework for such a study or a study design by which it could be conducted. Research that is documented and available from either Canada or the United States emphasizes the complexity of the task.

Dr. C.P. Wolf, in an unpublished paper*, states that, "Institutional analysis has been an ill-defined concern partly because of the very complexity of existing institutional systems, both as planning and implementation tools and as valued social objects in their own right. " He continues, "The state of the art in institutional analysis has been described as quite limited...despite reliance on capable institutional performance in every sphere of human activity for the attainment of every collective purpose."

Complexity was matched by constraints of time (effectively four months) and budget with which to accomplish the task.

The study process in each province was limited in the number of knowledgeable persons who could be consulted and the amount of documentation that could be reviewed. No effort has been made to substantiate "expert opinion" on issues through detailed research. In British Columbia, where three different review processes are in place, the study concentrated on one: the "Energy Review Process" as established by the B.C. Utilities Commission Act.

*** Institutional Analysis, C.P. Wolf, 1983.**

Despite these limitations, the study has been successful in receiving valuable input from over 100 knowledgeable and experienced individuals with a variety of perspectives. Hopefully, this input is properly reflected and interpreted in the pages of this report.

Moreover, this rich mosaic of perspectives has been fertile input for the development of a tentative “Ideal Model” for institutional arrangements by which to conduct social impact assessments. It remains for this “Ideal Model” to be discussed and refined with regards to its applicability in any given jurisdictional setting.

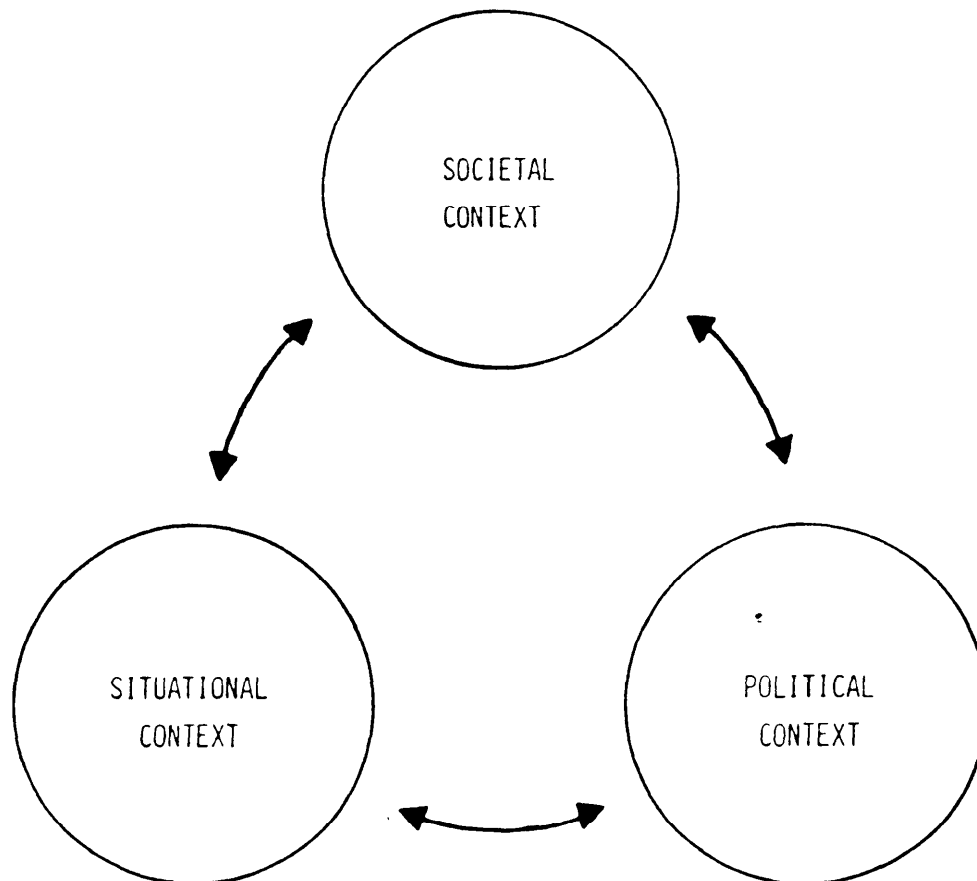
D. TOWARDS AN ANALYTICAL FRAMEWORK AND CONCEPTUAL UNDERSTANDING OF THE INSTITUTIONAL ARRANGEMENTS FOR SIA

The manner in which an SIA is conducted, its influence on planning and decision-making and eventual benefits (or possibly dis-benefits) to a community, is dependent on a wide array of variables. The combination of variables is different for any given project, as is the complex way in which they interact.

Figure 2a, The Context of SIA, is a simplified diagram illustrating the inter-relationships of three "context sets", each within themselves made up of a range of inter-dependent variables. The

Figure 2a

THE CONTEXT OF SIA



“Societal Context” both influences and shapes the political and situational contexts in the short term and long term respectively, and in turn is shaped by them. What societal values are dominant in shaping government and private sector decisions? What is the current state of the economy? What is the disposition of native land claims? Is there a general trend towards a “Conservator Society”? What major events and trends internationally are affecting Canadian society such as international money markets and the supply and demand of various commodities including oil, metals and forest products. These and other factors are a major influence in shaping corporate and government policies and decisions related to development, which in turn affect decisions related to EIA’s and their socio-economic components.

Each SIA is also conducted within a different “Situational Context”, The range of variables here are indicated in Table A and include situational variables related specifically to the project, the affected community, and the region within which the project will be developed.

Finally, the political context can determine whether or not an EIA is required; if hearings will be conducted; if a given project should be “fast-tracked” to stimulate economic development; and in some cases the extent of public and community consultation that occurs during the EIA process. The decision as to whether a project will proceed is ultimately a political decision which can be influenced by the political context at the time which in turn reflects the combined societal and situational context from a political perspective.

Table A

THE SITUATIONAL CONTEXT OF SIA

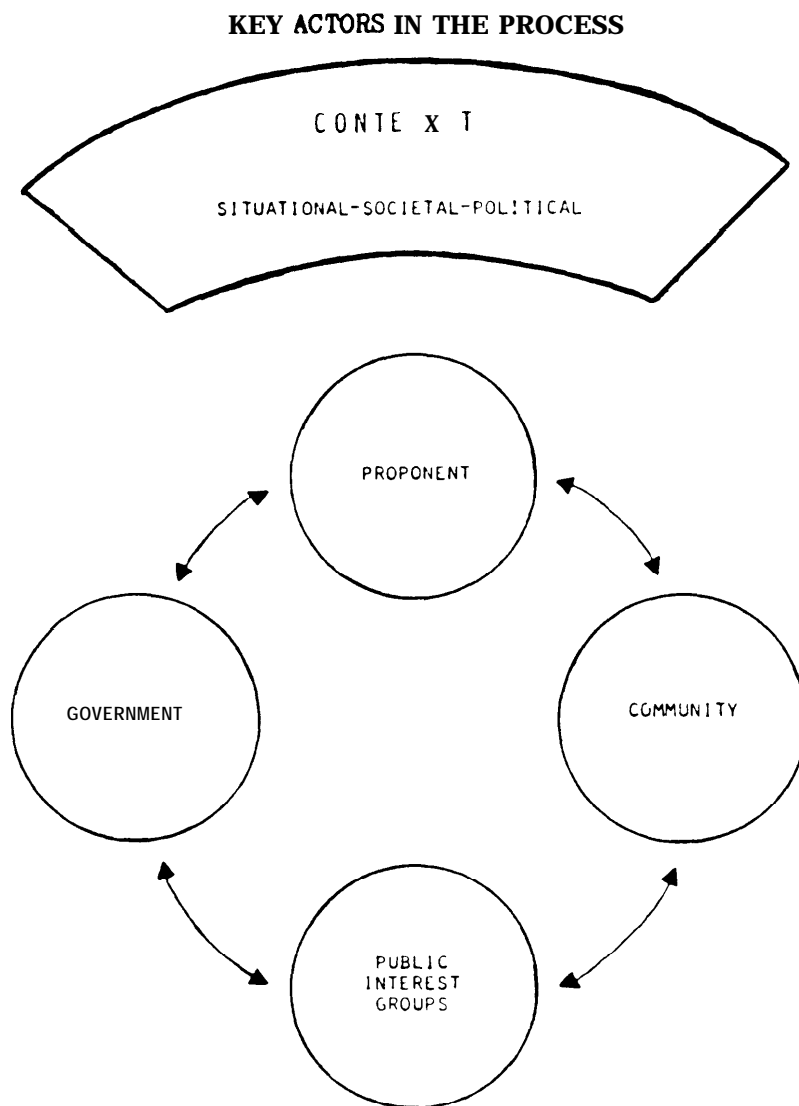
Decision on project go-ahead	To be determined	Made	
Community attitude toward project	Poaitive	Negative	
Nature of planning/decision process	Open	Closed	
Relationships	Collaborative	Adversary	
Role of assessor	Facilitator/ Researcher	“Scientific analysis”	
Political Process	Respons ive	Rigid	
Proponent-	Sensitive/res- ponsive to social issues	“Will do what is required”	
<u>Regional Context</u>			
Number of major projects in region	Singular Major project in space-t ime dimensions	Several Major projects in space-t ime dimensions	
		cumulative impact8 being assessed	singular assessments uncoordi- nated
Perception of project impacts (i.e. people, jobs, tax revenues, etc.)	Positive	Negative	
Perception of biophysical impacts	Relatively minor	Relatively major	

Table A (cont.)

Goals/plans	Project related to long-term goals/plans of community/region	Project does not contribute to goals/long-range plans
Economic development	Area of high unemployment requiring economic development	Area well developed
Type of economy	Industrial	Subsistence
Population	Relatively high population density	Low population density
Social organization	Well developed	Limited
Community infrastructure	Well-developed	Limited

The nature of each “context set” will be unique to each project for which an SIA is conducted, as will the dynamic interaction of variables within each “context set” and between “context sets”. This “total context” in turn influences the nature, extent, and quality of interaction among “key actors” involved in an SIA: the proponent, government, affected communities, and public interest groups as illustrated in Figure 2b.*

Figure 2b

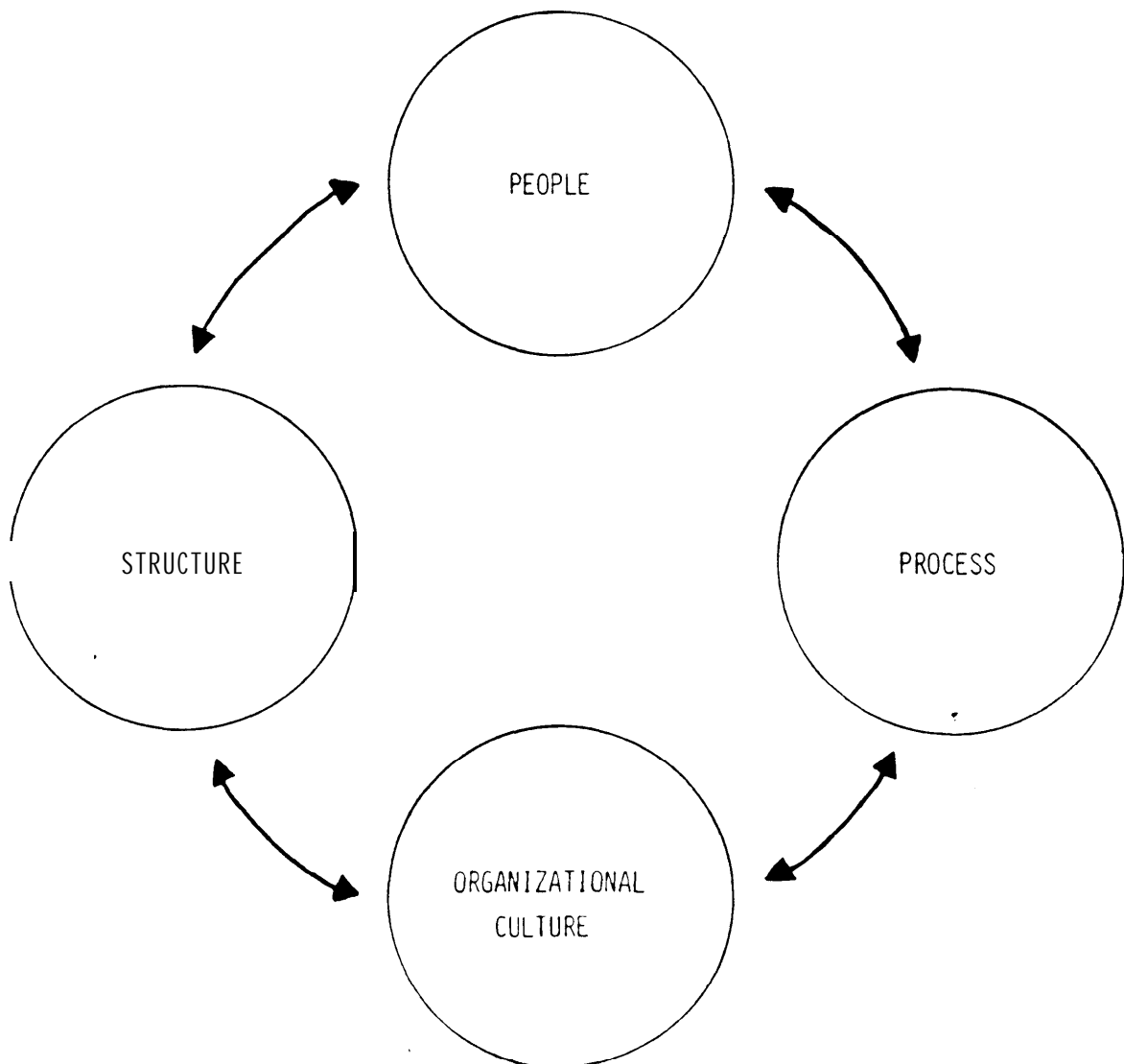


* Consultants hired by the proponent can be considered as an extension of the proponent organization. Also, “community” is a generic term and includes the “municipality” as a formal body.

While the interaction among key actors is affected from without (i.e. the “total context”) it is also influenced from within. The manner in which each of the key actor’s involved in an SIA will react to the perceived “total context” and relate to other key actors in the process is dependent on the people who make up that organization; the structure of the organization and processes facilitated by that structure; and the organization’s “culture” which shapes the philosophy, goals, ethics, and activities of the organization. These relationships are illustrated in Figure 2c, “Organizational Dynamics”.

Figure 2c

ORGANIZATIONAL DYNAMICS



The structure of an organization includes its organizational format, lines of authority and responsibility, and generally established procedures by which it operates. These in turn are determined by an organization's goals and objectives. "Process" includes the flow of communications and information, functions, activities, and other forms of interaction which occur within the organization's structure directed at accomplishing the aims and objectives of the organization.

People are the element that makes it all work. It is their experience, qualifications, interest, and commitment to socio-economic issues and community well-being which in the final analysis determine not only the quality of the SIA, but also the eventual manner in which community impacts are managed and the net benefits or dis-benefits which accrue to affected individuals, groups, and communities.

Organizational culture is the overall "ambience", the intangible "spirit" of an organization; the "tone" that is set by the leaders of the organization; the organization's philosophy and ethics as expressed in statements of policy and objectives and as practiced. Is the organization rigid or flexible; is it oriented to short-term "bottom-line" objectives or long-range goals; does it have a sensitivity to social issues and a custodial attitude in its usage of the environment and natural resources? These are elements of organizational culture. Within governments and large corporations, these cultural elements can and do vary significantly from agency to agency and department to department.

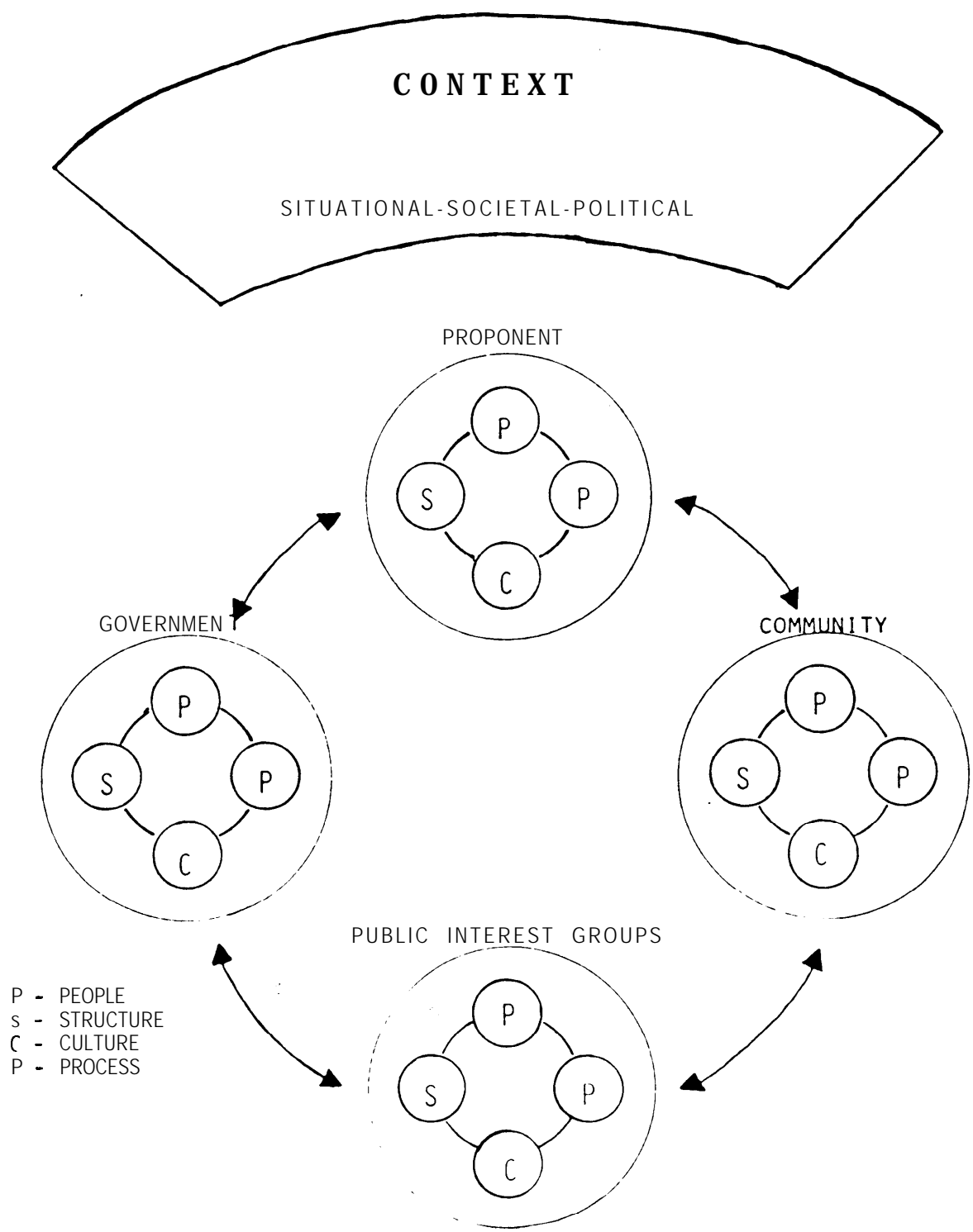
This then is the conceptual framework within which the following assessment of institutional arrangements for SIA is examined (Figure 2d).

Emphasis in the report is given to the "Government Module" of the conceptual framework. However, "institutional arrangements" in the context of this report and as interpreted by the consultant includes the full set of parameters and dynamics outlined above.

The SIA's conducted within the institutional arrangements assessed in this report are components of a more encompassing environmental impact assessment (EIA). Therefore, it is frequently necessary to examine this broader process in order to understand the institutional arrangements of the SIA.

Figure 2d

CONCEPTUAL **FRAMEWORK** FOR **THE** ASSESSMENT OF
INSTITUTIONAL **ARRANGEMENTS**



PART II - AN ASSESSMENT OF INSTITUTIONAL ARRANGEMENTS

A. LEGISLATION

Table B, Relevant Legislation, highlights the key points regarding the legislation for social impact assessment in British Columbia, Alberta, and Ontario respectively.

British Columbia

The main statutes for environmental and social impact in British Columbia are:

Environmental Management Act (1981)
Environmental Land Use Act (1979)
Utilities Commission Act (1980)

The Environmental Management Act is the only act that provides direct statutory reference to environmental impact assessment for activities which may have adverse environmental impacts. This Act does not include any reference to social impacts and does not include social within its definition of environment.

The Environmental Land Use Act, as well, does not include any reference to social impacts and regulations have not yet appeared under the Act. However, "Sector Guidelines" setting forth procedures for linear, coal, metal mine, and major site specific developments do call for social and economic impact assessments of proposed projects.

The Utilities Commission Act provides for the review and certification of projects which generate, use, store, transmit, transport or transship large quantities of energy, and the review and certification for the removal of energy resources from British Columbia.

While an "application" for an Energy Project Certificate requires certain information, it is not a direct statutory requirement for an

EIA. B.C. Regulation 388/80 pursuant to the Act states that an application shall include:

the identification and preliminary **assessment** of any impacts by the project on the physical, biological, and social environments, and proposals for mitigating negative **impacts** and obtaining the **maximum** benefits from positive impacts.

There **remains**, however, **some** concern that social **impact** assessment is not adequately embedded in the Act.

The application also requires information regarding the "description of the applicant's **public information** and consultation prom". Most proponents interpret this stateaent to be a **requirement** for public consultation. However, the extent of public consultation, the mechanisms used, and what is done with the input appears to be left to the discretion of the proponent.

A positive feature of the guidelines is the statement that the report should "outline the plans and procedures for field inspection and monitoring programs for ensuring compliance and management of impacts".

Alberta

The Alberta BIA process is established through the Land Surface Conservation and Reclamation Act (1973). The Act **makes** no provision for social impact assessment or public consultation. While the EIA Guidelines are clear in their expectation for both, some concern **remains** that **requirements** for social impact assessment, when an EIA is called for by the Minister, are not legally enforceable.

A recent article* by **environmental** lawyer Phil Elder states that while the Minister **has** prepared guidelines which require the EIA to "address both the biophysical and social consequences of proceeding with the development, a close examination of the applicable

* Elder, Phil, "Are Alberta Environment's Socio-Economic Impact **Assessment** Requirements Ultra Vires?", Environmental Law Centre Newsletter, Vol. 3, No. 4, Edmonton, 1985.

legislation reveals that the power to require social impact assessment (SIA) is not included. Although highly praiseworthy from the point of public policy, the requirements seem to be ultra vires... I have therefore concluded that, prima facie, socio-economic assessment is not among the 'environmental impacts' the Minister can require to be done."

It is the responsibility of the proponent to seek clarification from the Minister of the Environment to determine if an EIA is required. Projects may also be referred to the Minister from the public, elected representatives in other provincial agencies for a decision regarding the need for an EIA. Projects are screened by a committee of Alberta Environment Directors which advises the Minister, through the Department's senior management that an EIA should be requested.

Ontario

The Ontario Environmental Assessment Act (1975) is, as implied by the name, legislation designed to deal specifically with environmental assessments. Definition of the environment is broad and all-encompassing, including "social, economic and cultural conditions that influence the life of man or a community". As well, the definition includes the inter-relationships between natural, physical and social environments.

The Act is also broadly defined *in its coverage* which includes all "undertakings" of provincial ministries, agencies, or public bodies and all municipalities unless exempted by the Minister. Private sector projects, however, must be specifically designated.

The provisions of the Act suggest, in effect, a planning process. It requires an environmental assessment to consist of:

"a description of and a statement of the rationale for,

- the undertaking
- the alternative methods of carrying out the undertaking
- the alternatives to the undertaking."

For each of these in turn, the assessment must describe the affected environment, effects on the environment, actions necessary for mitigation, and an evaluation of the advantages and disadvantages to the environment.

TABLE B
RELEVANT LEGISLATION

British Columbia	Alberta	Ontario
<p>Environmental Land Use Act (1979)</p> <p>Utilities Commission Act (1980)</p> <p>Environment Management Act (1981)</p>	<p>Land Surface Conservation and Reclamation Act (1973)</p>	<p>Environmental Assessment Act (1975)</p>
<p>Environment Management Act requires (by direct statutory reference) an EIA for activities which may have adverse environmental impacts.</p>	<p>Requires an Environmental Assessment when, in opinion of the Minister, any "operation" or "activity" is likely to result in a surface disturbance and when Minister considers it in the public interest to do so.</p>	<p>Implementation is by regulation.</p>
<p>Environmental Land Use Act established a Committee of Cabinet (ELUC) No regulations under the Act, but "Sector Guidelines" developed for linear, coal, metal mine, and major site-specific developments. Guidelines set forth procedures for developers to coordinate planning with environmental, social, and economic impacts of a proposed project.</p>	<p>Act refers to conservation of natural resources and control of pollution; control of noise; and preservation of natural resources for aesthetic value.</p>	<p>Requires an EIA for all "undertakings" of provincial ministries, agencies, public bodies, and all municipalities unless exempted by Minister.</p>
<p>Utilities Commission Act established a comprehensive review process for certification of major energy projects. Application requirements are governed by regulation and include identification and preliminary assessment of environmental impacts; proposals for reducing negative impacts and maximizing benefits of positive impacts.</p>	<p>No reference to social impacts. No reference to public consultation.</p>	<p>For private sector, only projects designated by regulation subject to Act.</p>
<p>Social impacts incorporated</p>	<p>Guidelines include effects on:</p> <ul style="list-style-type: none"> - health and safety; - social, economic, and cultural conditions in the community. 	<p>"Undertaking" includes enterprises, activities, proposals, plans, and programs.</p>
<p>Public consultation encouraged in guidelines. Not part of legislation</p>	<p>Guidelines put emphasis on:</p> <ul style="list-style-type: none"> - scoping - a community based impact assessment - importance of interaction between proponent, community and government agencies - monitoring. 	<p>Social Impacts incorporated.</p>
<p>Project justification required.</p>	<p>Public consultation not required but encouraged in guidelines.</p>	<p>Assessment and Government Review are a matter of public "record" and available for inspection by any person following public notice of their availability.</p>
<p>Mitigation/Compensation required.</p>	<p>Assessments include:</p> <ul style="list-style-type: none"> - rationale for undertaking - alternative methods of carrying out undertaking - alternatives to undertaking 	<p>Persons are able to make written submissions to Minister re. undertaking and by written notice to the Minister "require a hearing by the Board".</p>
<p>Monitoring required.</p>	<p>Monitoring not required, but encouraged in guidelines.</p>	<p>Public consultation not required but encouraged in guidelines.</p>
		<p>Assessments include:</p> <ul style="list-style-type: none"> - rationale for undertaking - alternative methods of carrying out undertaking - alternatives to undertaking
		<p>Monitoring not required, but encouraged in guidelines.</p> <p>"Class" EA for projects with common characteristics, relatively small in scale, recur frequently and have a generally predictable range of effects.</p>

The Act contains several interesting and unique features including:

- the requirement to describe alternatives to the undertaking
- provision for a "Class" EA
- keeping of a "public record" available to any person
- ability of any person to make written submissions to the Minister with respect to the undertaking, the environmental assessment and the review thereof
- ability of any person to require a hearing by the Board by written notice to the Minister ("unless in his absolute discretion he considers that the requirement is frivolous or vexatious or that a hearing is unnecessary or may cause undue delay").

The Ontario legislation is felt to be generously written and well conceived in defining "social" as a part of the environment. However, the term "social" lacks definition in the Act as in the existing guidelines.* The broadness of the Act in terms of both its concept of the environment, as well as "undertaking", is seen by some as an advantage and by others a disadvantage. The broadness, on the one hand, gives wide scope to an environmental assessment (which can add to cost and time), but on the other hand, results in uncertainty and vagueness as to what a social assessment should consider.

While further definition may not be warranted in the legislation, a commonly held view is that supplementation is required in the guidelines.

The Act generally is considered to be excellent legislation, particularly considering that it was written in 1975 (the first province to pass an E.A. Act). For some, in fact, it may be overly ambitious in what it sets out to do. There are, however, three areas of refinement that were put forward:

* Guidelines are currently under revision.

- public consultation should be a requirement embedded in the legislation.
- financial assistance should be available for communities and groups to enable them to be involved.
- provisions for monitoring should be included in the Act.

Public consultation and monitoring both form part of the current guidelines. Public consultation is "strongly advised" in the current guidelines and monitoring is indicated as a shared responsibility between the proponent and government. It was suggested that these areas be strengthened by being embedded in legislation.

The Importance of Legislation

Having social assessment properly embedded in legislation provides several advantages.

It demonstrates the long-term commitment of a government to the concept and proper conduct of social assessments where required.

Legislation gives social assessment legitimacy. It creates an expectation that proper studies are to be conducted.

Legislation results in appropriate organizations being set up and staffed, both in government and the private sector, to respond to legislative requirements.

Staff involved in carrying out social assessment requirements are able to justify their activities and be supported by senior management.

Proponents who otherwise would not have given adequate attention to social assessment are required to do so by law.

t.

B. **RESPONSIBLE AGENCIES**

The responsible agencies for administering the

Table C

RESPONSIBLE

BRITISHCOLUMBIA	
Environment	Environment
Energy Committee	Environmental
Commission	

Columbia

Process for the Energy Review

Environment. Ministers must sign an Energy Project Certificate before any **major** energy project can be constructed. Depending on **scale and complexity of the project,**

a project assessment to the British Columbia Utilities Commission according to terms of reference specified by the Ministers. The commission can conduct public hearings into either or both:

- the need for the project
- environmental and social implications of project development.

Alternatively, the Ministers can forego any formal public review and issue an Energy Project Certificate with terms and conditions developed during the project assessment process.

An Energy Project Coordinating Committee has been established to coordinate the agencies involved in the energy project review process, and to advise the Ministers at various stages of the procedures (See Figure 3). The Committee consists of three members:

- Director of the Project Analysis Branch, Ministry of Energy, Mines and Petroleum Resources
- Director of the Assessment Branch, Ministry of Environment
- Representative of B.C. Utilities Commission

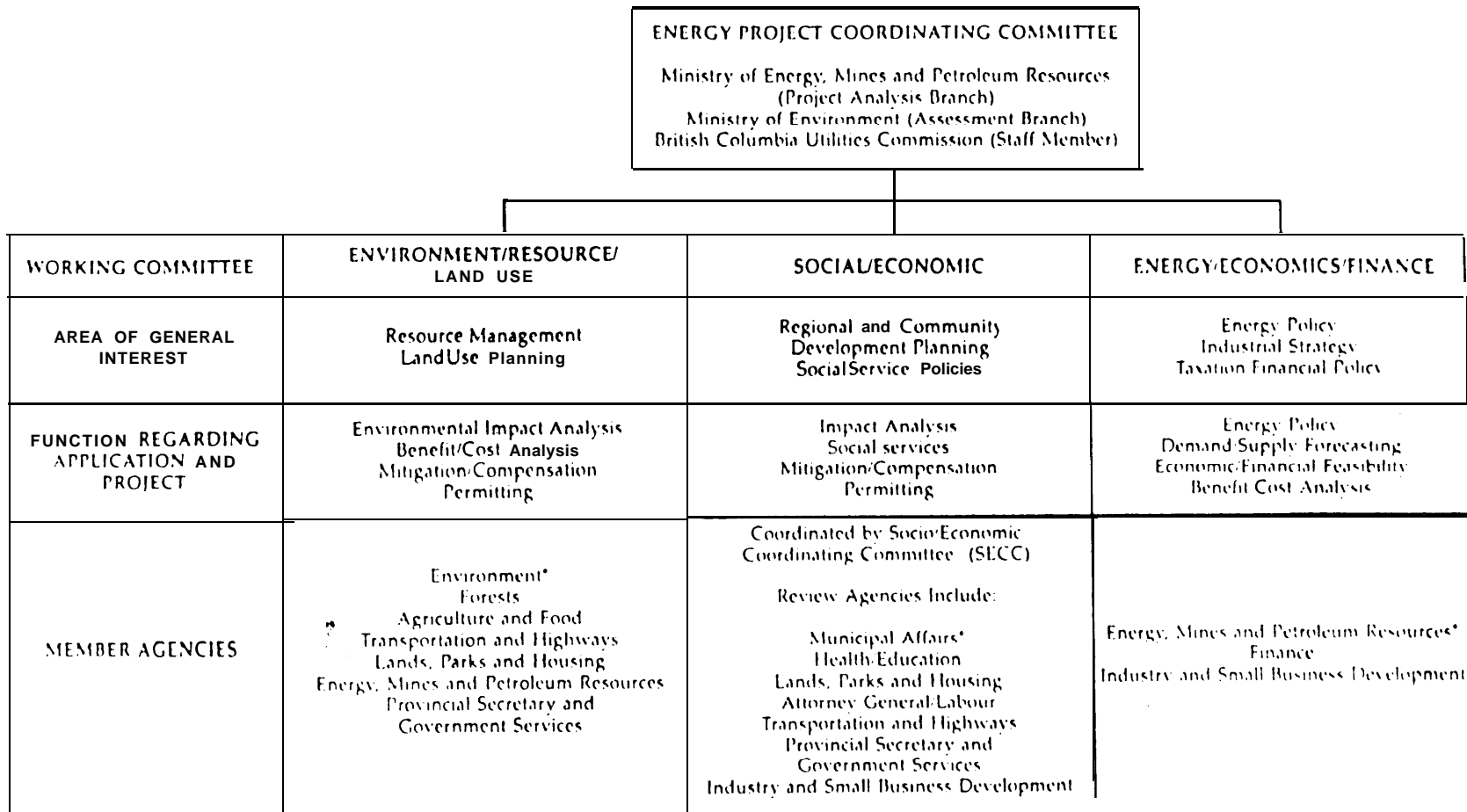
Three Working Committees assist the EPCC, as illustrated in Figure 3, including a Socio-Economic Committee.

Alberta

In Alberta, the Land Surface Conservation and Reclamation Act is administered by the Ministry of the Environment. The Minister has the discretion to require an EIA if, in his opinion, it is in the public interest to do so. EIA's are required on most major resource development projects. At present, the following types of development may be subject to an EIA: oilsands recovery projects, coal mines, thermal or hydro power generation projects, refineries, petro-chemical plants, sour gas plants, transmission lines, pipelines, recreation complexes, and water resource developments. The decision to require an EIA is made on a case by case basis to ensure flexibility and consultation with the proponent to determine if an EIA is required in the public interest. The Guidelines are worded so as to ensure the proponent is aware of the possibility of the need for an EIA and to encourage the proponent to seek clarification and thereby encourage early consultation.

FIGURE 3

INTER-AGENCY FRAMEWORK



*Currently chairs working committee

The EIA process is administered by the Environmental Assessment Division of the Ministry. The Division coordinates the inter-departmental EIA review process and, through its regionally-based staff, ensures contact between communities and project proponents in the BIA preparation. Included in the Division is a Community Affairs Branch designed to be a communications link between government, industry, and the public in matters concerning the environment.

The Energy Resources Conservation Board (BRCB) is charged with energy resource management functions (including preservation and effective use) and complements Alberta Environment with regards to environmental management functions related to oil, gas, oilsands, pipelines, electric energy, and coal.

EIA's on energy projects requiring ERCB approval are filed with both Alberta Environment and the ERCB as part of a proponent's application. Where hearings are required on energy projects, they are conducted by the ERCB. The decision to accept an application for an energy project rests with the ERCB, which in its decision weighs considerations brought forward by the EIA, including social considerations.

While, the Board has no jurisdiction over social matters and therefore cannot make approval of an application subject to any social conditions, the Board can and does bring matters to the attention of responsible ministers.

Environmental lawyer Phil Elder, has stated, "It is not clear whether the ERCB has jurisdiction to recommend to the Lieutenant Governor any social measures it considers necessary but cannot itself impose."*

Aside from this legal opinion, Alberta policy is that the proponent is responsible for identifying social impacts, and it is the role of government social agencies to use the information provided in the EIA to respond to the situations created by the project.

• * "The ERCB's Social Impact Assessment Mandate", Phil Elder, Environmental Law Centre Newsletter, Vol. 3, No. 3, Edmonton, 1985.

Ontario

As in Alberta, the responsible agency for administering legislation in Ontario is the Ministry of Environment. The Environmental Assessment Branch coordinates the EA review by the Ministry of the Environment and other interested provincial ministries or agencies.

The Minister of the Environment can decide to accept the environmental assessment (or to accept with amendments) and, if there is no requirement for a hearing, to approve the undertaking.

Alternatively, after accepting the EA, the Minister may refer it to the Environmental Assessment Board for a hearing and decision regarding approval of the undertaking. This may be of the Minister's own volition or in response to submissions from the proponent or the public requiring a hearing.

A third alternative is for the Minister to refer the environmental assessment to the Board for a hearing to decide both:

- the acceptability of the environmental assessment, and
- approval of the undertaking.

Again, this may be of the Minister's own volition or in response to a notice requiring a hearing.

The Environmental Assessment Board is a permanent body consisting of a minimum of five members chosen by Cabinet from outside the public service. The Chairman designates members from the Board to hold hearings as required.

Observations

Each province has sought to achieve a one window approach to the environmental assessment process and generally has been successful. This has proven to be helpful to proponents in their efforts to satisfy requirements for an EA.

An interesting feature in British Columbia is the establishment of a **Socio-Economic Coordinating Committee (SECC)**. The purpose of the committee is to facilitate, coordinate, direct, and manage the socio-economic assessment of major projects and to help ensure efficient and equitable management of their impacts.

The SECC solicits, collects, summarizes, and, where possible, integrates the reviews of provincial agencies concerning socio-economic assessments of designated projects. The SECC monitors (in consultation with participating agencies) the effectiveness of existing assessment processes with regards to socio-economic issues and the quality and consistency of the information employed in decision-making. The monitoring may lead to recommendations for improving the review of socio-economic assessments.

Members of the SECC constitute the social-economic working committee of the Energy Project Coordinating Committee (see Figure 3). Similarly, they are involved in the environmental assessment review process for other types of projects in the province.

Socio-economic assessment seems to lack this focus, overview, and integration in the Alberta and Ontario review process. In these provinces, one review coordinator is designated from the staff of the Environmental Assessment Division (Branch) who coordinates the information flow of the entire review for a given project (undertaking). Coordinators, while having an appreciation of social and economic issues, generally are not specialists in these areas.

An interesting feature of the Alberta Environmental Assessment Division is the establishment of a Community Affairs Branch. The Branch resources are used to support Alberta Environment's policies for community-based assessments and the promotion of communications between proponent-community and government agencies.

In both Alberta and Ontario, concern was expressed that the Environment Ministry was a developer as well as a regulator. In Alberta, the Environment Ministry is responsible for water resource

management and in this role has been the developer of dams and irrigation projects. In Ontario, the Environment Ministry has been the developer of sewage projects.

Concern was expressed in Alberta that there are no provisions for formal hearings by a separate agency when Alberta Environment is the developer. Therefore, the public does not have the necessary mechanism (as it does with energy projects through the ERCB) to call for a hearing and to cross-examine with regards to need, social/environmental issues, or mitigation.

One view expressed is that development divisions of an Environmental Ministry should be relocated to other ministries.

The role of the Assessment Branch in each province has been evolving over the past ten years and in some instances has had redefinition. The original role seems to have been as environmental advocates, protecting the environment. It was recognized, as in Ontario for example, that the Branch, with limited staff, could not become experts in all aspects of the environment. These experts, however, did exist in the various agencies of government. Therefore, they began to re-define their role in terms of administering a process.

In British Columbia, the role of the Assessment Branch has been influenced by the societal context and government policy: "Given the Government's general policy to stimulate economic development, streamlining procedures have been introduced into the project review processes to gain approval-in-principle as early as possible."* Some persons fear this "fast-tracking" will affect the quality of social assessments.

In Alberta, some observers suggest that the role of Alberta Environment has shifted with Ministers from:

Protection of the Environment to
Balancing Economic Development and Environmental Protection

The view expressed by Alberta Environment is that their role has not shifted, that its role has always been environmental protection. In carrying out this responsibility, "the Department seeks to balance economic development and environmental protection. The Department has demonstrated that it is possible to have environmentally acceptable economic development."

* Status Report - Environment Planning and Project Assessment Procedures In British Columbia, Ministry of Environment, August 1985.

These shifts in roles, where they have occurred, have tended to create some confusion in the perceived image of Environmental Ministries, their Assessment Branches (Division), and how people and communities should relate to them in a review process.

C. ADMINISTRATION OF THE ACT

Role of Administering Agencies

Table D outlines the respective roles of reviewing agencies in each province. In all instances, responsibility for an Environmental Assessment rests with the proponent. The proponent nonetheless recognizes that the EA must be acceptable to the administering agency and the various review agencies. To ensure this is accomplished in an efficient manner, each province has a "scoping" stage prior to the conduct of an environmental assessment.

In British Columbia, the three working committees of the BPCC, including the social/economic committee, meet with the proponent to discuss terms of reference (TOR). In Alberta, joint scoping is done with the proponents, and the proponent is strongly urged to initiate community and public consultation at this stage to identify key issues from a community and public perspective.

Ontario has a formal pre-submission consultation phase required by the proponent. Public consultation is strongly encouraged in this phase. The review coordinator will identify for the proponent agencies, organizations, and individuals who should be contacted in this phase.

While the BPCC in British Columbia and the Environmental Assessment Division in Alberta coordinate the input of review agencies in this stage, proponents in Ontario are encouraged to make direct contact with government review agencies.

Once the Environmental Assessment is completed by the proponent, the administering agency of each province coordinates the inter-departmental government review and develops a government response. Comments on deficiencies noted from social agencies in British Columbia are examined by the Social/ Economic Working Committee where they are summarized and, where possible, integrated before being sent to the proponent. In Alberta and Ontario, this is accomplished by the review coordinator.

Table D

RESPECTIVE ROLES OF REVIEWING AGENCIES IN EACH PROVINCE

BRITISH COLUMBIA	ALBERTA	ONTARIO
Energy Project Coordinating Committee (EPCC)	Environmental Assessment Division	Environmental Assessment Branch
Coordinate information flow for review process	Alberta Environment Committee of Directors screens project and advises Minister if BIA should be requested	Identify for proponent, agencies, organizations, and individuals for pre-submission consultation
Discussions with proponent/consultant re: Terms of Reference information requirements monitoring requirements	Joint scoping of project with proponent	Assist proponents and participants in interpretation of the Act and its requirements
Review application and identify deficiencies	Facilitates contact between affected community and proponent	Act as facilitator in pre-submission stage at request of participants
Recommend disposition to Minister of Energy, Mines and Petroleum Resources and Minister of Environment - Exemption - Public Hearing through Utilities Commission and Decision by Cabinet	Coordinate inter-departmental review	Coordinate government review of EA
	Forward deficiencies and receive supplementary report	Forward deficiencies and receive supplementary report
	ERCB conducts hearing of application and BIA with supplemental information	Release EA and review to public
If exempt, EPCC coordinates drafting of necessary terms and conditions in Exemption order	ERCB prepares decision report and recommendations to Cabinet	Review and recommendations re. acceptance of EA and approval of undertaking to Minister
If hearing, WCC coordinates draft of terms of reference	Board's decision accompanied by approval from the Minister of Environment	Hearing if required by Environmental Assessment Board re. - Acceptance of EA and/or - Approval of Undertaking
Involved in monitoring as appropriate		

Supplementary information received from proponents is subsequently reviewed for completeness and acceptance.

Subsequent to the review, the EPCC in British Columbia recommends the disposition of the application to the Minister of Energy, Mines and Petroleum Resources and the Minister of the Environment. The recommendation is either for exemption from the Act or for a public hearing through the Utilities Commission and decision by Cabinet. If the Ministers choose to exempt an application from the Act, the EPCC coordinates the terms and conditions to be contained in the Exemption Order in consultation with agencies. If an application is referred to the Commission for a public hearing, the EPCC coordinates the drafting of terms of reference for the hearing for review and decision by the Ministers.

On completion of the review in Alberta, the proponent's application, EA, and supplemental information are subject to a public hearing conducted by the ERCB. Following the hearing, the ERCB prepares a decision report and recommendations to Cabinet. The Board's decision report is accompanied by an approval from the Minister of the Environment which indicates that the project is generally acceptable regarding matters of the environment.

Following the EA review in Ontario, the Environmental Assessment Branch releases the EA and its review to the public. If there are no submissions requiring a hearing, the Environmental Assessment Branch makes its recommendations to the Minister regarding acceptance of the EA and with regard to approval of the undertaking.

Alternatively, the Minister may call for a hearing of his own volition or in response to submissions for a hearing. The hearing is conducted by the Environmental Assessment Board and may be for acceptance of the EA and/or approval of the undertaking.

Appendix A contains flow charts of the sequence of main activities involved in administering legislation in each of the three provinces.

The previous section made mention of the Community Affairs Branch as an interesting component of the Environmental Assessment Division in Alberta. Its role is to:

- provide public with information and advice on environmental issues and regulations;
- provide awareness of a project to those who may be affected;
- work with the public to identify and analyze potential social and environmental impacts of project;
- assist citizens in becoming involved;
- provide individuals with access to resource people and materials.

Compliance with Guidelines

A fundamental difference exists in the responsibility for the mitigation and management of environmental impacts as opposed to the mitigation and management of social impacts. The former are the responsibility of the proponent, whereas social impacts are the responsibility of the government.

Problems potentially begin with the environmental assessment. In British Columbia and Alberta, there does not appear to be a statutory basis to require information on socio-economic areas as a legal obligation. In Ontario, both the legislation and the guidelines are sufficiently broad that what is legally required in the socio-economic area is subject to debate.

Therefore, compliance to guidelines with regards to SIA depends to a large extent on the will of the proponent. This can range from an extreme negative response of "It's none of your business" regarding certain government requests for information to going beyond government guidelines, as is the case of the Ontario Waste Management Corporation.

Proponents generally respond to statutory requirements. However, where there is no statutory base for the information request, and if the information tends to weaken a proponent's position or is difficult/costly to obtain, the proponent is not under any legal obligation to reply.

W.E. Rees, in a brief to the Beaufort Sea Environmental Assessment Panel (1985), is critical of the very concept of "self-assessment", i.e. making the proponent responsible for his own EIA. He states:

The proponent will naturally tend to diminish potentially negative effects while inflating project benefits. The frequent divergence of data and judgements in the proponents EIA from information presented in their own original consultants' reports (well-documented in earlier interventions to the panel) is a prime example from the Beaufort Sea EIA.*

The degree of compliance is a function of several factors which include: corporate philosophy; corporate culture; the attitudes of senior management, project management, and project engineers; the knowledge, experience, and maturity of staff responsible for socio-economic assessment and their ability to influence corporate culture; and the abilities, commitment and "SIA Belief System" of the consultant commissioned to do the SIA.

* Government Management Capability: A Brief to the Beaufort Sea Environmental Assessment Panel, W.E. Rees, UBC Planning Paper - Studies In Northern Development #8, Vancouver, December 1985.

For many proponents, the main consideration is: 'What do we have to do to get approval for the application?' They are also concerned with costs and approval time. Anything that makes the approval process in total less burdensome, less costly, and faster is generally a positive incentive. (For these reasons, proponents tend to be moving towards negotiative strategies and environmental mediation with a view towards avoiding time consuming and costly hearings.)

Public Consultation

Public consultation is viewed as a natural complement to social impact assessment, beginning with scoping on through to the review process and final decision-making. Public consultation is encouraged and in some instances facilitated by regulating agencies.

Despite encouragement for early public consultation in the scoping stage, some proponents cling to the view that they have to have "answers" before embarking on public consultation.

In some instances, early public involvement can be problematic. Expectations can be raised in anticipation of a project and then the project may not proceed. In one instance, a major energy company was training natives in the operation of an LNG plant and subsequently did not proceed with the plant.

As well, with some proponents such as B.C. Hydro and Ontario Hydro public consultation at a project level is not totally adequate. People want to talk about broader issues such as conservation, energy policy, corporate policy, and strategic planning.

Accountability

In most socio-economic assessments, the consultant is accountable to the proponent and the proponent, in turn, to the regulating agency. There is no direct line of accountability to the community or municipality. The general pattern in each province is that Municipal Affairs is the reviewing agency designated to represent

the interests of the municipality in the government review of an EIA. This tends, however, to be mainly with regards to the Official Plans and By-laws of affected municipalities rather than social or economic issues. The policy appears to be that communities should speak for themselves on these issues. However, municipalities are not formally part of the "government review" process, which is a provincial government review. Their involvement is in the context of the broader consultation process, and as such they have no formal voice in the acceptability or non-acceptability of the EA.

Further, most major resource projects are in rural areas and affect small communities of 200 to 5000 persons. They may have a town administrator with a few staff at best. They lack the resources and experience to adequately deal with an EA or socio-economic assessment.

The Economic Context and its Effects

The severe economic recession over the past few years has also influenced the manner in which legislation has been administered. The main priority of governments, both federal and provincial, has been to stimulate economic development and employment.

In British Columbia, for example, "Given the Government's general policy to stimulate economic development, streamlining procedures have been introduced into the project review process to gain approval-in-principle as early as possible."* As a result of "streamlining", some information of a socio-economic nature previously asked for in the EIA is no longer being requested. This includes, for example, information regarding native employment, the employment of women, and training programs. Generally speaking, there appears to be pressure to eliminate any requirements in the terms of reference which do not have a statutory base.

* Status Report - Environmental Planning and Project Assessment Procedures in British Columbia, Ministry of Environment, Victoria, 1985.

Alberta in particular has been seriously affected by the boom-bust cycle of the past several years. As well, in Alberta there is the continued uncertainty of the international oil markets as evidenced by the recent fall in crude oil prices. Given this economic context, both government and proponent are anxious to move quickly on projects when a "window of opportunity" exists. This affects the manner in which the Act and the Guidelines are administered in that "Agencies don't want to be seen as an obstacle to development." As a consequence, while socio-economic issues tend to get stated in the EIA and/or hearings process, there appears to be little effort to deal with them in terms of recommendations for mitigation in either the SIA document or the hearings process. The mitigation and management of social impacts is generally left to government.

A second way in which the economy has affected the EA process is through budget cutting which has reduced the staff available to administer the legislation in each province. In British Columbia, budget cuts have affected the availability of human resources for the socio-economic coordinating committee. In Alberta, the Community Affairs Branch does not appear to have sufficient staff to carry out its mandate. In Ontario, the Environmental Assessment Branch has been reduced in size.

Similarly, in major resource corporations, staffing of the socio-economic function and community relations function have been reduced. Even in corporations which previously strived for "excellence" in these areas, the pressures for short-term, "bottom-line" performance have required the reduction of efforts.

Finally, as indicated above, the responsibility for dealing with social impacts rests with government through its various social agencies. In some instances, the boom-bust cycle has resulted in social infrastructure being over-built. Where this is not the case, the tendency is to wait for social impacts to actually occur (e.g. the need for a school or for social services) before responding.

The economy has also resulted in some major enterprises having to be closed. This is particularly devastating in single-resource communities. No legislation or guidelines exist for this eventuality.

The Decision Requiring an EA

In both Alberta and Ontario, there is some concern regarding the decision process requiring an EA. In Ontario, all government undertakings require an EA unless exempted by the Minister. The view was expressed that some major projects that should have had an EA had been exempted by the Minister. This view also expresses concern that the rationale and considerations which enter into such decisions are not made public. Similarly, there is an expression of concern in Ontario that various projects have been approved under "Class" EA's which should have had a full individual environmental assessment.

The concern in Alberta is that government projects have been approved without a full-scale and public environmental assessment. In Alberta, the Minister of the Environment must specifically designate a project for an EA (the opposite of Ontario). Whereas for major energy projects of the private sector the public has the opportunity, through the ERCB, to call for an environmental impact assessment, there is no such mechanism for government projects.

The Debate Over Broad Guidelines

There was considerable debate in Ontario with regards to the broadness of both the legislation and the guidelines. On the one hand, the breadth of the Act and its guidelines provides scope for consideration of virtually any aspect of the social or economic dimensions of an environmental assessment. One view is that, in reality, when an undertaking is being assessed, the specific issues of that undertaking are assessed within the broad framework of the guidelines. Each project is unique and hence the guidelines work well. Furthermore, SIA is a "vague" and "abstract" area which is difficult to define.

A second view is that the current guidelines do not provide affected municipalities and individuals with an understanding of what should be expected from a socio-economic assessment. This view suggests that it is necessary to articulate and Legitimize a minimum standard that should be met in a socio-economic assessment.

The extent to which the socio-economic area is currently addressed depends to a large extent on the requirements indicated by reviewers in the socio-economic agencies. In some agencies, there are reviewers who have taken a strong interest and are pushing for issues to be addressed; in other areas, reviewers may be less interested.

The debate suggests a need for comparative studies to determine what seem to be reasonable guidelines for various classes of projects and the requirement for monitoring to improve the knowledge base from which to be able to forecast likely impacts.

Other Observations

Ontario's Environmental Assessment Act, when originally passed in 1975, was intended to apply to the private sector after a period of one or two years. However, this is still not the case. Private sector undertakings must be specifically designated for an EA by the Minister, whereas all government undertakings require an EA unless exempted.

The private sector would have difficulty responding to the "alternatives to" requirements of the legislation in Ontario.

The Minister of the Environment in Ontario is not able to legally enforce the Act with regards to government undertakings as the Crown cannot sue the Crown.

In some instances, there is concern that projects conceived and planned in the mid-1970s, delayed because of the economic situation of the late 1970s and early 1980s, are now being carried forward using outdated documentation and within a different societal context.

D. THE EA/SIA REVIEW PROCESS

Information Flow

Figure 4 outlines the basic flow of information relating to the Environmental Assessment process. (The flow charts in Appendix A are helpful in understanding the context within which the information flow of the EA/SIA occurs.) The flow is essentially similar in each province. The information flow related to public consultation appears as dotted lines as these are at the discretion of the proponent, although generally encouraged. Contact with affected municipalities may occur directly by the proponent as part of the public consultation stream and/or through the reviewer within the Department of Municipal Affairs.

Decisions related to the terms of reference are made by the proponent, who is responsible for the EA. Most often, however, terms of reference are mutually agreed to by both the government and proponent at this stage.

The process is intended to be a "one window" process to facilitate the efforts of the proponent. The proponent or his consultant, however, may wish to confer directly with a reviewer on specific topics and/or to obtain relevant information. This is usually arranged by the review coordinator with the regulatory agency.

The information flow varies slightly in British Columbia where there are three phases to an Energy Project Review Process.

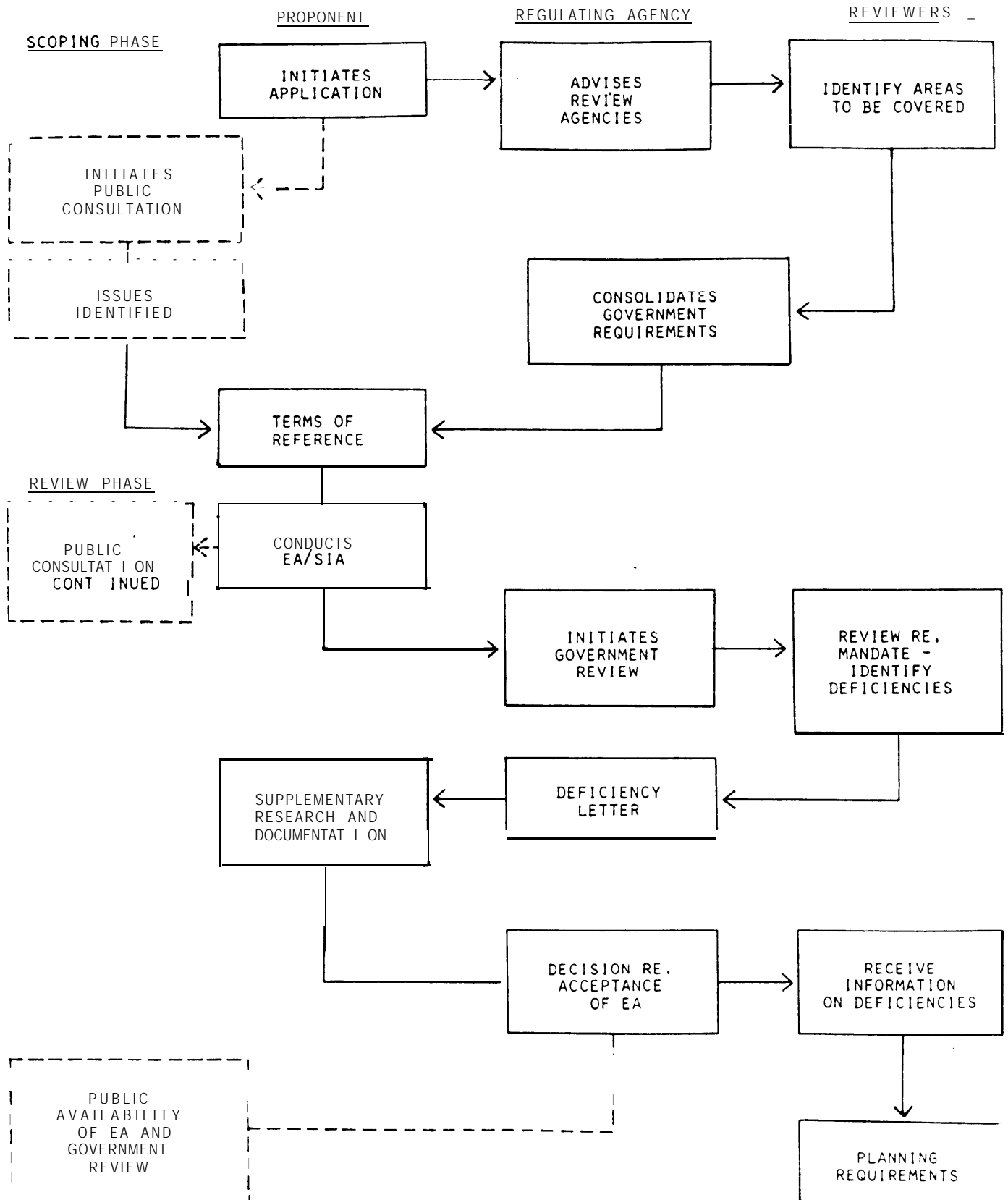
Prospectus - introduces the project and outlines proposed preliminary studies.

Preliminary Planning Reports - identify major issues, compare alternative locations, identify proposed studies.

Application - In compliance with information requirements of the Utilities Commission Act.

±

FIGURE 4 - EA/SIA INFORMATION FLOW



Alberta Environment encourages a Community Based Impact Assessment. Importance is placed on interaction between proponents, relevant government agencies and the public.

"In this approach, the public plays a major role in identifying issues it wishes the proponent to address and the subsequent review of the information.

Guidelines have been developed to assist proponents prepare the requisite information. The use of guidelines enables development of decisions relevant information and provides for flexibility in content bearing on the circumstances of each project and its location. Within the context of these guidelines community matters are perceived of as being part of the environment whether they are biophysical or social in nature".*

With respect to the public this Department facilitates contact between the affected community and the proponent. The **EIA** process also enables the public to become informed of how the government will regulate the project and respond to identified impacts.

In addition to its role with the public the EIA serves as a vehicle for coordinated information exchange between the proponent and government agencies. Alberta Environment acts as the coordinator of this exchange by ensuring agency awareness of the project, by ensuring agencies identify pertinent information needs and by ensuring agencies bring specific related matters to the attention of the proponent to address in the EIA. It is up to each agency to use the information in the EIA to determine if any special response is warranted on their part. This function is especially relevant for social service delivery agencies which have no regulatory control over a development but which may have to adjust its program delivery as a result of development.

Figure 5a illustrates the EIA process in Alberta.

The Environmental Assessment Branch in Ontario **emphasizes** that its **EA** process is **essentially**:

A planning process which is designed to ensure that the broadest possible range of reasonable alternatives are developed, **analyzed** and evaluated based on their net effects on the full scope of the environment, including the integration of a comprehensive "social" component.

* Letter from F.J. **Schulte**, Director Environmental Assessment Division to L.J. **D'Amore**, January 7, 1986.

Figure 5

MODEL OF AN ENVIRONMENTAL PLANNING PROCESS

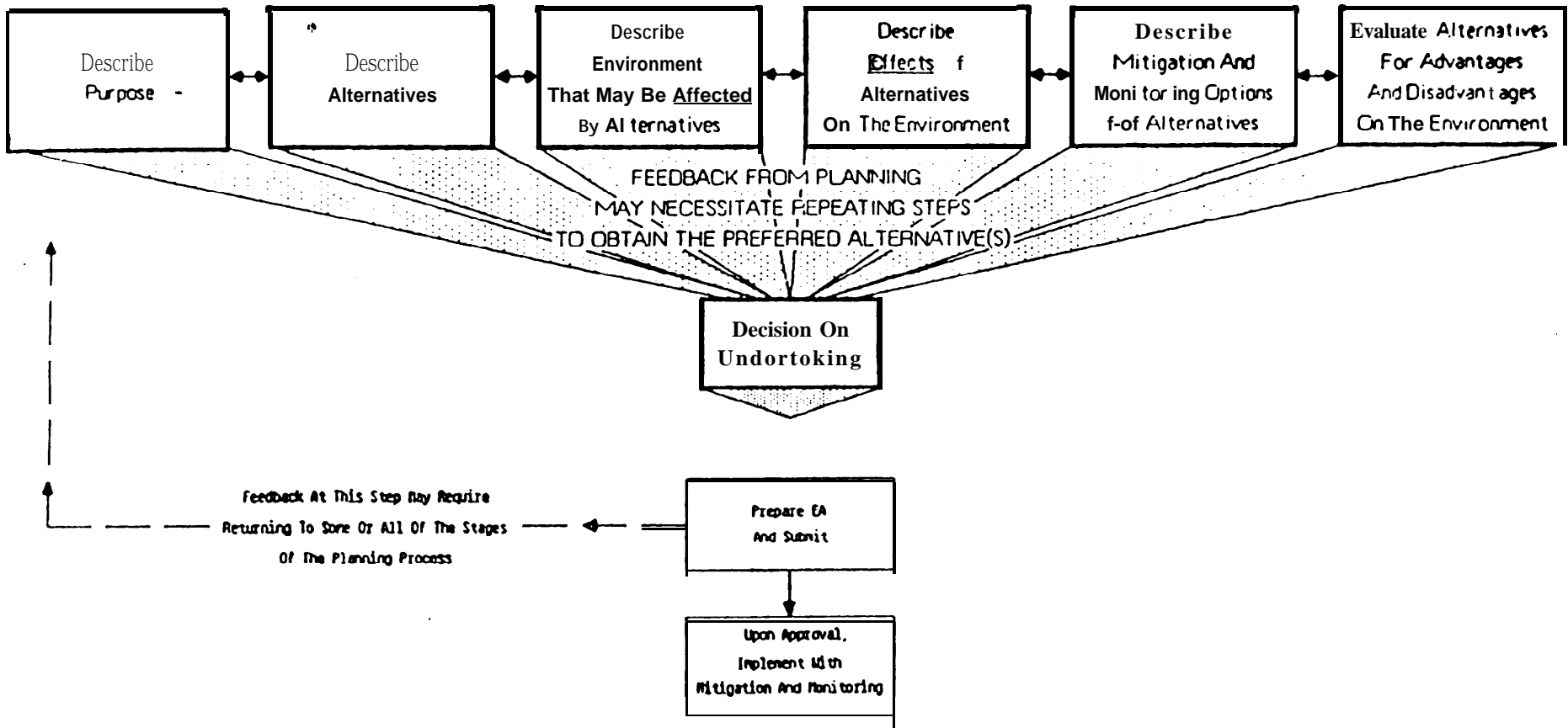


Figure 5a

THE EIA PROCESS - ALBERTA

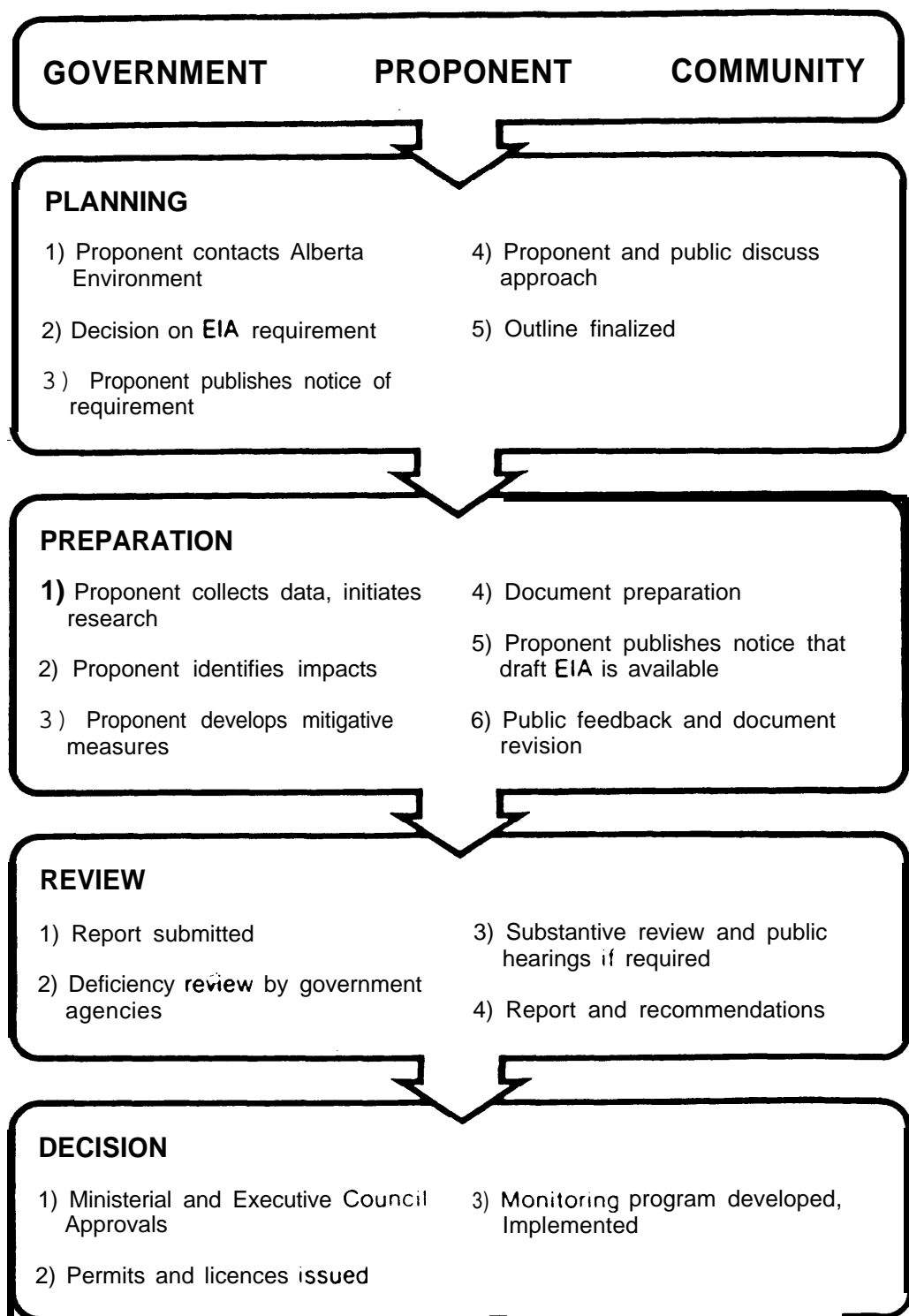
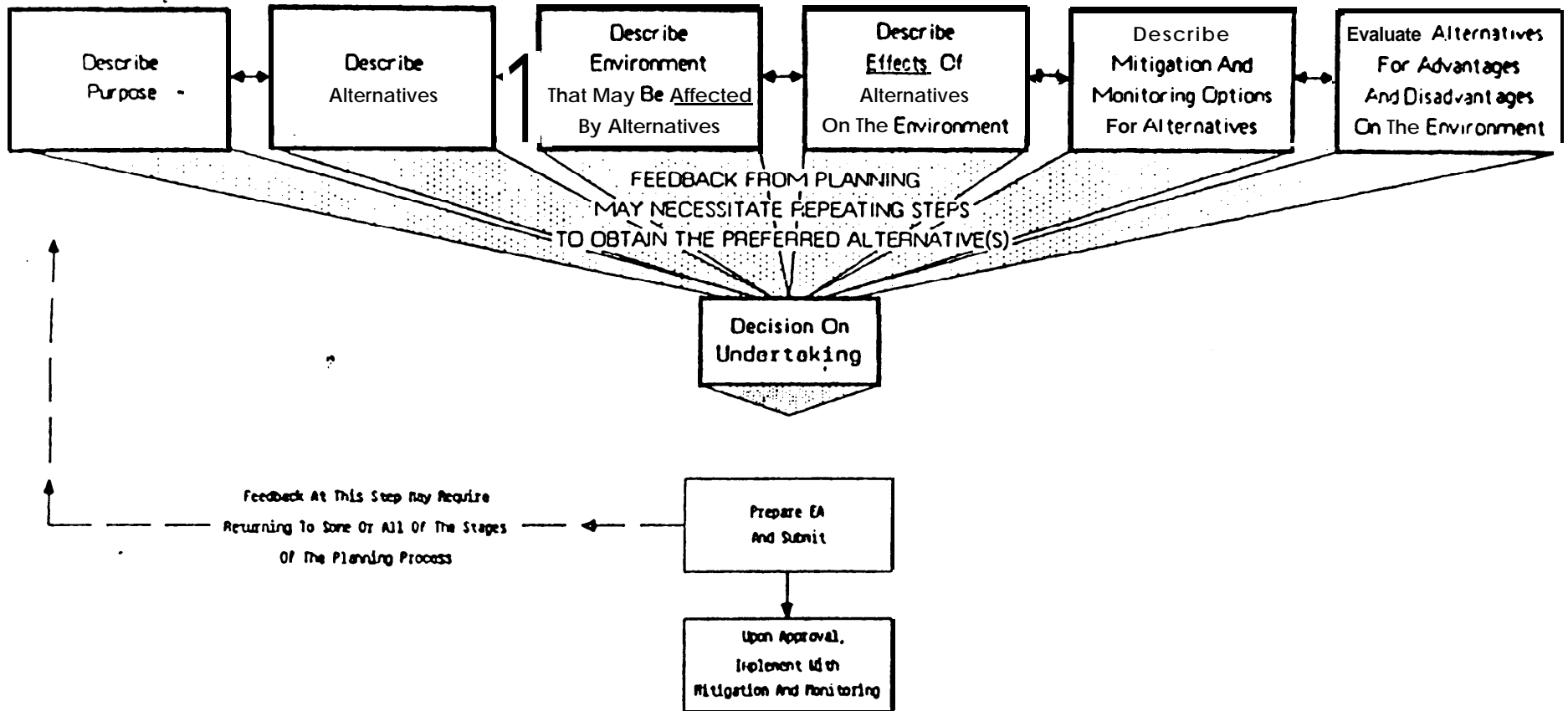


Figure 5b

MODEL OF AN ENVIRONMENTAL PLANNING PROCESS - ONTARIO



L.J. D'AMORE & ASSOCIATES LTD.

quality of their contribution in both the scoping or pre-submission consultation phase and the review phase can determine the quality and content of the eventual EA.

In the scoping stage of the EA, the reviewer states the information requirements of the EA with respect to his/her Ministry's mandate. The reviewer may also wish to indicate methods by which the information requirements can be achieved as well as information sources. In some instances, the proponent might be appraised of particular government policies or plans that may be relevant to the proposed project or undertaking.

The reviewer's role differs from the above in British Columbia with respect to terms of reference. There, the proponent submits his proposed terms of reference to the Energy Project Coordinating Committee (EPCC) in the "prospectus" phase. Reviewers examine the TOR for the adequacy and appropriateness of proposed studies and the methods by which they will be conducted. Reviewers also comment on the proposed public consultation program. Other aspects of the reviewer's role at this stage are similar to those described above.

In the review stage, the reviewer assesses the proponent's EA in relation to the information requirements indicated in the scoping phase. Is the information accurate and complete? Are impacts related to the Ministry's mandate adequately identified and assessed? Is the information contained consistent with that of the Ministry's? Is any further information, documentation or analysis required before the assessment can be considered complete? Deficiencies in the EA are noted and passed on to the proponent through the regulatory agency.

Finally, reviewers right express their views regarding the need for the project and approval of the project or undertaking. In Ontario, reviewers might also indicate if they are satisfied with the range of alternatives presented.

Assuming the EA is accepted and the project (undertaking) approved, the EA now becomes input to a planning process for each social agency. The reviewer must determine if any of the socio-economic

impacts identified fall within the scope of his/her ministry's mandate and are significant enough to require a response through the agency's delivery system.

Issues Related to the EA/SIA Process

Understanding the EA Process

The actors in the EA process do not always have a full understanding of the process and/or how their effort relates to the total process. This concern was particularly expressed in Ontario and Alberta. Government reviewers, proponents, consultants, and municipalities lack an understanding of the relevant legislation and the process by which it is implemented. "The process is complex and difficult to follow through in terms of the mechanisms and number of actors.. everyone has a little piece of the action." While the need to educate all parties in the process may be evident, budget constraints and staff overload have caused this to be a deferred task.

Information

The information generated by the review process tends to be fractionated. Agencies consider their specific mandate but generally lacking is a comprehensive framework within which the input of social agencies can be integrated. Also lacking is an organizational mechanism through which this can be achieved. In British Columbia, the Social/Economic Working Committee appears to have served this function.

The various channels of communication can also become complex and lengthy with the number of actors involved in the process so that information distortion can easily occur.

Reviewers

Reviewers are critical to a successful EA/SIA process. Their input to the terms of reference and subsequent review of the EA can significantly affect the issues which are addressed and the quality of the assessment with regard to those issues. If an agency does not participate in a review, information related to that agency's mandate may not be included in the final EA. Or, if a reviewer does not get involved in the scoping stage but makes comments in the review stage, the proponent may have to go back and fill in the gaps.

As indicated above, some reviewers do not understand the process, and prior to becoming a reviewer, had little exposure to the concepts, purpose, and methods of socio-economic assessments. Several would still consider themselves novices with regards to SIA's except for their particular professional field.

There appears to be lacking any program to educate reviewers in the process, or to bring them together at any time during a given EA to discuss the project, identify requirements, and priorities, compare views on issues and resolve differences. Some reviewers indicated a lack of feedback regarding terms of reference, copies of deficiency letters, and the influence of their comments on decision-making. Without feedback or workshops to compare views with other reviewers, the individual reviewer in several instances has had a sense of working in isolation. Reviewers feel "alone"; that they "don't talk enough to each other"; that they are "unaware of what other reviewers are saying". One reviewer indicated he was hesitant to express certain concerns in his review not knowing if any other reviewer shared these concerns (These issues did not get expressed in British Columbia.)

Just as review coordinators and other staff of the regulating agency are faced with a staff overload situation, so too reviewers have been affected by budget cuts and downsizing of staff. "We're five persons doing today what eleven persons were doing two years ago."

For most reviewers, the responsibility is an add-on responsibility. "It's not what I was hired to do". As well, reviewing EA's is usually a small portion of the reviewers total responsibility. "It's 5% of my job". Consequently, some reviewers are "not able to devote enough time to a review to cover it in any detail".

This situation is compounded by the intermittent involvement of regional staff in the review process and changes in personnel at both the head office and regional level.

The net result is that the extent of effort that a reviewer puts into any given review is a function of:

The commitment of senior management of that agency to the review process;

The individual interest and commitment of the reviewer.

This in turn effects the range of input by a reviewer. Some reviewers comment within a narrow context of their Ministry's mandate. Others will review the EA with an attempt to "understand the entire picture but without interfering with the mandate of others". This attitude is a result of both the particular Ministry's commitment to the process and the individual's.

One reviewer looks at the EA from the broader perspective of her Minister's role in "corporate decision-making" as a member of Cabinet and comments accordingly.

Review By Mandate

The general tendency therefore is that reviewers restrict their comments to the mandate of their Ministries for two reasons:

They do not have the time to consider other aspects of the review.

Their comments may have to be defended at a hearing.

This tendency often results in a government review which is fragmented and less than comprehensive with regards to socio-economic issues. There is no single ministry which is totally concerned with community impacts in total; several have "a piece of the action" such as Municipal Affairs, Housing, Social Service, Health, Education. Some issues, for example community identity, community cohesion, and community development, do not come under any ministry's mandate. Another viewpoint is that government systems have developed to meet specific needs and that some issues are not considered appropriate or are not well enough defined to be part of a ministry's mandate.

Meeting the Government's Need For Data

There is some concern, particularly by proponents, that government agencies have taken advantage of the EA process to meet their own need for data. In British Columbia, this relates more to fish and wildlife, but, in Ontario, to archeological research.

The Ministry of Culture has the mandate to manage heritage resources but lacks the funds to do so. As the Environmental Assessment Act in Ontario requests the proponent to 'describe the environment', the Minister has made great gains in achieving its mandate by requiring extensive archeological research of proponents in the geographical areas of their undertakings.

Public Consultation

Generally, there is a need for more careful definition of public consultation, its purpose, its scheduling, and synchrony with other components of the EA process.

There is some concern that "a lot of decisions are made before the public gets involved". This view suggests that more public consultation is required in the scoping stage of an EA. "Local people often have little input in the identification of issues that should be addressed.' In the Ontario process for example, individuals have access to the public record documenting the rationale for decisions, but often the public is not involved until a 'preferred alternative' has been selected.

In some instances, proponents felt they began public consultation too soon, before they had answers to a number of questions.

Public consultation can be quite burdensome for participants in terms of time, effort, and, often, expenses. This is particularly true for large projects which can take up to three years from initial application through to completion of a hearing. Moreover, participants are uncertain from the start whether or not their participation will have any influence in the decisions that are made.

Where synchrony does not exist between public consultation and the main stream of the EA/SIA process, there is no basis for participants to believe they are having any influence.

The documents distributed for public review are a critical factor in sustaining interest and participation. Often these are lengthy, complex and difficult to comprehend.

The Ontario Waste Management Corporation has gained credibility in its public consultation by funding groups to hire experts to review their reports. They will also be funding interveners at the hearing.

Other Issues

Currently, there is no provision in any of the three EA processes for dealing with cumulative impacts.

Deficiencies in an EA are not always dealt with by the proponent.

The EA review is a government review. Municipalities are not formally a part of the review process.

Some consultants are uncomfortable with the "open planning process" required by the EA in Ontario. As well, some Municipalities required to use the process in the development of "Waste Management Master Plans" are having difficulty with the process. The Assessment Branch attempts to assist them in understanding the process through presentations at council meetings.

ε.

E. THE CONDUCT OF SOCIAL IMPACT ASSESSMENTS

General

The state of the art of SIA and its practice have been improving gradually in Canada since its introduction in the early 1970s. However, there is still substantial room for improvement. Several of the weaknesses, as they relate to institutional arrangements, stem from the concern for social issues trailing the general "environmental movement" of the late 1960s. As a result, we have environment ministries which have broad legislated mandates as custodians of the environment, but custodial responsibility for a community's well-being is fragmented among a variety of agencies and levels of government with no organizational mechanism to provide a holistic framework.

As requirements for SIA's evolved, a reasonable response was that they be incorporated into the environmental assessment and administered with the same regulatory agency. However, environmental agencies, as a rule, did not add social scientists to their organizations to look after the social component of the environmental assessment.

Considerable research has been conducted with regards to environmental issues and methods of mitigation, but research into the social issues related to major developments has generally been limited. Most funding is for project-specific SIA's as procedural requirements for approval of a project. Monitoring of impacts has been extremely limited, and consequently, we have done little over the past twelve years since the initiation of SIA in Canada to develop a knowledge base from which to improve our ability to predict impacts-or how to deal with them.

The above factors have resulted in SIA still being considered as "vague" and social issues as "hard to define and even harder to support" by key actors in the EA process. Practitioners of SIA express concern that SIA in many instances remains an "add on" to the EA process.

The establishment of a Socio-Economic Coordinating Committee in British Columbia has been a positive step in overcoming some of the above central tendencies. In Ontario, legislation which defines "social" as an integral component of the environment has been helpful. And in Alberta, the incorporation of a Community Affairs Branch in the Environmental Assessment Division is constructive.

Lack of Accountability to Local Communities

Perhaps the most serious concern regarding the institutional arrangements for SIA is the lack of accountability to local communities-- the people who will be living with the effects of development, be they positive or negative.

The intended client of an SIA is ultimately those people affected by a project or undertaking. The central purpose of an SIA is to identify the potential effects of a project or undertaking on a community and to assist that community in adjusting to those impacts with minimal disruption to the quality of life of its members.

In practice, the SIA, as a component of the environmental assessment, is the responsibility of the proponent--"the EA is the proponent's document" is a phrase frequently repeated in the course of this study. The proponent in turn has as a central motivation the approval of a project or undertaking which itself is dependent on acceptance of the EA by the regulatory agency. Therefore, the EA is written primarily to meet the requirements of a government review process and the specific information needs of those agencies involved in that process.

Reviewers of the various social agencies involved in the review process have constraints of time (as discussed in the previous section) and generally confine their comments to the mandates of their ministries. These may or may not include issues which are of concern to local communities. In some instances, review agencies have regional staff whom they can consult; in other instances, they do not, so that reviewers do not always have a sense of the local community context.

While regulating agencies strongly encourage a proponent to consult with affected municipal councils and communities, the extent to which this is actually achieved varies with the proponent and the initiatives taken by affected municipal councils, community groups, and individuals.

Municipalities, even when consulted by a proponent, are at a disadvantage because of their lack of experience in dealing with environmental assessments. Often they are small rural municipalities with minimal full-time staff and lacking in financial resources to hire their own consultants for a community impact assessment. Yet, they may be required to make major investments in infrastructure such as water and sewage, albeit with financial assistance from the province in most instances.

The community, as a result, is put in a position of being dependent on the proponent for the quality and comprehensiveness of its approach to community impacts and on the government for the quality and comprehensiveness of the review of community impacts, their implications, and how they will be dealt with. Except for Ontario, government reviews are not public documents.

Communities are looking for a "clearer sense of the impact the project will have on us who live in the community, immediately and in the long term. The frustration we have is that the government reviewing agencies need to play more of a role in helping us to understand that impact. We need to move away from the strong dependency on the proponent for the assessment of community impacts."

Once social issues are defined, there are often lacking mechanisms to deal with them in a coordinated, comprehensive manner.

A community can, however, significantly influence the quality of information contained in EIA and its review. The Ontario Waste Management Corporation has set a precedent in Ontario by funding community groups to hire their own experts. In Alberta, workshops are often organized between the proponent and the municipality to assist in the assessment and understanding of impacts.

Alberta Environment has given strong emphasis in its guidelines to community-based EIA's, and proponents have responded accordingly. The concern in Alberta seems to be more the lack of response to impacts once they have been identified than the proponent's assessment of community impacts.

The Limitations of "Government Review" Based SIA's

To a large extent, these limitations have been discussed above and elsewhere in the report. These limitations include:

The inability of government to relate to the community as a total entity, as a complete social system. Issues fall between the cracks of jurisdictional mandates; and for some issues no mandates exist.

The lack of a social scientist in regulatory agencies to ensure that socio-economic issues are adequately addressed.

The lack of a social policy framework within which to evaluate the benefits and dis-benefits from a social perspective.

Government reviews, except in Ontario, are not available to the public. Therefore, interested groups and individuals are not aware of the extent to which their interests are being represented, or if they are, indeed, being represented at all, unless the project comes before a public hearing. Once a project goes to a public hearing, both the deficiency letter and the proponent's response become part of the public record.

Except for British Columbia, reviewers making comments on behalf of their agencies often appear to be doing so in isolation.

Once social impacts are identified and assessed, the manner in which they will be dealt with, who will deal with them, and when remains unspecified and unclear.

There is often lacking any organizational mechanism for the coordinated and timely response to social impacts. Special mechanisms have been put in place for some major projects such as Fort McMurray and Cold Lake.

An organizational mechanism whereby government agencies, the proponent, and the community can come together to discuss and resolve social issues is also lacking.

One agency that has been successful in achieving a more holistic approach with regards to the interests of its constituents is the Agriculture and Food Ministry of Ontario. The Ministry reviews projects with regard to rural areas considering the profile of the farming community; quality of the farm land being affected; the farming infrastructure; and other relevant factors. The Ministry regards all farmers as their clients and is committed to protecting their interests. The Ministry is supported in its efforts through a well-organized and active network which includes the Ontario Federation of Agriculture with its structure of county federations, the Christian Farmers Federation, and other smaller groups. The farm groups act as catalysts for the active involvement of farmers. In one situation, a coalition of fifteen farm groups raised \$100,000 to have full attendance and representation at a nine-month hearing of an Ontario Hydro project.

Scoping and Terms of Reference

Each province puts emphasis on 'scoping' in the initial stages of environmental assessment to develop terms of reference. In Ontario, this is referred to as the "Pre-Submission Consultation' phase. The intent is to move away from 'cookbook' type approaches to SIA which result in full inventories and descriptions, but little analysis and assessment, to more of a focus on key issues and "decision relevant" information.

Proponents have generally responded well to scoping. It is to their advantage to know all the issues 'up front' and generally leads to more cost-effective SIA's to the benefit of all parties. In some instances, proponents will go an additional step and, as part of their public consultation process, have concerns and issues ranked in terms of their significance to the community.

The government review process, however, may focus on a different set of social issues reflecting the mandates of the reviewing agencies. The example was given of a highway corridor assessment where some "quite serious social impact issues were not mentioned by any of the reviewers, but the Ministry of Culture insisted on a full archeological survey not only on the preferred corridor, but also on all three alternative corridors."

The proponent in these instances is obliged to respond to the implicit ranking that comes through the review process, and in some cases the allocation of funds in researching social impacts bears no relation to the significance of issues. "Millions of dollars are spent digging up bones. "

Generally lacking at the provincial level, as well as at the regional and local levels, is a social policy framework with policies and objectives within which to assess the benefits and dis-benefits of a proposed development. Therefore, there are few established criteria from a social perspective which can be used to frame the scoping stage.

While most municipalities have a municipal plan with regards to physical growth and development, few, if any, have a "social development" plan.

The Government of Ontario requires all municipalities to have an "Official Plan". Following a review of the Municipal Planning Act some eight to ten years ago, it was decided that the Official Plan was a physical plan and would not include social policy and objectives. This dichotomization has carried over into the EA process for at least one ministry: the Ministry of Community and Social Services. Their review of any undertaking focuses exclusively on the implications for its own facilities and direct client base (some 400,000 clients throughout the province) rather than the broader social perspective that might be expected from such a Ministry.

As previously mentioned, there is no coordinating mechanism (except for B.C.) to see that the issues identified by government agencies

are complete and that they mesh with those identified by the proponent through public consultation. Further, affected communities in Alberta and British Columbia are not aware of the extent to which their concerns and interests are being represented by government agencies except and until the government's deficiency letter and the proponent's response are made known at public hearings.

If the proponent's public consultation in the scoping phase has been inadequate, interested parties will not have an opportunity to present their concerns until and if there is a public hearing. This is "too little, too late."

Scoping itself as a concept has certain limitations. It assumes that all key issues can be identified early in the EA process, and this is not always the case. Issues may change with time as knowledge of a project develops, as may the perceived priorities of those issues. The Alberta workshop emphasized that scoping should be an early and continuous process throughout the EA and into monitoring. Environmental assessments generally are moving towards continuous consultations throughout the process.

The Lack of Qualitative Issues

Identifying and addressing qualitative issues remains a weakness in our current practice of SIA. This may be due to several reasons:

Dealing with quantifiable issues is easier.

For some, quantification and the manipulation of numbers in making projections appears *more* "scientific".

Lawyers want specific, "defensible", tangible evidence and "hard data" for hearings.

"Hard data" is easier for project engineers and managers to understand and deal with.

Qualitative issues are difficult to define, more costly to identify and assess, and lack ready solutions. "If you cannot do anything about them, why waste time and money researching them."

We have very limited research into concepts such as the "social carrying capacity" of communities. That is, how much growth or change a community can absorb and at what rate before it loses its community identity, its community cohesion. What are the key variables which determine this social carrying capacity and how do they inter-relate? What does "quality of life" mean to local residents?

What are the major "emotional factors in the introduction of a major development to a community which creates stress for a community's residents. What can be done to minimize this stress? Are there some simple things that can be done such as pacing a proponent's consultation program to the rhythms of the community--conducting meetings in small, informal groups with the intent of two-way dialogue, rather than large, information-giving (or "project selling") public meetings? Will giving the community a voice in decision-making reduce stress, tension, and anxiety? The answer to each of these rhetorical questions is probably yes--but no research exists to substantiate the answer. Without substantiation, proponents are hesitant to innovate.

To the extent that research does exist with regards to qualitative issues (be it in Canada, the U.S., or overseas), proponents, reviewers, and practitioners of SIA are generally not aware of it.

Proponents tend to be conservative as those reviewing the SIA generally will judge the content by the standards set in previously acceptable SIA's. To innovate could be risky, and the stakes are high. Most proponents, therefore, commission SIA's designed to identify "standard impacts" related to social infrastructure and services. As well, these impacts are comfortably the responsibility of government social agencies. Whose responsibility would it be to deal with any qualitative issues identified extraneous to any one government agency's mandate? This too is risky *new* ground. Table E, in the section on cumulative impacts, provides a profile of qualitative issues related to boomtowns.

Even more difficult to address are various qualitative issues at a provincial level or even broader "societal" level. How do we address issues of safety and security with regards to nuclear waste?

What is the relevance of a changing societal context to major project decisions? In the B.C. Hydro "Site C" project, it was highly relevant. After a very lengthy hearing, the B.C. Utilities Commission decided against the project. A major factor in the decision was the Sierra Club's argument that B.C. Hydro's forecast was unrealistic. It had not considered trends towards a conserving society and the generally improved efficiency in the use of energy by society.

Cumulative Impacts

Cumulative impacts are a particularly serious issue in Alberta where heavy concentrations of energy development projects are occurring. These may include various combinations of major projects and/or smaller individual projects. Separately, social impacts from any single project may be limited, but impacts become serious when several projects are concentrated in the same area. These areas include Fort McMurray; the Cold Lake-Bonnyville-Grand Centre Area; Elk Point-St. Paul; and Lloydminster on the Saskatchewan border.

The environmental impact assessment process does not require information regarding cumulative effects, nor was it intended for that purpose. While the ERCB is asking for information related to cumulative impacts in its hearing, it deals only with energy projects, and only major energy projects come before the Board. As well, the BIA process only deals with major projects. One review agency attempting to assess cumulative effects has counted 20 EIA's which it has received for review over a given period, but has identified some 120 projects in various stages of planning or implementation.

Some proponents are beginning to include cumulative impacts in their assessments. However, they are considering only those projects which have already gone before the ERCB, and are focusing their assessments on the incremental impacts of their projects.

Various social agencies are attempting to identify cumulative impacts, e.g. Social Services and Community Health, Housing, Education, and Manpower; but these efforts are confined to impacts related to each Ministry's mandate and there does not appear to be any coordination of efforts among ministries for a comprehensive assessment of cumulative social impacts. Municipal Affairs is probably closest to attempting a comprehensive assessment where required, but it is not able to deal with the full *range* of social issues.

Each review agency has its own separate data base and often its own model for purposes of projection. There is no central information base that includes a basic set of data for all projects including proposed projects, projects at various stages of the EIA process, and projects at various stages of implementation. Consequently, ministries are often planning with different sets of planning assumptions. In Cold Lake, for example, different ministries each had different population projections from which they were planning. They eventually came together to discuss their respective forecasting assumptions.

Companies as well are planning separately. "People who handle permits in companies don't think in terms of social impacts or cumulative impacts. For them, these are buzz words floating around. They're on a short fuse to get things turned out and probably not aware of what other companies in the area are doing. They look to the ERCB for guidance." Companies which may be more aware, and who are looking at cumulative impacts, are reluctant to take the lead in response to cumulative effects.

Various responses to cumulative impact^s have been evolving. These include:

In Fort **McMurray**: an "Interface **Committee**" has been set up which **is** being coordinated by the **ERCB**. The Committee includes representation from the **community**, major energy companies in the area and some provincial agencies. It is proving to be very successful as **an** on-going process for the identification, **discussion** and resolution of issues related to the Fort McKay Band.

The Northern Alberta Development **Concil** (NADC) provide^s fund^s and expertise to communities with population **pressures**. There are fifteen communities in Northern Alberta which have had population **increases** in excess of 40 percent in the last eight years, several increasing by as much **as** 140 percent. The single most important issue in these rapid growth communities is the lack of coordination of government services in response to impacts.

In Blk Point, a cumulative impact study **was** commissioned to identify and **assess** cumulative effects. The study also gave recommendations indicating which **organizations** should be responding **to** which **issues**. The study has also resulted in improving **communications** among parties.

The government has been working on "Integrated Resource Plane" for certain key regions of the province. However, these have been for crown lands only and do not have a social component. An "Integrated Resource Plan" being prepared for the Cold Lake area will include tourism, recreation, and parks.

Table **B** provide^s a profile of cumulative social impacts in **boomtown settings** derived from research in the U.S.

Table B

SOME OBSERVED CONSEQUENCES OF RAPID, EXTENDED CHANGE FOR SOCIAL INSTITUTIONS IN BOOM TOWN SETTINGS

Individuals and Family Groups	Quality of Neighborhood and Community Life	Schools, Churches, Voluntary Associations	Community, County Government	Social Aspects of the Economic Sector
Shortage of adequate housing; inflation of prices and rentals	With continuing in-migration, greater racial, cultural, and lifestyle diversity	New churches established; greater variety of denominations and sects	Political activity more intense, competitive; wider participation	Decline in production due to absenteeism; employee turnover due to worker out-migration
Local inflation surpasses national average, creates hardship for persons with fixed incomes	Increased support for newer, less conventional social and cultural activities in the community	New challenges to conventional morality and established customs of existing groups	Public services overburdened: police, fire, libraries, hospital, jails, juvenile home, social services, parks, swimming pools	TV cable, telephone, power companies unable to meet hookup demands
Greater incidence of anxiety, mental illness, alcoholism and other drug abuse, and suicide	Improved social and employment opportunities for women and minorities	Organized groups oriented toward conservation and environment or resource development become more prominent	Increased traffic, street damage; inadequate parking; abandoned cars	National chains open branch operations; some small businesses are displaced
Increase in the frequency of divorce, separation, remarriage, and illegitimate births	Decline in the effectiveness of informal community controls and an increase in formal/legal relationships	Crowded schools; demand for more classrooms, buildings, personnel (25-30 percent of all newcomers are school children); more competitive athletic teams and other groups; also more difficult to join	Public utilities insufficient: water, sewer, and power generation facilities	Shortage of responsible professionals and technicians: doctors, lawyers, dentists, TV repairmen, carpenters, mechanics, electricians, plumbers
Improved job opportunities, especially in rural areas	Multiple-family occupancy of some single-family dwellings; other make-shift living arrangements		Uncoordinated real estate development	Loss of trained employees to higher-paying jobs
Greater percentage of mothers employed outside of home				
More frequent abuse of spouses and children	Increases in most categories of adult crime and juvenile delinquency; more people lock their homes and cars	Social clubs and lodges gain membership; new leadership patterns may emerge	Revenues for expanding facilities either very inadequate or 2- to 3-year lag behind needs	Rising unemployment: boom gets national publicity and excessive in-migration of jobless
Some young people drop out of school to take well-paid jobs				
Increase in the percentage of single male adults, at least during initial phases of activity	Greater competition for and utilization of recreational facilities	Some shifts in relative prestige and influence of different organizations	Time and money required to plan and channel future development	Retail outlets unable to handle business volume with former courtesy and efficiency; loss of valued employees to energy jobs. Real estate, construction, mobile home, vehicle dealerships, other growth-related businesses thrive
	Reinforcement of friendships as new issues generate cleavages and new contacts permit alternatives	Conservation groups increase their activity and prodevelopment factions often respond with public relations programs	Possible increases in litter, animal control problems	
	Increased noise, pollution of air and water; more litter on streets, sidewalks, and highways	New voluntary organizations form to deal with selected effects of development	Long-range prospect of gains in per-capita revenues	Income redistribution due to higher rents, wages, profits, and land values; some people gain, and others lose

The Integration of Social, Economic and Biophysical Factors

There is a general awareness of the need to move towards the integration of social, economic and biophysical factors in the environmental assessment process. This is being achieved in various ways.

In Ontario, the definition of environment is all-inclusive and includes both "social and economic" considerations.

In Alberta, the emphasis on a community based approach to EIA tends to inter-relate social, economic and biophysical factors.

Regulatory agencies generally include persons from different disciplines, and individuals themselves often may have degrees and/or experience in two or more disciplines. (The socio-economic area, however, remains weak in comparison to the biophysical.)

The environmental assessment groups in proponent organizations include both environmentalists and persons with socio-economic related disciplines. The most common form by which integration of issues occurs in proponent organizations is by the on-going process of "rubbing shoulders" with one another from the start of a project.

In some instances, the process is more structured. B.C. Hydro has what it considers to be a "state of the art model" for the integration of social, economic, and biophysical factors. Ontario Hydro has two sets of 34 factors covering a broad definition of the environment. These have been used in public consultation to establish the ranking of factors. The Ministry of Transportation and Communications in Ontario has a "Goal Achievement Matrix."

The proponent often relies on integration to be achieved by the consultant utilizing an inter-disciplinary team comprising the consultant's own human resources and those of specialized sub-consultants as required.

The most advanced work regarding the integration of social-economic and biophysical relationships appears to be evolving in the West. The intimate linkages of native people with the land has forced the requirement to examine social issues in juxtaposition with issues of the environment and natural resources.

As well, public consultation generally forces the integration of social, economic and biophysical factors as individuals are not bounded by disciplines in their view of issues. As we are able to design public consultation processes that are a more integral component of the EA process, we can expect further advancements in understanding the linkages of issues. In addition, we need to move from what are currently multi-disciplinary approaches being used by most consulting teams to more inter-disciplinary approaches. This applies to the government EA review process as well.

F. IMPACT MONITORING AND MANAGEMENT*

British Columbia

British Columbia is the one province, of the three reviewed, which has designed a system for impact monitoring and management. A monitoring system is currently being designed in Ontario.

The British Columbia monitoring system allows for the difficulty and excessive cost of anticipating all socio-economic impacts.

Some impacts can be predicted as certain or probable consequences of an energy development project, and mitigative measures can be specified. However, some impacts cannot be predicted and precisely defined in the planning stages and other impacts cannot be fully assessed until actual construction or operation begins. Therefore, some project impacts must be identified and managed as they arise. This means there must be provision for identifying and responding to impacts before, during, and after construction. **

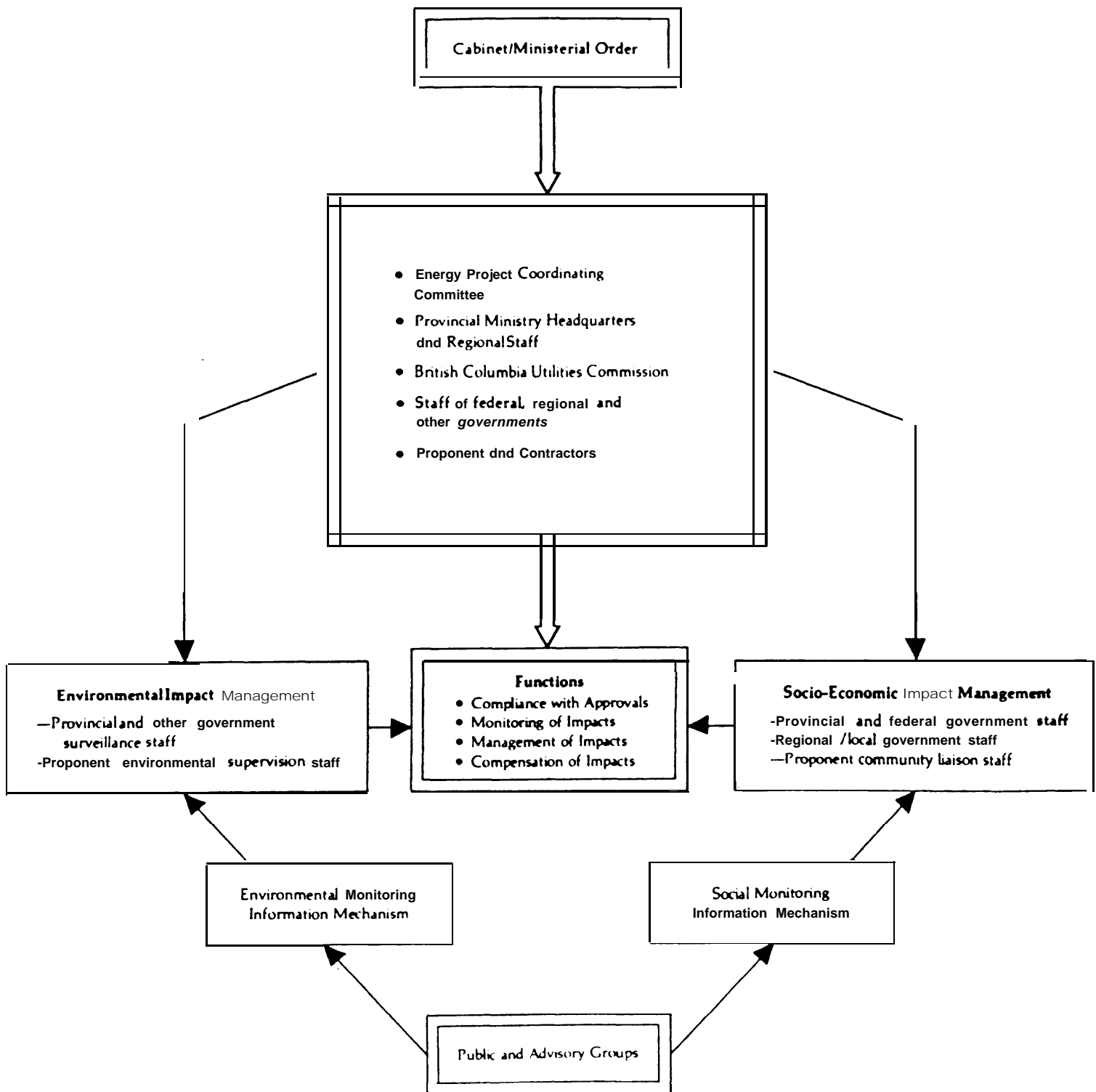
Thus, the system provides for monitoring of mitigation and compensation conditions which must be implemented as part of an approved development plan; as well as an impact management process which ensures that impacts are identified as they arise and are responded to by the proponent and/or responsible agencies. Figure 6 illustrates the "General Framework for Managing Environmental and Social Impacts". The system emphasizes a coordinated and cooperative approach in responding to impacts through the utilization, where possible, of existing programs.

* This topic is the main focus of a parallel study currently being conducted for FEARO by Krawetz & McDonald, Research Management Consultants.

** Implementation of Conditions of an Energy Project Certificate and Energy Operation Certificate--A Technical Discussion Paper, Ministry of Energy Mines, and Petroleum Resources, 1983.

Figure 6

GENERAL FRAMEWORK FOR MANAGING ENVIRONMENTAL AND SOCIO-ECONOMIC IMPACTS



Alberta

While proponents are responsible for conducting SIA's and identifying social impacts, the responsibility for responding to their impacts rests with government agencies. Consequently, SIA's generally do not include mitigative measures or suggested mechanisms to monitor social impacts. Moreover, proponents are not required to provide for monitoring of social impacts and generally believe this should be a government function. Monitoring is generally achieved through existing planning and budgetary procedures of social agencies and local authorities such as School Boards and Hospital Boards.

The management of impacts, once they do occur, appears to be mostly re-active and uncoordinated. The main arguments for being "re-act ive" are the unreliability of predictions regarding social impacts; the cost of services and social infrastructure involved and the risk that the development may not proceed as scheduled or perhaps not at all. Hence, when a project begins, affected communities are generally not aware of what services will be provided, how they will be delivered, or when they will be made available.

Nonetheless, one of the best models in Canada for impact monitoring and management is in place at Keephills in relation to the TransAlta Utilities generating plant. Keephills provides an excellent example of shared decision making between the proponent and the community and a continuous consultative process over the life of a project. Periodic surveys of community attitudes have also proven to be a valuable tracking mechanism. Keephills is examined in detail in a case study conducted as part of the report on monitoring being prepared by Krawetz & McDonald for FEARO.

Another example where monitoring has been successful is in Cold Lake through the Cold Lake Citizens Advisory Committee. Local Advisory Committees have also been established for major water resource projects and in some instances by the ERCB.

Ontario

In Ontario, the reviewing agency which sets conditions to an undertaking is responsible to see that they are met. However, social agencies generally do not have the resources to monitor for compliance. If they do monitor and find conditions are not being

met, they have no legal means to force compliance as the Crown cannot sue the Crown.

Ontario Hydro has developed its own approach to monitoring and mitigation with some success. The extra services required by a municipality, as a result of Ontario Hydro's development, are identified in the socio-economic assessment. The costs incurred for these services are provided to the municipality as part of the agreement. Where provincial government services are involved, e.g. education, Ontario Hydro and the municipality initiate discussions with the appropriate ministry. Monitoring is then provided during construction and one year into operation. Monitoring is usually achieved through a liaison committee which includes representatives from the community. In one instance, a planning coordinator was funded for the life of the agreement (1977-1986).

At Bruce, where the problem now is de-population from a peak of 8,000 to 3,500 by 1988, Ontario Hydro in collaboration with the province and municipality are initiating an industrial development program to attract industry.

G. THE HEARINGS PROCESS

General

Beginning with the Berger Inquiry into the MacKenzie Valley Pipeline in the mid-1970s, public hearings have become a routine component of regulatory procedures pertaining to major developments. For proponents, hearings represent a major hurdle in the path towards project approval. For government, the hearings are a critical mechanism in the decision-making process ensuring that the development is in the best long-term interest of society; that the project is technically sound and economically viable; that environmental standards are adhered to; and that the development is achieved with minimal disruption to affected communities. For the public, hearings are a means of learning about the nature of the proposed undertaking and its possible impacts; and an opportunity to voice their views and concerns regarding the undertaking and/or its effects.

The number of proposed developments for which hearings have actually been called are relatively few. In Alberta, less than 1% of pipeline applications; less than 10% of sour gas plants; and less than 10% of oil sands projects have gone to hearings. In total, there were 79 hearings in 1985. Where hearings have occurred, the average length of those hearings has been two and one half days.*

Nonetheless, there is concern within both governments and industry that hearings are becoming

more common
more complex
more costly, and
more time consuming.

* Statistics from Energy Resources Conservation Board of Alberta.

Hearings have been effective as a decision-making process for government. While most projects are approved, the hearings process often results in significant adjustments and modifications to project design and plans as a result of the multiple perspectives brought forth during the hearings. As well, proponents come forward with greater preparation and more detailed socio-economic assessments in anticipation of questioning.

In some instances, as in the "Site C" project of B.C. Hydro, interveners have presented sufficient arguments in opposition to a project to convince a panel that the development is not in the best interest of society at this time.

However, the tendency, until recently, has been to use the hearings process as a single formal mechanism to address a wide range of issues. To this extent, it has been misapplied at substantial cost in time, money and human energy, sometimes with less than satisfactory results.

At a recent international conference on impact assessment, Mr. Vern Mallard, Chairman of the Alberta Energy Resources Conservation Board, made the following statement:

From a decision-making point of view the system works. Once the decision has been made, all of the parties know where they stand. However, from a social interest point of view, I suggest that the answer is not nearly as favourable. In many cases the public hearing becomes very adversarial and at its termination the disputes between the parties are more pronounced than at the commencement of the process. Frequently the specific concerns of the interveners have not been considered or resolved at the hearing because they relate to matters that are beyond the scope of the hearing.*

* "Resource Development, Impact Assessments and the Public", Speech to the Special North American Conference of the International Association for Impact Assessment, Calgary, Alberta, September 1985.

Bill Rees confirms this viewpoint with regards to communities:

Most often, of course, because of over-riding provincial/state or national interests and authority, the impacted community recognizes that the proposed development is likely to be approved in spite of local protests. Local interests are therefore reduced to using the hearing process as a means of obtaining limited concessions and compromise. Community interventions at impact hearings therefore often express the following implicit or explicit objectives:

- identification of intangible values (e.g. quality of life considerations) likely to be negatively affected by the proposed project;
- identification of resources or development options likely to be compromised by the proposed development;
- negotiation of changes in project design, location, or timing to reduce anticipated impacts;
- specification of areas where mitigation or compensation might be necessary to the community or any of its members;
- specification of key issues and indicators for inclusion in any post-implementation monitoring program. *

Costs

Much of the concern of governments and proponents is with regards to the cost of hearings. Once it is known that a proposed development will go to a hearing, a "multiplier effect" is introduced to the up-front costs of a development.

* "The Potential Role of Public Hearings In Impact Assessment", William E. Rees, Environmental Impact Assessment Review (In Press).

Government review agencies want to be sure that their suggested terms of reference are all-inclusive.

The proponent, not knowing what will be asked at the hearing, attempts to prepare for all possible questions. The requirement for accuracy and the formal nature of hearings results in costly and extensive documentation.

Consultants who may be called as expert witnesses expand the breadth and depth of their studies.

Lawyers force the above attention to detail through their rigorous line of detailed questioning.

The formal, legal nature of the hearing process frequently results in lengthy and costly proceedings.

Recent trends towards intervener funding add further to costs.

In some instances, interveners use delaying tactics to stall a hearing, adding further to project costs. For opponents of a project, victory may be achieved by delay.

One point of view is that the cost of hearings is a small price to pay to ensure that the appropriate decisions are being made with respect to a major development. On the other hand, increased up-front costs can be particularly burdensome for smaller projects and conceivably influence their economic viability.

The length and cost of hearings has had an overall positive outcome in that proponents have become motivated to seek more cost-effective methods for both identifying and resolving issues. More emphasis is being placed on collaborative and negotiative processes with affected individuals, groups, and communities prior to the hearings. Regulatory agencies as well are encouraging issue resolution prior to hearings.

Even where issues may not be resolved, hearings are able to quickly "clear away the clutter" and focus on key problem areas when preliminary consultative and negotiative efforts have been made.

Litigative Nature of Hearings Process

Hearings tend to be dominated by lawyers--lawyers representing the proponent, affected municipalities, intervening government agencies and other intervening groups. The panel and lawyers usually adhere to a judicial process related to admission of evidence and line of questioning. While issues eventually are uncovered, much of the questioning is tedious and irrelevant. Yet the process is intimidating, particularly to citizens who are being exposed to it for the first time.

Reports which have been prepared with the hearing in mind tend to be a lengthy compendium of detailed documentation, thus adding to the difficulty in following the process.

The full significance of social issues, which tend to be more qualitative in nature, is not always revealed through the judicial process. Panels generally do not include persons with expertise in the social area, and lawyers are often uncomfortable in dealing with qualitative social issues which cannot be expressed in quantitative form. Moreover, there is a general feeling among citizen advocates that social issues rarely affect the major "go, no go" decision but rather are relegated to issues for mitigation or compensation.

The Effect of Hearings on the BIA Process

Knowledge that a project will go to a hearing can in itself initiate a set of dynamics which affect the entire process by which the environmental assessment is conducted leading into the hearings and the hearings process itself. There are at least two scenarios that emerge which are a function of the "organizational culture" of the proponent and the degree of opposition to the project.

In the first scenario, the proponent's lawyers take control of the process. An emphasis is placed on precise, objective information which is defensible. Hence, subjective, qualitative information related to social sensitivities is omitted. Project planning becomes constrained by what can be legally defended at the hearing.

Particularly when there is strong opposition to the development, a confrontational set of relationships begins to form. Information is protected and parties prepare as adversaries. Interveners who oppose the project often refuse to collaborate prior to hearings, preferring to preserve their independence rather than to appear as being co-opted.

In contrast to this scenario, and particularly where there is no strong opposition to the project, some proponents are motivated to increase their public consultation process, share information, and come to an early identification and resolution of issues with all affected parties prior to the start of hearings. They recognize this more open and negotiative process as much more cost-effective and one which results in higher quality plans and decisions for all parties.

Intervener Funding

Proponents are increasingly realizing the value of intervener funding when it is used to engage technical expertise.

In London, Ontario, the 3M Company of Canada provided intervener funding to the community so that it could hire its own technical expertise to review plans for a waste facility. The main concern was air emissions. A technical expert was hired who confirmed that the plans were satisfactory and made further design suggestions which were agreed to by the proponent. The proponent and community group reached agreement and made a joint submission to the hearing board on conditions to be attached to the license.

Intervener funding for technical expertise tends to keep the hearings focused on the real issues and enhances the potential for agreement among parties. Differing objective perspectives on an issue tend to provide balance and improved decision-making.

There remains concern in some instances, however, with the narrow application of intervener funding and inadequate compensation of interveners. The result is often the inability to effectively

participate in hearings. Also of concern is intervener funding awarded after the fact if intervention is found useful by the hearing board.

When intervener funding is not provided, the hearing tends to become a fact finding process for the community and other intervening interest groups who have had little or no opportunity to become adequately informed prior to the hearing. As well, interest groups usually approach the hearings as skeptics of the proponent's experts, which tends to contribute to a confrontational mode. When intervener groups are able to raise sufficient funds, they usually hire legal counsel rather than technical experts. Lawyers proceed with a detailed line of questioning, searching for detailed flaws in the proponent's documentation with little knowledge of the technical aspects of the proponent's submissions.

A common theme emerging from all three provinces is that intervener funding for technical experts would save money (when one considers that the average cost of a hearing has been calculated at \$3,000 per hour); save time; minimize litigation and confrontation; and result in better quality decisions for all parties.

There remains some concern that intervener funding might get out of control and become a "funding sink". Early in the history of the Mackenzie Valley Pipeline Inquiry, Mr. Justice Thomas Berger established criteria under which "public interest" funding would be distributed. These criteria were:

1. There should be a clearly ascertainable interest that should be represented at the inquiry.
2. It should be clear that separate and adequate representations of that interest will make a necessary and substantial contribution to the inquiry.
3. Those seeking funds should have an established record of concern for and should have demonstrated their own commitment to the interests they seek to represent.
4. It should be shown that those seeking funds do not have sufficient financial resources to enable them adequately to represent that interest and will require funds to do so.

5. Those seeking funds should have a clear proposal as to the use they intend to make of the funds and should be sufficiently well-organized to account for the funds.

These criteria appear to be well accepted by both hearing panels and interveners. Experience suggests that intervener funding has not gotten out of control where it has been applied.

H. GOVERNMENT-PROPONENT-COMMUNITY RELATIONS

Overview

Figure 7 provides a simplified conceptual diagram of the “Orbits of Influence in Government-Proponent-Community Relationships”. In reality, relationships and lines of communication and influence are complex and multi-directional.

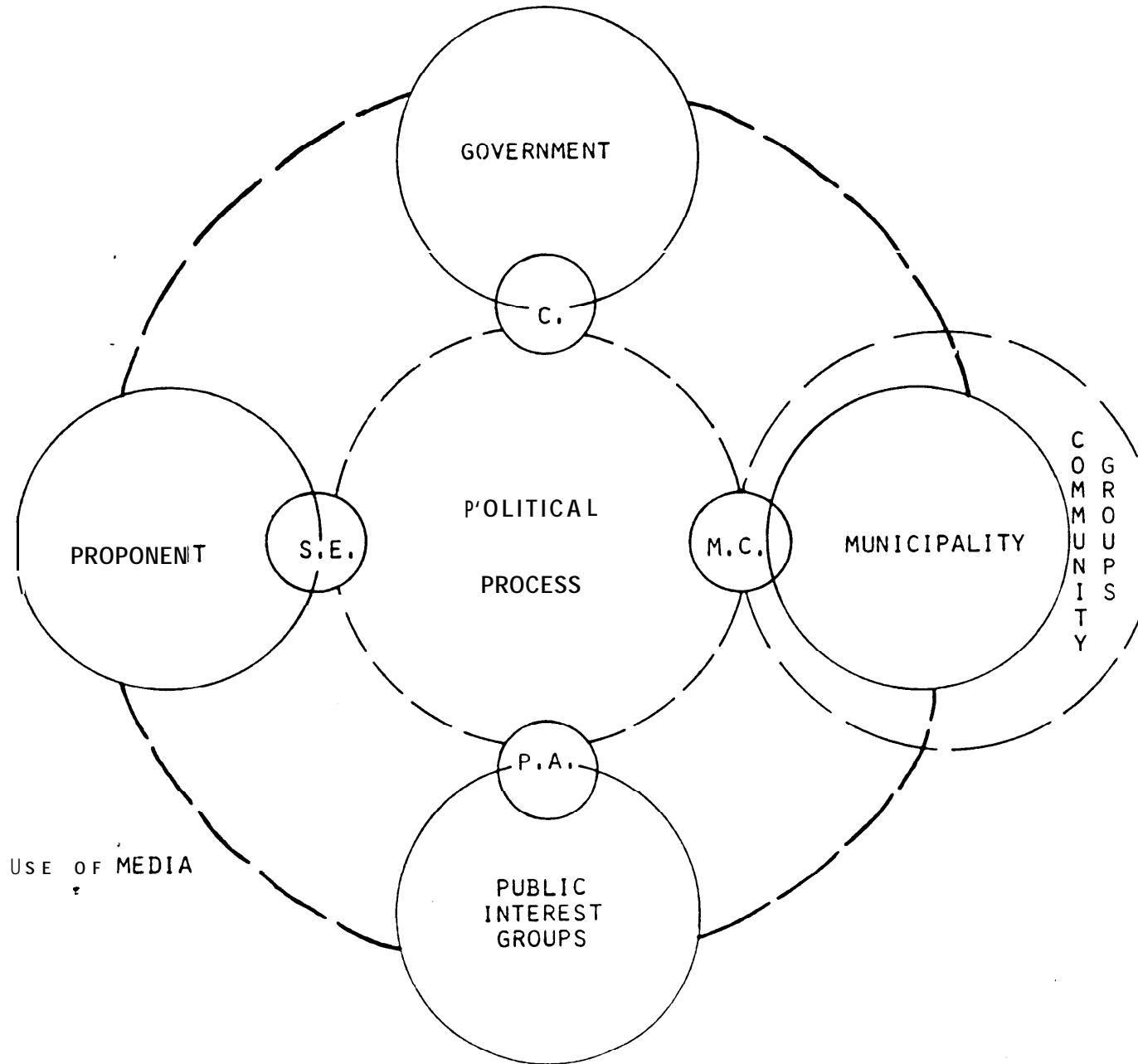
The outer sphere connecting the proponent,* government, municipality with its orbital community groups and public interest groups is the main activity sphere of the environmental assessment process with its socio-economic component. Government agencies in turn have their lines of communication and responsibility upwards to their respective ministers who sit together in Cabinet; proponent staff, to their senior executives (and Boards of Directors); and municipal staff, to their municipal councils. Public interest groups as well have their own networks and “political activists”. The EA process involves interaction between proponent staff (or their consultants), with government staff, and through various involvement processes interaction with affected municipalities, community groups, individuals, and various public interest groups who represent broader societal concerns.

Where a project tends to be large, controversial, and politically sensitive, the “political process” becomes activated and communications within the inner sphere increase. Political activists representing broader societal concerns may not have direct access to Cabinet members but can exert political pressure through effective use of the media to generate public support.

* Included with the proponent would be consultants engaged by the proponent.

Figure 7

ORBITS OF INFLUENCE IN **GOVERNMENT-PROPONENT-
COMMUNITY** RELATIONSHIPS



C. - CABINET: M.C. - MUNICIPAL COUNCIL.: S.E.-SENIOR EXECUTIVES*
P.A. - POLITICAL ACTIVISTS

The interaction between government and the proponent is formalized through guidelines and a formal government review process which establishes the basis for obtaining required licenses and permits.

The interaction between the proponent and the municipality, community groups, and public interest groups, while encouraged by regulating agencies, is left to the initiative of the proponent. The proponent might decide on any of the following options:

- Limit contact to advising the municipality of project plans.
- Conduct a public information program.
- Allow for public and community input within the regulatory framework of hearings.
- Design and implement a consultation process designed to both provide project information as well as receive input regarding concerns and views on project-related issues from affected individuals, groups, and communities.

While proponents are responsible for identifying social impacts, the response to those impacts is generally the responsibility of social agencies of the government. This response will be discussed in greater detail.

The Municipality - Junior Partner in the Process

Communities which are the subject of an SIA are most often having to react, usually defensively, to what are external initiatives. It is often dramatic change, totally out of proportion to the scale of the community (usually rural) and frequently inconsistent with the values, local living patterns and aspirations of current residents. They are, at first, proponent-dependent in terms of the extent to which their concerns and views related to social issues will be identified. They are subsequently government-dependent on the nature, extent, and timing of government services and social infrastructure which is designed to respond to social impacts (at least those social impacts which fall within the mandates of social agencies).

From a proponent's perspective, the client for an EIA is the government, which must accept the EIA and approve the application for development. Therefore, the proponent consults with government in formulating terms of reference for the EIA and responds to "deficiencies" in the BIA following its submission and review by government agencies. While the proponent is usually encouraged to consult with effected communities in the scoping stage, and in the conduct of the SIA itself, the extent to which this is done, and the manner and quality in which it is done, is dependent on the proponent and the proponent's consultant.

Once the BIA is completed, municipalities have no role in the formal government review of the BIA. Social agencies participating in the review comment on the adequacy of the EIA within the context of their ministry's mandate. In some instances, one or two social agencies may not participate in the reivew, in which case that mandate may not be covered.

In the case of environmental issues, the Ministry of Environment with its various agencies, has both the expertise and the custodial responsibility to assume a comprehensive review of environmental considerations. Socio-economic and community issues, however, fall within the mandates of several ministries (Health, Education, Social Services, Justice, Manpower, Municipal Affairs and others) with no single agency charged with the responsibility of assuring a comprehensive review.

In Ontario, the government review forms part of a public record and is available, along with the EA, to the public. In British Columbia and Alberta, this is not generally the case, and therefore affected groups, communities and municipalities are not aware of the extent to which government agencies are representing their interests unless and until the project goes to a public hearing.

Municipalities (particularly the smaller ones) are also at a disadvantage in that they usually do not have the human resources or expertise to ensure community issues have been fully identified and dealt with. *Nor* do they have the financial resources to hire consultants. For some municipalities, it may be their first

experience with an BIA process which is complex and not easily understood.

Municipal Affairs in each province usually takes a custodial role in looking after the interests of municipalities. This tends however to be more related to ensuring compliance with physical land use planning requirements and by-laws. Municipal Affairs is hesitant (and justifiably so) to comment on social issues on behalf of the community.

A serious weakness in the BIA process, therefore, is the lack of any formal mechanism which ensures that the socio-economic interests of the municipality are being protected.

Affected communities are not only having to respond to externally-introduced initiatives, but usually having to do so according to either the proponent's or the government's time table. At the front end, there is little provision for community organization to prepare itself for participation in the BIA process, nor are communities provided with resources to facilitate a well-conceived community response. Once the process is initiated, a major project can take anywhere from 3 to 5 years from initial application until a final decision is made. During this period, the community lives with uncertainty as to its future.

The Special Situation of Rural Areas

The concentrated development of energy resources in certain rural areas of Alberta is causing significant social effects for the rural populations in these areas. Problems begin with the SIA itself as there is less available data on which to establish social baseline conditions. This makes the projection of impacts and the formulation of recommendations for mitigation more difficult.

The most serious concern appears to be the use of rural roads by industry. The roads were designed for rural farm communities and consequently the continuous use of the roads by heavy industry is resulting in problems of noise, dust and safety. As well, road

deterioration is resulting in more frequent break-down of farm equipment. Alberta Transport is currently attempting to determine upgrading requirements and a formula for cost sharing to improve road conditions.

Two other serious issues are noise and pollution. People who have lived in the rural area all their lives, or who might have moved there for "peace and quiet", find the noise of drilling rigs, wells, large industrial vehicles and other industrial equipment very stressful. The BRCB has established standards for ambient noise, but these are not found to be adequate by some rural residents.

In some situations, rural people feel they have been treated unfairly by company landmen. Yet they do not believe they stand a chance in court against big companies. The ERCB has no mandate to deal with land acquisition and so proponents are granted approval of their applications without having to present or justify policies for land acquisition or relocation.

Compensation is also an issue with regards to damage to property and livestock as a result of development. Currently, a person seeking compensation has the full burden of proof and must go through a litigative process involving cost and time with no knowledge of the eventual outcome. A workshop participant indicated that affected rural people are beginning to petition for a compensation mechanism that does not involve litigation. This might, for example, be a "Compensation Board" that can hear cases and make awards up to a certain amount.

(A "Surface Rights Arbitration Board" does exist in Alberta to deal with issues pertaining to land access and compensation should the owner and company fail to come to agreement. The adequacies or effectiveness of the Board were not addressed in this study)

The Competition for Tax Revenues

The concentrated energy development in certain areas of Alberta have also resulted in a complex set of issues related to the costs of municipal services and the allocation of tax revenues. Developments often occur in one jurisdiction but require service provision from other adjacent jurisdictions which in turn do not receive tax revenues from the development. In some cases this issue has been resolved through a formula for revenue sharing, but not all.

through a *formula* for revenue sharing and/or attempts at annexation by the Municipal District.

More of a problem is when municipalities prepare for development by increasing services at a substantial cost, and then development is postponed or delayed because of economic and/or political factors at a national or international level.

Government Response to Impacts

Just as communities are dependent on the proponent during the conduct of the EIA (see previous discussion - "Municipality-Junior Partner in the Process"), they become dependent on government during the construction and operation phases of development for the increased level of social services required.

The developer is responsible for environmental management and any conditions which may have been decided during the regulatory process related to mitigation of environmental impacts. However, the government is responsible for responding to social impacts and there is no comparable commitment on the part of government to the increased level of services required.

This generally has not been a problem in Ontario, as most undertakings which have been the subject of an EA review have been in the urban context of Southern Ontario where social services and infrastructure are sufficiently established to make necessary adjustments.

In Alberta and B.C., the policy appears to be one of waiting until the impacts occur before responding with required services. (There are exceptions to this observation, most notably Tumbler Ridge which is an exemplary model of a pro-active response and will be discussed subsequently).

The policy is primarily the result of budget constraints of both governments, although it is also rationalized on the basis of the unpredictability of impacts and the consequent services required to

respond to them. Economic uncertainty is a second major factor. This is particularly the case in Alberta which has been prone to boom-bust cycles. As well, projects tend to be smaller than the mega-projects of the 1970s and are therefore more easily absorbed.

Some elements of social infrastructure such as schools and hospitals currently are over-built in a few communities because of the boom-bust cycle in Alberta. However, front-end financing of social infrastructure remains a major issue in areas with heavily concentrated development of energy resources. Moreover, provincial agencies do not appear to be adequately coordinating either their planning or implementation responses in some of the communities where rapid growth as a result of resource development has occurred.

As mentioned previously, some positive examples do exist. These include:

Northeast Commission Office
Interface Committee
Cold Lake Coordinating Committee
Alberta Environment Oil Sands Environmental Research
Program (AEOSERP)

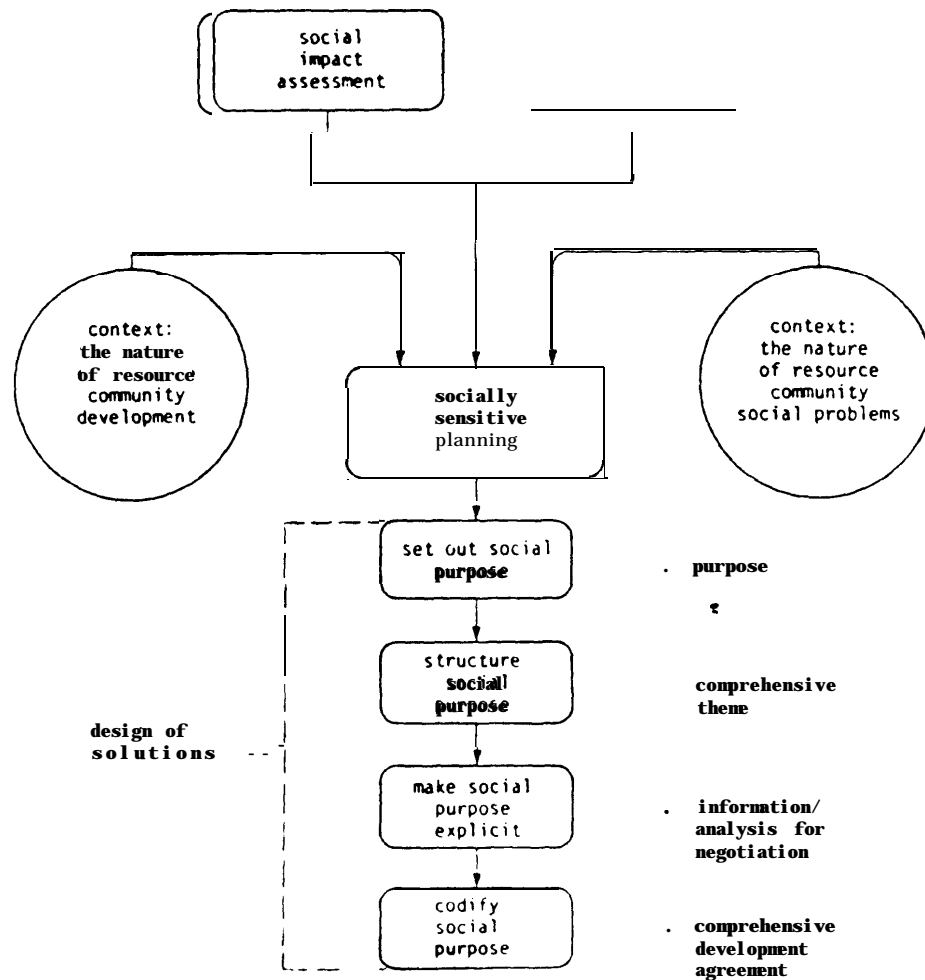
Tumbler Ridge: A Pro-Active Response

Tumbler Ridge is probably Canada's best example of a pro-active response by government to the social and community issues of resource development. It is a totally new community designed to accommodate approximately 2,000 persons engaged in the processing of coal from two coal mines and their families. Eventual population is expected to be in excess of 5,500.

Tumbler Ridge is located in a remote area of British Columbia, some 660 km north of Vancouver. What is a unique feature of Tumbler Ridge is the strong emphasis on "socially sensitive" planning which became integral to the planning process. (See Figure 8.)

Figure 8

SOCIALLY SENSITIVE RESOURCE COMMUNITY PLANNING



Socially sensitive planning combines the notions of planning with social impact assessment. On the one hand, it builds upon social impact assessment with its emphasis on social objectives and its concern with making socially sensitive decisions in which potential repercussions are considered. On the other hand, it builds upon planning, reflecting a concern with designing creative solutions to the social problems of co-unities and increasing the understanding of these problems so as to develop practical solutions.*

The social purpose or central objective of Tumbler Ridge is “to create a socially cohesive, financially viable, self-governing community conducive to attracting and retaining a stable workforce”. A set of social principles, in turn, have been formulated to guide development from a human perspective. These are indicated in Table F, Social Principles for Developments.

The social development plan for Tumbler Ridge also includes proposals directed at accelerating the maturation process of the community. They were aimed at compensating for newness, isolation, and an initial lack of social cohesion. Proposals are for services and programs over and above what would normally be dictated by a community of 5,500 and are grouped into two categories.

Services for the first families-compensating for newness and lack of social cohesion:

- information centre
- “handyman” service
- social development officer
- social services council

*** The Need For Changing Models of Planning: Developing Resource Based Communities, Gary Paget and R.D. Rabnet. Paper prepared for the First International Conference on Social Impact Assessment: Advancing the State of the Art, Vancouver, 1982.**

Table F

SOCIAL PRINCIPLES FOR DEVELOPMENT

Overall Objective	to create a socially cohesive, financially viable, self-governing community conducive to attracting and retaining a stable workforce
<ul style="list-style-type: none"> <li data-bbox="287 604 1565 746">• <u>Choice</u>: It is important that residents locate in Tumbler Ridge by choice and not just by economic circumstances. Taking personal responsibility for this decision encourages a commitment to the town. <li data-bbox="287 753 1565 895">• <u>Commitment</u>: A successful community requires a commitment to plan, a commitment to participate, and a commitment to produce a community which fosters stability, a sense of belonging, and personal growth. <li data-bbox="287 902 1565 1023">• <u>Challenge</u>: Each participant has a responsibility to foster a new way of thinking which emphasizes the challenge of the frontier and appeals to the pioneer spirit. <li data-bbox="287 1029 1565 1129">• <u>Self-reliance</u>: The focus should be on the individual and what he or she can do for himself or herself. <li data-bbox="287 1136 1565 1236">• <u>Participation</u>: The development of the town must reflect the needs of the people who live there if it is to become a cohesive, stable community. <li data-bbox="287 1242 1565 1364">• <u>Integration</u>: Integration of social and health facilities and programs makes sense both from a service delivery and a cost-effectiveness perspective. <li data-bbox="287 1370 1565 1470">• <u>Equity</u>: Tumbler Ridge must plan for those people who experience the greatest difficulty in new towns. <li data-bbox="287 1476 1565 1598">• <u>Fiscal Responsibility</u>: The town will one day stand on its own and be financially responsible. The town, therefore, must be designed to be financially viable. <li data-bbox="287 1604 1565 1725">• <u>Environmental Sensitivity</u>: It is to the advantage of the community and the residents to develop as harmonious a relationship as possible between the town and its environment. <p data-bbox="287 1732 1565 1853"><u>Flexibility</u>: All decisions, policies, and programs must be flexible to accommodate unexpected changes in the development of the town.</p>	

- preventive health and social services
- community recreation fund
- teen lounge
- detoxification programs
- interir medical and social services

Attracting and retaining people-compensating for isolation:

- air access
- communications
- regional bus service
- attracting and retaining health professionals
- emergency services

The coal companies and the District of Tumbler Ridge entered into a "Company/Townsite Participation Agreement" which set out the mutual commitments of each party with respect to facilities, housing, an information centre, and other aspects of social infrastructure. A set of tables indicating the substance of these negotiations is *provided in Appendix B.

Emphasis has been placed on the early provision of human services so people feel at the start that they are part of a thriving community. First priority has been given to an information centre to assist people in becoming oriented.

The physical and financial plans of the community show a high degree of social sensitivity as well. Emphasis has been placed on a high percentage of home ownership. Neighbourhoods are well-bounded and identifiable, incorporating an elementary school, churches, small commercial centres, and about 500 homes.

The focus of the physical plan is the town centre with a secondary school, major commercial area, hotel, motel, municipal hall, and a community centre.

Newcomers are encouraged to fill out questionnaires to suggest programming for the community centre, the types of outdoor activities that should be provided, clubs and societies that should be formed, and also indicating what skills they are prepared to contribute.

PART III - CONCLUSIONS AND RECOMMENDATIONS:

TOWARDS AN "IDEAL MODEL" FOR INSTITUTIONAL ARRANGEMENTS

The foregoing assessment of current institutional arrangements combined with the range of insights and suggestions made by participants during the conduct of this study, provides a foundation on which to develop what can be called an "IDEAL MODEL" for institutional arrangements.

The "IDEAL MODEL" is essentially a scenario which sets out institutional arrangements aimed at:

- 1. improving the state of the art in social impact assessment;**
- 2. enhancing the practice of SIA from initial project feasibility through to construction and operation;**
- 3. improving the efficiency of institutional arrangements;**
- 4. acknowledging accountability to communities affected by a development;**
- 5. facilitating and enhancing efforts towards collaborative approaches among all parties in the SIA.**

This tentative "IDEAL MODEL" will hopefully serve as a basis for further discussion among proponents, governments, community advocates, and SIA practitioners with a view towards the continued refinement of institutional arrangements in Canada.

•

LEGISLATION

As indicated by the narrative for each province, legislation is in various stages of evolution. In general, "model legislation", given our current state of the art views of SIA, would include the following requirements:

"Social" as an integral component of the EA.

Public consultation throughout the EA process from scoping through to final decision-making, monitoring and impact management.

Both the environmental assessment and the government review of the EA available to the public.

Monitoring of social effects/benefits and the effectiveness of mitigation measures.

Provision for cumulative impact assessment where there are two or more projects in an area.

A mechanism whereby the public can require an environmental assessment and/or hearing.

A recent trend has been a shift in emphasis toward the early incorporation of social and environmental factors in the planning of projects. This trend is reflected in the Ontario legislation.

"Model legislation" would be supplemented by guidelines which were periodically reviewed and refined to reflect new developments and refinements in the concept and practice of SIA, its linkages to public consultation, and integration with biophysical aspects of an environmental assessment.

z

GUIDELINES

"Model guidelines" would provide sufficient definition of social impact assessment so that inexperienced individuals and communities would know what should be expected from a proponent's SIA.

Guidelines should also provide an explanation of the review process so that individuals and communities could anticipate how and when in the EA process they might wish to become involved.

Sufficient experience now exists to identify various "classes" of projects and to prepare separate guidelines for each class focusing on the types of social and community impacts that can be anticipated within each class. These might also include, where appropriate, information on what mitigative measures have been found to be most effective. Alberta and British Columbia currently have guidelines for various classes of projects.

British Columbia's "Guide to the Energy Review Process" provides an example of the type of information that individuals and communities should expect from a socio-economic assessment (Table G, Information for a Socio-Economic Assessment).

REGULATORY AGENCIES

As with legislation, agencies responsible for the review of environmental assessments are in various stages of evolution and have taken different paths. This will likely continue to be the case over the next ten years. Study findings suggest that the "Mode 1 Agency" would have the following characteristics with regards to the social component of an EIA:

Adequate legislation to support its mandate.

Commitment from Cabinet in support of mandate and senior portfolio for Environment Minister.

Commitment of Environment Minister to social and community issues of EIA. A minister who himself got into the community to hear first hand the expression of social concerns.

Multi-disciplinary staff, most of whom are trans-disciplinary (i.e. have two or more relevant disciplines) and each of whom has an appreciation of social issues. At least one or two staff members whose main discipline is a social science.

Table G

INFORMATION FOR A SOCIO-ECONOMIC IMPACT ASSESSMENT

4.1 Manpower

- Manpower requirements, timing and delivery mechanisms for construction phase;
- Operational manpower requirements and manpower plan (e.g. timing, training and sources of supply);
- Projected impacts on regional and provincial labour markets;
- Occupational health and safety during construction and operation;

4.2 Income

- Total direct labour income during construction and operation;
- Impact on wage levels;
- Total government revenue: regional, provincial, federal;

4.3 Population

- Existing population total, distribution and demographic characteristics;
- Projected population totals, distribution and demographic characteristics during construction phase and operation phase;

4.4 Human Services Impact

- Projected demand for, and impact on, the facilities and programs for each general service category:
 - Education services;
 - Recreation services;
 - Health care services;
 - Social services;
 - Communication services;
 - Court and judicial services;
 - Fire and police protection services;

4.5 Social Impact

- Social stability and adaptability of affected community groups;
- Cultural services (e.g. theatres, etc.);
- Social problems and social costs;
- Occupational health impacts;
- Community integration;
- Relocation of residents;

4.6 Economic Impact

- Economic impact benefits and costs as indicated in project justification information (Appendix 2, Section 1);

4.7 Community Impact

- Housing (housing demand and supply issues during construction and operating phases including capacity of housing market, affordability and company's housing policy);
- Community land (requirements for land for residential, commercial, industrial, institutional and other uses);
- Community infrastructure (demand and supply for sewage system, water system and other infrastructure);

4.8 Local Government Impact

- Impact on local government plans, finances and organization (e.g. boundaries, corporate status) and capacity to respond to impact for all local governments and Indian Bands likely to be affected by the development;

4.9 Regional Impacts

- Impact on existing transportation network and projected demand for expansion of new services;
- Impact on existing public utilities and projected demand for expansion of new services.

Some degree of stability over time in the Director of the Branch and its staff.

An organizational mechanism which brings together a comprehensive and integrated review of the socio-economic response of reviewing agencies and relates it to a comparably comprehensive and integrated biophysical response.

Periodic workshops among the socio-economic integrators and social review agencies to exchange views, identify gaps in the process, and generally discuss possible refinements and improvements.

Government reviewers come together occasionally to share their views at a philosophical and conceptual level with regards to the overall EA process and its socio-economic component. As well, reviewers have a workshop once or twice a year to explore how socio-economic issues relate to biophysical issues.

An organizational mechanism to create awareness of a project or undertaking in affected communities. That same mechanism assisting the communities (council-administration-groups-residents) to understand the implications of a project, what they should expect from an assessment, and why and how they can become involved in a consultation process.

Resources to assist that involvement beginning with involvement in the formulation of terms of reference for the EA/SIA.

Adequate educational resources including videotapes and brochures which describe the review process and its objectives for use with new reviewers, consultants, proponents, affected communities, and interested groups and citizens.

A recognition that the intended client for a social impact assessment is the affected community.

ADMINISTRATION OF THE ACT

All parties to the EA process have a **commitment** to make it work.

“Scoping” is accomplished to focus in on key issues at the start of the assessment and includes affected municipalities as a formal entity in the process.

Public consultation is seen as an essential component of scoping. Resources to assist affected communities in the consultation process are made available through joint efforts of government and the proponent.

Terms of reference are agreed upon by the socio-economic coordinator from government, representatives of affected communities, and a representative of the proponent.

The policy context and rationale for decisions made by government are documented and matters of public record including the initial decision for the requirement of an EA and the final acceptance or rejection of an application.

The proponent has a corporate philosophy and culture which is hospitable and responsive to the social and community dimensions of an EA.

The EA division of a proponent includes persons experienced in socio-economic and community impact assessment.

The socio-economic unit of the proponent periodically briefs project engineers and management on SIA and the significance of SIA issues regarding project planning.

The proponent also has a community affairs group which works closely with affected communities and serves as a link to the EA division and project planners.

Socio-economic consultants are experienced, current with the state of the art, ethical, and credible to affected communities, interest groups, and individuals.

All parties involved are committed to the process, and the pattern of relations among all parties establishes a basis for mutual trust and respect.

THE EA/SIA PROCESS

The 'EA process, to the extent possible, is streamlined, effective, and efficient.

All key actors in the process, including the proponent, consultants, municipalities, government reviewers, interested groups, and individuals, understand the process, how it can work for them, and the part their particular contribution plays in the total scheme of things.

The government's regulatory body places emphasis on an educational function recognizing that when key actors are familiar and comfortable with the process it functions more effectively and efficiently and tends to foster more harmonious relationships. Senior management of the regulatory agency therefore recognizes the high return on investment from its educational function.

In addition to sponsoring workshops and seminars on the EA/SIA process, the regulatory agency has a videotape with back-up documentation which describes the EA process in layman's terms. These educational resources are readily available to proponents, consultants, reviewers, municipalities, groups or individuals engaged in the process for the first time.

Senior management of each reviewing ministry is supportive of the EA process and commits adequate resources to it.

The reviewer for each agency has a broad perspective and professional interest and commitment to the concepts of SIA and the EA process generally.

Reviewers recognize that the ultimate clients of the “social” component of the EA and their agency’s response to impacts are the communities, groups and individuals affected by a project or undertaking.

Socio-economic reviewers come together periodically in meetings to exchange views on terms of reference for major projects and undertakings as well as at the review stage for dialogue regarding the completeness of an EA (including socio-economic areas not specifically covered by an agency’s mandate) and the required responses by social agencies to impacts indicated in the EA.

A ministry is designated as the lead ministry to provide an overall framework within which the socio-economic aspects of a review can be coordinated. Alternatively, an organizational mechanism such as a Social/Economic Committee exists to provide this function.

This lead ministry or working committee ensures that there is an appropriate balance in the information requirements of different social agencies in the scoping stage; establishes priorities for these requirements; and ensures that the full range of requirements is reasonable to the scale of the project or undertaking being proposed.

The public consultation process is carefully designed. The proponent prepares a written statement with regards to the purpose of the consultation process, the policies by which it will be conducted, and the specific objectives of each stage in the process.

A critical path is prepared that clearly illustrates the linkages between the flow of events in the consultation process and the flow of events in other streams of the EA process, demonstrating how input from the consultation process will affect planning and decision-making.

Documentation used in the public consultation process is concise, logical, and easily understood.

Where appropriate, affected communities, groups, and individuals are provided resources to assist them in the consultation process.

THE CONDUCT OF SOCIAL IMPACT ASSESSMENTS

A steering committee is set up at the initiation of the EIA process consisting of a representative of the proponent, affected communities and the government's socio-economic coordinator for the EA. The Steering Committee's first task is to agree on which socio-economic consultant will be engaged. The Steering Committee, with the socio-economic consultant, agrees on procedures for scoping and the SIA terms of reference that result from scoping.

Scoping results in:

- the elimination of non-significant areas;
- areas of concern for which answers already exist from previous experience;
- those remaining areas of concern which require focus and the relative priorities of these areas;
- identification of what information is required that is "decision-relevant".

Scoping is seen as an on-going and open process recognizing that all issues may not be identified in the initial scoping effort. The SIA itself remains sufficiently flexible as a process to respond to new issues that may be uncovered.

Workshops are conducted in affected communities by government staff explaining the BIA process; the opportunities and methods by which the community and its members can become involved; and the results which should be expected from the EIA process generally and the SIA particularly.

Resources are provided to the community to assist its participation. This might include a resource person with community organization skills and/or funding for the community to hire its own experts with respect to key issues.

The SIA gives appropriate emphasis to qualitative issues and recommendations for their mitigation and management.

Proponents allow a 10% factor in SIA budgets for consultants to research current SIA state of the art related to the proposed project or undertaking and previous successes in mitigating the social impacts anticipated.

Each state of the art review is made available to the government's socio-economic coordinating group to become a continuously evolving "knowledge bank" from which to improve the state of the art of SIA.

The same "knowledge bank" is a repository for knowledge gained from the systematic monitoring and management of social impacts of different projects in different settings.

The Steering Committee is a formal participant in the government review of the resulting SIA and is required to reach agreement on:

- appropriate mitigation measures
- assignment of responsibilities for impact management
- appropriate monitoring program, with assigned responsibility

These recommendations are agreed to by both the proponent and the lead social agency of government. Conditions are attached to the project license with commitments to the affected municipalities by both the proponent and the government.

The community recognizes that it too has a role to play in the mitigation and management of social impacts beyond participation in decision-making. This role forms part of the above agreement.

CUMULATIVE IMPACTS

Environmental standards (e.g. air emissions, effluents, noise) in areas of concentrated development are re-examined.

Geographic areas with concentrated resource development are designated as "Special Development Areas". In each of these areas the government prepares an 'Integrated Resource Development Plan' which establishes the optimal development of resources over the long term within established environmental guidelines. A "Social Development Plan" is prepared in parallel with the Integrated Resource Development Plan and inter-related with it. The "Social Development Plan" includes integrated plans for social infrastructure, the delivery of social services, and requirements for community facilities (e.g. education, recreation, spiritual centres, medical centres, etc.). These plans are staged in accordance with anticipated growth thresholds.

A central information base is created where all information for proposed projects is compiled and stored. An integrated computer model is designed to incorporate basic standard data from each project application. The status of projects is updated as changes in status occur.

All social agencies are linked with on-line terminals to the central information bank and have software capability to develop an array of scenarios based on "what if?" type questions related to cumulative effects and implications for their agencies.

Proponents have access to the information bank as well and utilize software capable of projecting required quantitative aspects of an SIA for their proposed projects in relation to other projects in the area.

The standardization of these basic quantitative projections in the SIA results in improved efficiency for both the proponent and the government review process. Proponent SIA efforts are proportionately shifted to identifying and dealing with qualitative aspects of the SIA.

INTEGRATION OF SOCIAL-ECONOMIC-BIOPHYSICAL FACTORS

The integration of social, economic, and biophysical factors is achieved through a combination of methods which include computer models and inter-disciplinary teams working closely together in all stages of a project beginning with project conception and feasibility studies.

The government's regulatory agency, as well, encourages the development of analytical methods and computer models to inter-relate socio-economic and biophysical data. The coordinator of the socio-economic review meets regularly with the coordinator of the biophysical review to assess the inter-relatedness of issues. Periodic workshops are held among all reviewers to explore the linkages and synergies of social-economic-biophysical factors.

SIA consultants, public consultation consultants, and biophysical consultants meet regularly to identify, study, and assess the linkages of issues.

It is recognized that this must begin with the scoping stage and incorporate issues and their linkages as perceived by affected individuals, groups, and communities.

Proponents provide for these meetings in budgets allocated to the EIA.

IMPACT MONITORING AND MANAGEMENT

The SIA Steering Committee set up during the EIA process remains in place as a mechanism (possibly with new members) to guide implementation of the "Impact Monitoring and Management Program" agreed to by the proponent, government, and community.

The program provides for:

monitoring to ensure compliance to conditions of the agreement related to socio-economic impacts;

monitoring of the effectiveness of mitigative measures with a view towards making adjustments or refinements as required;

continued "scoping" for unanticipated issues and social effects and a negotiated collective response as required;

systematic records from which an evaluation can be done regarding actual vs. anticipated social impacts; the effectiveness of response mechanisms; unanticipated effects; and other lessons learned;

the results of the periodic evaluation are provided to the "knowledge bank" discussed above as a contribution to the continued evolution and improvement of the state of the art in SIA;

-the staged requirements for government services are coordinated by the government's socio-economic coordinator for the project (who sits as a member of the SIA Steering Committee);

the delivery of social services and the provision of social infrastructure and facilities are scheduled in anticipation of their requirements;

a province-wide "Compensation Board" is established for the settlement of property (including livestock) damage claims up to \$10,000.

HEARINGS

Proponents provide communities with funding for technical experts to review EIA documents with respect key issues. Where possible, issues are resolved with communities in-consultation with technical experts.

Social issues of concern to the community are resolved to the extent possible with the SIA Steering Committee (described above). Similarly, proponents seek to satisfy concerns and resolve issues with affected individuals and groups through negotiative processes prior to hearings.

A pre-hearing conference with all participants establishes:

agreements which have been reached through mediation and negotiative processes,

agreement on elements of fact,

'remaining areas of contention,

agenda and procedures.

The hearings are utilized to resolve outstanding issues, not to receive information.

An overall budget for intervener funding is established. Interveners are awarded costs based on the criteria established by Mr. Justice Thomas Berger.

Interveners are provided guidelines for preparation of written submissions and participation in the hearings.

If necessary, panels are able to hire their own technical experts for final resolution of technical issues.

A training program is established for people conducting hearings similar to training programs established in England.

Panels include a person with knowledge and experience related to socio-economic impacts and effective mitigation and management strategies regarding socio-economic issues.

For major projects involving substantial public controversy over the use of resources and/or the scale of environmental and social impacts, a two-stage hearing process is established. Stage 1, Project Justification, would establish that:

the proposed project is an appropriate use of resources in the designated area;

there is in fact a societal need for the project;

preliminary assessments of environmental and social impacts indicate that adequate mitigation and impact management is possible.

Stage 2, Project Implementation, would determine how the project will be realized with minimal environmental and social disruption. Detailed impact assessments are conducted on each major alternative. Mitigation, compensation, and impact management strategies are agreed upon.

GOVERNMENT-PROPONENT-COMMUNITY RELATIONS

Affected municipalities are treated as equal partners in the EIA process and are formally included in the government review of the EIA.

Communities are allowed sufficient time to organize for their response to the EA process. The government, through its Community Affairs Branch, provides a resource person to facilitate the community organization process.

Government organizes workshops in affected communities to explain the EA process; the opportunities for involvement; and the mechanisms for that involvement.

The public consultation program is designed with the guidance of the SIA Steering Committee. It is designed to fit the temporal rhythms of the community and offers a combination of consultative methods suitable to the character of the community.

•

Where impacts affect a wider rural region, the rural area has representation on the SIA Steering Committee.

Agreement is reached during the EA process on which roads are to be used; the level of use; operating procedures on roads (particularly speed of industrial vehicles); upgrading requirements; and responsibility for upgrading.

Costs of additional municipal services due to development are determined in the socio-economic assessment, and the allocation of costs by jurisdiction. Tax revenue sharing formulas are agreed to prior to project approval with due consideration to the burden of costs.

Required government services are determined in the SIA. A coordinated response to requirements is planned by government in consultation with the SIA Steering Committee and scheduled in anticipation of requirements.

APPENDIX A

EIA PROCESS

1. British Columbia
- 2.** Alberta
3. Ontario

Figure 3

Energy Project Application Process

PRE-APPLICATION PHASE

PROSPECTUS

- (1) General project description and schedule.
- (2) Project rationale.
- (3) Description of proposed preliminary studies.

Review by Energy Project Coordinating Committee and Working Committees;
consultation with proponent

PRELIMINARY PLANNING REPORT

- (1) Identification and assessment of feasible alternative locations.
- (2) Analysis of alternative locations and identification of preferences.
- (3) Preliminary Procurement Plan.
- (4) Terms of reference for proposed environmental/socio-economic impact studies.
- (5) Terms of reference for proposed project justification studies.
- (6) Description of public consultation program.
- (7) Preliminary list of approvals, licences, and permits required.

Review by Energy Project Coordinating Committee and Working Committees;
consultation with proponent in developing Application

APPLICATION PHASE

APPLICATION

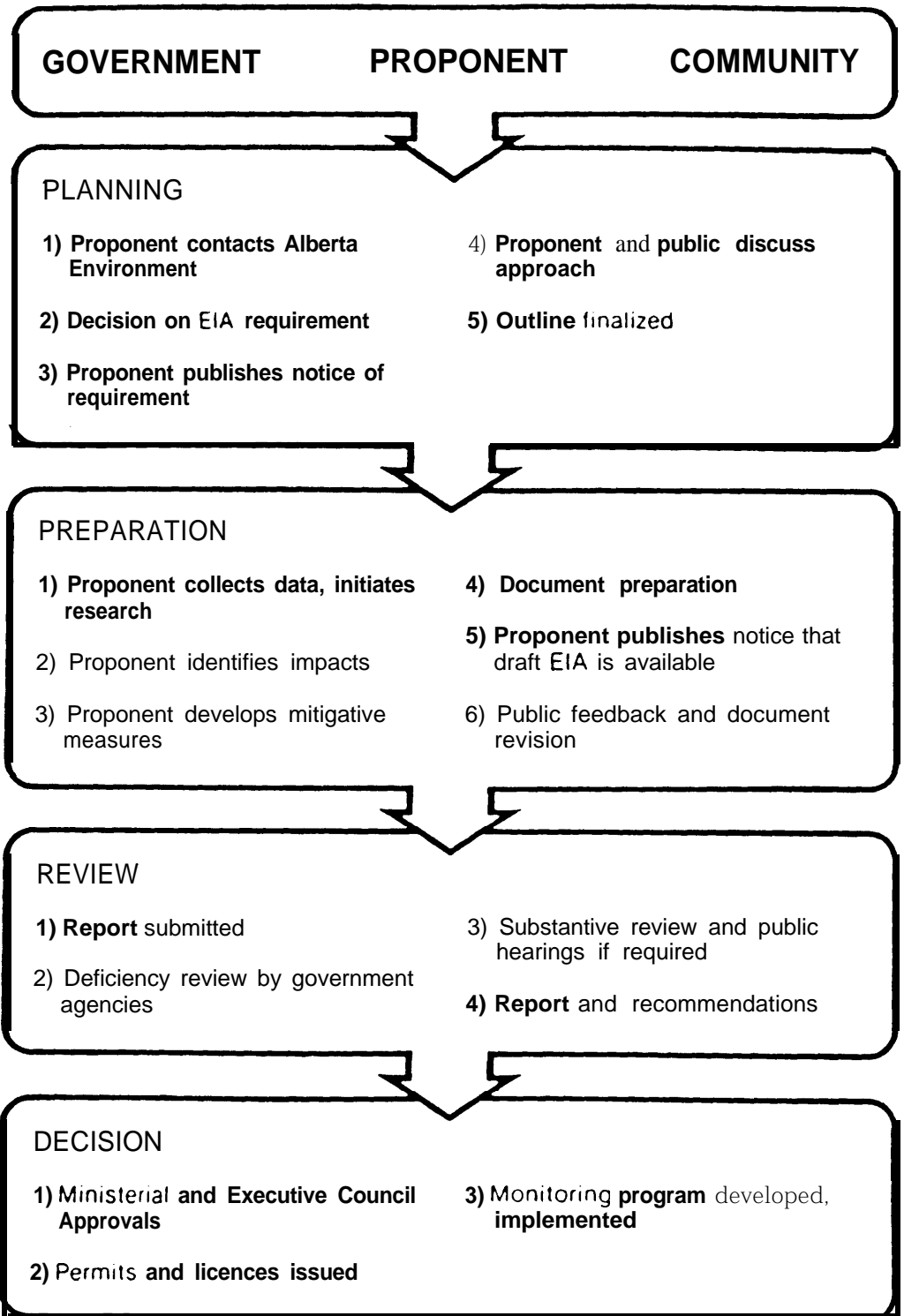
- (1) Description of applicant as per Regulation.
- (2) Project description:
 - (a) purpose, costs, and ancillary facilities.
 - (b) timetable for construction, operation, abandonment, reclamation, with critical dates.
 - (c) public works, undertakings, or infrastructure entailed with costs and schedule.
- (3) Environmental and socio-economic impact assessment and proposals for minimizing negative impacts and maximizing positive impacts.
- (4) Project justification: energy supply/demand, technical feasibility, financial feasibility, procurement, benefit-cost data.
- (5) Ancillary applications: approvals, permits, licences required under *Pollution Control Act*, *Water Act*, and other pertinent statutes.
- (6) Public consultation program description and summary of response.
- (7) Other information as required.

Review by Energy Project Coordinating Committee and Working Committees;
consultation with applicant as necessary

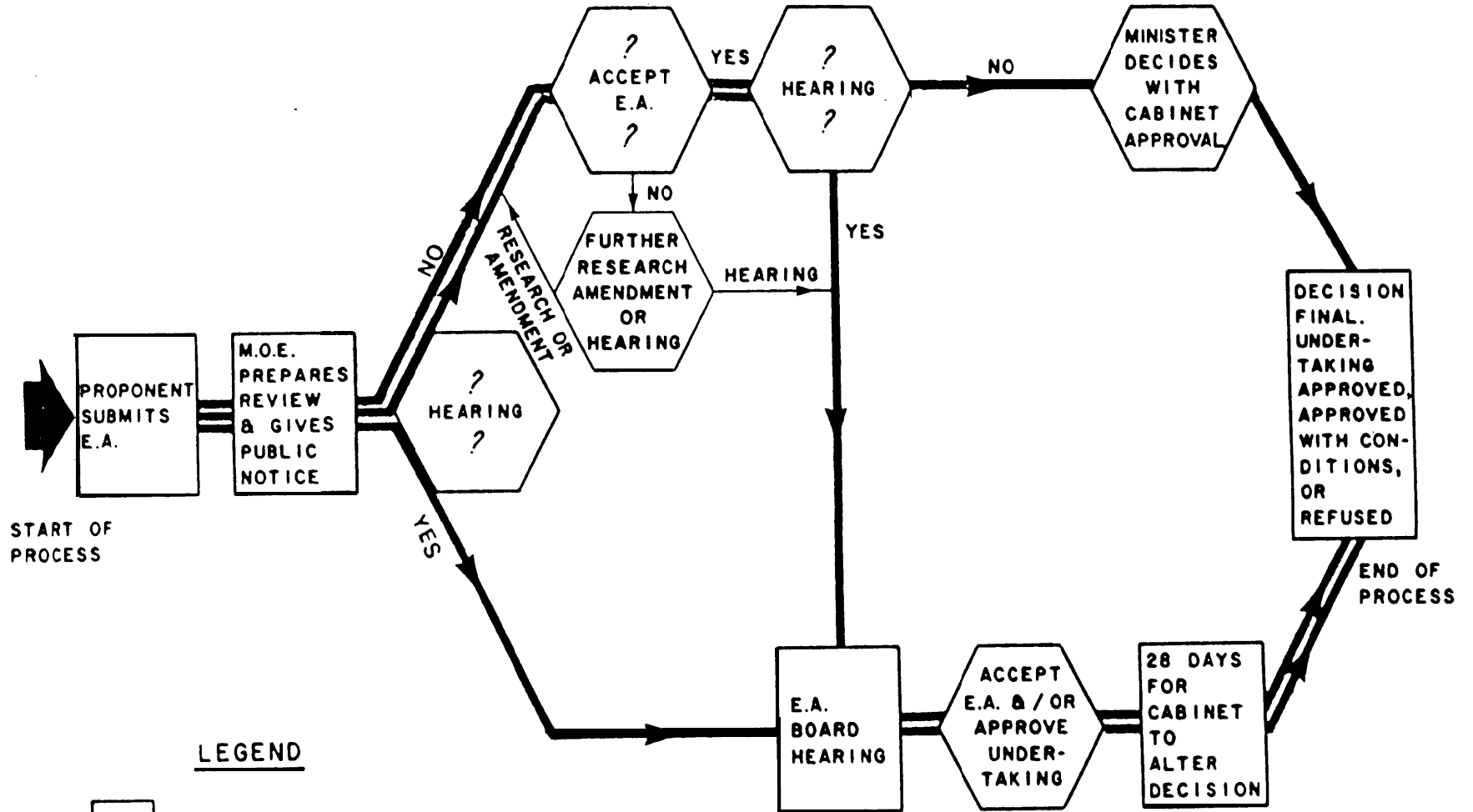
APPLICATION DISPOSITION BY MINISTER(S)

[Section 19(1) of *Utilities Commission Act*]

*2 Year EIA/E
EIA process*



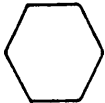
BASIC FLOW DIAGRAM OF THE ENVIRONMENTAL ASSESSMENT ACT 1975



LEGEND



PROCESS STEP



DECISION POINT



Ontario

Ministry
of the
Environment

APPENDIX B

TUMBLER RIDGE

Table 4.6.1

SUMMARY OF ADDITIONAL FACILITY AND PROGRAM REQUIREMENTS

SERVICE	PHYSICAL PLAN	FINANCIAL PLAN			ORGANIZATIONAL PLAN						
	FACILITY REQUIREMENT (D)	STAFF REQ'D.	CAPITAL COSTS	ANNUAL OPER. COSTS	RESPONSIBILITY			FUNDING			
					GOVT.	COMP.	MUN.	GOVT.	COUP.	HUN.	
I. Services for the First Families: Compensating for Newness and Lack of Social Cohesion	(m ²)		(\$ 1980)	(\$ 1980)							
Information Centre Information Officer Secretary-Receptionist	90	1 1	60,000	50,000 25,000 15,000			0	0	0	0	
Handy Man Service				1,000			0		0		
Social Development Officer Secretary-Receptionist	40	1 1	20,000	35,000 7,500- 15,000			0	0			
Social service. Council					0			0			
Preventative Health and Social Services	100	7	60,000	7	0			0			
II Attracting and Retaining People: Compensating for Isolation											
Air Service			1	1	0			0	0		
Communications Telephone Mail Services/Newspaper Television/Radio					0			0	0		
Regional bus Service			1	1			0	0	0	0	
Attracting and Retaining Health Professionals			2	2	0			0	0		
Emergency Services					0	0	0	0	0	0	
Community Recreation fund			3	3			0	0	0	0	
Teen Lounge							0		0	0	
Detox Centre	(none required) - regional service				0			0			
Interim Medical and Social Services			4	4	0			0	0		

NOTES:

1. Costs may be increased depending on negotiations between the government and the Companies. See Section page
2. If the program is accepted, costs will be incurred but estimates of this cost are unavailable at present.
3. A community recreation fund is proposed for future recreational and cultural facilities and programs.
4. If the program is accepted, costs will be incurred but estimates of this cost are unavailable at present.

OBJECTIVE	SUBJECT FOR AGREEMENT	REQUIREMENTS	RESPONSIBILITY			COMMENTS
			GOVT	COMP	COMM	
3.0 Housing	3.1 Provincial/Municipal removal of housing policies, in particular, elimination of the "right-of-first-refusal" clause.	. Policies regarding the provision and quality of housing.	0	●		
		. Policies regarding the quantity and quality of housing.	0	●		
	1.2 Provision of rental accommodation for company and non-company employees	. Decisions must be made regarding provision of rental housing for company and non-company employees.	0	●		
	3.3 Non-discrimination in housing policies in terms of sex, age, race.		0	●		
4.0 Commercial Services	4.1 Assistance in the provision of commercial services.	. A local purchase policy that could include an information program, local business development, preparation of small contracts suitable for local businesses.		●		
5.0 Community Services	5.1 To review and recommend on the final facilities program.	. Agreement on the final facilities schedule must be realized by the coal companies, provincial government and District of Tumbler Ridge.	●	0	0	Responsibilities for providing facilities and services must be determined as part of this process. The government could provide organizational support and training; the companies could subsidize daycare for all residents by providing subsidies for capital or operating costs.
	5.2 to assist in the provision of recreation programs and facilities.	. Company support of recreation should be offered through financial contributions for capital and operating costs and policies on community participation in company programs and use of company facilities.	○	●	0	
	5.3 To assist in the provision of daycare services and facilities.	. The Company and government should reach agreement on the concept of the Recreation Facilities Fund and agree on the formula for contribution to the fund.	○	●	○	
	5.4 Assistance in provision of adult education services	. Both government and the coal companies could assist in provision of daycare. . the coal companies should co-operate with government and Northern Lights College in job training and apprenticeship programs by providing instructors, facilities, estimates of their need for trained workers and suggestions for program content. The company could also undertake its own programs such as public lectures and mine tours.	○	○	○	

Table 4.6. 1
SUMMARY OF SUBJECTS FOR AGREEMENT

OBJECTIVE	SUBJECT FOR AGREEMENT	REQUIREMENTS	RESPONSIBILITY			COMMENTS
			GOVT	COMP	COMM	
1.0 Planning	<p>1.1 Provision of information on production schedules, workforce numbers, skills and demographic characteristics.</p> <p>1.2 Appointment of a senior management person to liaise on a full-time basis with the project manager and Commissioner/Mayor.</p>	<p>. Industry information on production schedules and workforce characteristics.</p> <p>. Information on all incoming residents</p> <p>. An annual census and needs survey.</p> <p>. Within the Municipal and Provincial Governments, key contact persons to liaise with industry representatives.</p> <p>. Urchin each of the coal companies, a senior manager with authority to make decisions on behalf of the company and ensure their implementation.</p>		●		<p>This information should be provided to the municipality with other notified amendments.</p> <p>This information could be gathered by the Social Development Officer or Information Officer</p>
2.0 Local Government	<p>2.1 To establish a consultation process regarding the possible effects of increased or decreased production.</p> <p>2.2 Company Representatives in the Community</p>	<p>. Appointment of a senior company manager to provide ongoing liaison with the town council regarding changes in production schedules.</p> <p>. Adoption of a company policy stating the community will have as much advance warning as possible of changes which could affect the community.</p> <p>. Preparation by the town council of a contingency plan to accommodate expansions or declines in production in the municipal plan and budget.</p> <p>. Preparation by the company of an orientation program for employees, particularly senior management, and their families that includes discussion of community relations.</p> <p>. Preparation by the company of a community relations policy indicating the company's responsibility for community services and position regarding community affairs.</p> <p>. Development by senior company management of a clear position on current or developing issues of concern to the company and management.</p> <p>. Appointment of company representatives on the advisory planning commission and social services council</p>		●	●	<p>A two year notice period would allow adequate time for community planning, although it is recognized that circumstances beyond the company's control may lead to more rapid change.</p> <p>The program could be co-ordinated with the Information Officer and the Social Development Officer.</p> <p>This policy should be made known to the community, and, preferably, should be reviewed by the community.</p>

OBJECTIVE	SUBJECT FOR AGREEMENT	REQUIREMENTS	RESPONSIBILITY			COMMENTS
			GOV'T	COMP	COM	
	<p>5.5 To assist in the provision of health and social services.</p> <p>5.6 to assist in the provision of transportation and communications services.</p>	<p>The coal companies could assist in provision of health and social services by:</p> <ul style="list-style-type: none"> co-ordinating their first aid, ambulance and emergency services with community services. recruiting professionals. adopting programs and policies to help employees and the community with health and social programs. <p>• Companies could support volunteer programs by providing financial and other support to Social Development Officer or Information Officer, responsible for ongoing volunteer services.</p> <p>• The companies should assist with provision of transportation and communications services because they are major users of these facilities and their employees benefit from reductions in physical and psychological isolation.</p>	<p>●</p> <p>●</p>	<p>○</p> <p>○</p> <p>○</p>	<p>○</p> <p>●</p>	<p>The companies could also stress the importance of volunteer work to its employees and consider community service as part of employee evaluations.</p> <p>Assistance could take the form of cash contributions for constructing and operating facilities and upgrading air transportation to allow for night access.</p>
6.0 Physical Environment	<p>6.1 Removal of the construction camp and other temporary structures once construction is complete.</p> <p>6.2 Safeguards against temporary campsites near construction sites.</p> <p>6.3 Community design guidelines for housing.</p> <p>6.4 Supervision of construction workers and construction activity.</p> <p>6.5 Community awareness program.</p>	<ul style="list-style-type: none"> • Construction contracts for mine sites and the town site should specify: <ul style="list-style-type: none"> - schedules for remaining temporary structures, and - responsibility for restoring construction camp sites once the construction is complete. • Safeguards against temporary campsites in the Tumbler Ridge area should be developed. • Guidelines could be prepared by a developer contracted to the coal companies or by the province. • Regulations regarding construction activities and workers recreational use of the area must be developed and enforced in order to preserve the natural environment. • Residents' awareness of and responsibility for environmental protection could be developed by public information programs and the example set by the province and the coal companies. 	<p>○</p> <p>○</p> <p>○</p> <p>●</p>	<p>●</p> <p>○</p> <p>○</p> <p>○</p>	<p>○</p> <p>○</p> <p>○</p> <p>○</p> <p>○</p>	<p>The province, municipality and the coal companies should consider developing serviced campground for short term accommodation of job-seekers.</p> <p>The co-ordinating architect/planner should review the guidelines before final approval and adoption.</p>

OBJECTIVE	SUBJECT FOR AGREEMENT	REQUIREMENTS	RESPONSIBILITY			COMMENTS
			GOV'T	COMP	COMM	
7.0 Cohesive and Stable Community	7.1 Diversification of the local economy.	<p>The companies should co-operate with provincial government efforts to explore possibilities for economic diversification at Tumbler Ridge.</p>	●	0		
	7.2 To establish consultation with the community regarding manpower recruitment and employment policies.	<p>The Company consultation with the community regarding manpower recruitment and employment policies could be affected by:</p> <ul style="list-style-type: none"> - distribution of information on company employment programs and policies, - recruitment of workers in the region, and - consultation through the Tumbler Ridge Social Services Council or other committees on company practices that affect the community. 		●	0	
	7.3 Encouragement of joint decision-making between potential employees and their families.	<p>Companies should encourage joint decision-making between potential employees and their families by including family members in the recruitment programs and audio visual presentations and by addressing the family's concerns about employment and other issues.</p>		●		
	7.4 Provision of accurate information on the community in the recruitment literature.	<p>In order to increase accuracy in recruitment programs, recruiters should have personal experience in northern living.</p>		●		Presentation material to be used for recruitment purposes should include a newsletter and an audio visual presentation of the region, the town and the type of jobs available.
	7.5 To assist in the provision of an information centre.	<p>The companies should offer financial and other support to an information centre, to assist in resident orientation and settlement.</p>	○	○	●	
	7.6 To provide assistance in the creation of a Social Services Council.	<p>The companies should assist in the creation of a Social Services Council by making available a senior manager to serve.</p>	●	○		
	7.7 To develop a comprehensive theme for the community.	<p>Although government services are primarily responsible for developing a theme, the companies could assist by clarifying the theme in the recruitment literature.</p>	●	●	●	
	7.8 to obtain agreement on principles of social development for the community.	<p>All actors in Tumbler Ridge should agree to the principles of social development and support them.</p>	●	●	●	This includes the companies, the provincial and regional government departments and agencies involved in service delivery, the municipal council and senior governments. These principles must be clear and explicit to all incoming residents.
	7.9 To provide assistance in the provision of management counselling to small business and native organizations in the community.	<p>The companies should adopt economic development policies that provide company management expertise to small companies in the region.</p>	●	●	●	
					the companies should also co-operate with Northern Lights College, the Ministry of Industry and Small Business and the Federal Business Development Bank in sponsoring business training programs.	