



Government
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2023-2024 Reports by Federal Authorities with Obligations under Section 71 of
the *Canadian Environmental Assessment Act, 2012*

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Foreword to the 2023-2024 Reports by Federal Authorities with Obligations under Section 71 of the *Canadian Environmental Assessment Act, 2012*

On August 28, 2019, the *Impact Assessment Act* (IAA) came into force and repealed the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). However, for activities carried out on federal lands and outside Canada for the 2023-2024 period to which CEAA 2012 applies, reports under section 71 of CEAA 2012 will continue to be provided.

Federal authorities must table an annual report in Parliament on its activities during the previous fiscal year in order to meet their section 71 obligation under CEAA 2012. This consolidated report entitled “2023-2024 Reports by Federal Authorities with Obligations under section 71 of the *Canadian Environmental Assessment Act, 2012*” is being tabled on behalf of federal authorities to ensure that Parliament receives information on activities on federal lands and outside Canada in a timely, efficient and transparent manner. The federal authorities that have included their reports in this consolidated report satisfy this obligation. Other federal authorities that have an existing mechanism for reporting to Parliament, typically an annual report, should have satisfied this obligation through that mechanism. This is the twelfth consolidated report tabled in Parliament since the implementation of CEAA 2012. For activities that continue under CEAA 2012, future reports may be tabled. Under the IAA, project-specific notification is required. As a result, annual reporting to Parliament is not required under the IAA.

The majority of CEAA 2012 focusses on environmental assessments of ‘designated projects’. However, CEAA 2012 also includes provisions to ensure that projects on federal lands and outside Canada are considered in a careful and precautionary manner. Sections 66-69 of CEAA 2012 require authorities to determine the likelihood of significant adverse environmental effects that might result from a project being carried out on federal lands or outside Canada. Authorities must make this determination prior to making a decision in relation to a project that would enable the project to proceed in whole or in part. If an authority concludes that a project is likely to cause significant adverse environmental effects, the authority may refer the project to the Governor in Council. The Governor in Council will determine whether the significant adverse environmental effects are justified in the circumstances.

CEAA 2012 does not specify how authorities are to conduct their analysis for determining significant adverse environmental effects. An evaluation tool was developed by authorities, with support from the former Canadian Environmental Assessment Agency, setting out a framework for a consistent approach and facilitating the joint analysis of projects involving multiple authorities. Authorities, however, define the process by which they conduct their analysis, and the breadth of their governance activities are reflected in the enclosed reports.

Section 71 reports have been provided by federal authorities to the Impact Assessment Agency of Canada for consolidation. Questions with respect to the information provided in these reports are best answered by the relevant federal authority.

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Fisheries and Oceans Canada

Fisheries and Oceans Canada has developed internal operational guidance that outlines an overarching risk-based approach for the assessment and reporting of environmental effects of projects proposed on federal lands that are subject to section 67 of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012).

The Department's Fish and Fish Habitat Protection Program owns and manages a national database that is used for collecting information on various program activities. This system, called the Program Activity Tracking for Habitat (PATH), has been made available to all programs in the Department that have responsibilities for projects on federal lands, including those under CEAA 2012. PATH can be used to obtain statistical reports for projects that the Department has evaluated under section 67 of CEAA 2012.

For fiscal year 2023-2024, there have been no determinations made where a project on federal lands was likely to cause significant adverse environmental effects.

St. John's Port Authority

The St. John's Port Authority (SJPA) is committed to the protection of the environment; to that end, all projects undertaken by the SJPA, or those projects undertaken by others of which the SJPA must grant approval, are reviewed in accordance with a comprehensive Environmental Checklist. This review is to confirm there were not any significant adverse environmental effects identified, and that any short-term effects will be mitigated through proven practices and procedures.

The only project under assessment of CEAA 2012 that falls under the jurisdiction of the SJPA is the following:

- Riverhead Wastewater Treatment Facility Secondary Upgrades Project.

Furthermore, all previously listed projects under CEAA 2012 have been complete.

Transport Canada

Transport Canada (TC) continues to meet its federal land obligations under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) through the implementation of its Federal Lands Framework (FLF). The FLF clearly identifies the roles and responsibilities of all relevant parties in the completion of Environmental Effects Determinations (EEDs) for projects subject to section 67 of CEAA 2012. The EEDs are used to identify potential environmental effects of a proposed project involving federal lands and include measures to mitigate those effects. Of the projects under review by TC during fiscal year 2023-2024, no determinations were made.