

# One-Liners and Quick Reference Sheet for the President

## Main Estimates

1. **IAAC's 2021–2022 Main Estimates are \$79.0 million, could you elaborate on the composition of these Main Estimates?**
  - Yes, \$51.0 million of IAAC's authorities will be devoted to the conduct of assessments; \$22.2 million is allotted to Grants and Contributions to support public and Indigenous participation in assessments. The remainder (approx. \$5.8 million) is from a statutory vote for the employee benefit program.
2. **Why have IAAC's authorities increased from 2020–2021?**
  - There is a net increase over 2020-2021 levels of \$2.5 million primarily due to an increase in grants and contributions (\$3.2 million), and small reductions in operating funds (\$0.7 million).
3. **Why does the new process of impact assessment require substantially more funds than the previous system?**
  - Put simply, a more comprehensive impact assessment process and the expansion of the Agency's mandate and responsibilities as the single federal organization responsible for impact assessments and the Crown coordinator for consultations with Indigenous Peoples on designated projects and regional or strategic assessments.
4. **Specifically, what is IAAC funding through its \$22.2 million grants and contribution programs?**
  - The Agency's Grants and Contributions programs provides funding support to improve scientific information and Indigenous knowledge, enhance public participation, contribute to Indigenous reconciliation and build Indigenous capacity, and promote transparency, efficiency and timeliness.

## Impact Assessment Act Implementation

5. **What are the benefits of the *Impact Assessment Act*?**
  - Canada's impact assessment system is designed to protect the environment, ensure sustainable projects can move forward safely, and instill public confidence in how the Government of Canada makes decisions about major projects while also fostering reconciliation with Canada's Indigenous peoples, encouraging investment, and creating new jobs and economic opportunities for Canadians.
6. **What has been the implementation experience to date?**
  - a. **Have legislated timelines been met?**
    - Legislated time limits in relation to all designated projects subject to IAA have been met.
  - b. **How many projects have entered the new system?**
    - IAAC has accepted fifteen (15) initial project descriptions since the IAA came into force in August 2019 (as of Feb 15, 2021).
    - This rate is almost the same as was experienced under CEAA 2012, despite the ongoing challenges of the COVID pandemic.
  - c. **What is the status of projects that have entered the new system?**
    - Seven (7) projects are in the Planning Phase, and eight (8) projects have completed the Planning Phase.
      - Three (3) will be impact assessments by the Agency (Webequie, Marten Falls Roads and Wasamac Gold Mine);
      - One will be an impact assessment by an Integrated Review Panel with the Canada Energy Regulator (Gazoduc);
      - One will be a substituted IA by British Columbia (Cedar LNG);
      - One was terminated by the proponent (Great Sandhills Railway Switching); and

- Two for which no impact assessment was required (Prairie Lights Power, ATCO Salt Cavern Storage Expansion).

**d. How many assessments are continuing under the former Act (CEAA 2012)?**

*[Note: this is the only question that is not captured in the full Q&A document]*

- There are currently forty-nine (49) projects being evaluated under CEAA 2012 (thirty-five (35) EAs by agency, eight (8) substituted and six (6) EA by Review Panel).

**7. How are climate commitments (e.g. Paris Accord, Net Zero 2050) dealt with in the federal review process?**

- The IAA requires the consideration of the extent to which a project hinders or contributes to Canada's ability to meet its climate change commitments; while the Strategic Assessment on Climate Change lays out the specific information proponents are expected to provide, including a credible plan to reach net-zero emissions by 2050.

**8. How has the COVID-19 pandemic affected the time limits for project assessments?**

- IAAC has continued to advance assessments throughout the COVID-19 pandemic while taking into account that there may be potential consultation challenges for Indigenous groups and the public.
- So far in 2021, five final decisions have been taken on project assessments (Contrecoeur Port Terminal Expansion, Milton Logistics Hub and three offshore exploration projects).

## Key Projects

**9. What is the status of the Roberts Bank Terminal 2 project assessment?**

- In August 2020 an information request was issued to the Vancouver Fraser Port Authority for additional information to inform the decision on whether the Project is likely to cause significant adverse environmental effects.
- Once this information is received, the Government will have approximately three (3) months to make a final decision on the Project.

**10. What is the status of the Laurentia project assessment?**

- On March 31, 2021, the proponent submitted additional information for the assessment of the project. IAAC is currently analyzing the documents and will finalize its environmental assessment report in the coming weeks.

**11. What is the status of the Contrecoeur Port Terminal Expansion project assessment?**

- On March 1, 2021, a final EA decision was made which allows the project to proceed following a rigorous assessment led by the Agency. The decision statement includes 330 binding conditions that will have to be met by the proponent.

**12. What is the status of the Énergie Saguenay project assessment?**

- On December 24, 2020, IAAC indicated to the proponent that further information is required and suspended the federal timeline.
- The environmental assessment conducted by the Quebec government is ongoing and is expected to be completed during this summer.

**13. What is the status of the Milton Logistics Hub project assessment?**

- On Jan 21, 2021, the Minister issued the Environmental Assessment Decision Statement to the proponent establishing 325 legally-binding conditions on CN to protect the environment and human health – many of which go beyond those initially proposed by the independent joint review panel and 40 of which address air quality specifically.
- The Milton Logistics Hub Project is now in the Post-Decision Phase, with IAAC verifying compliance with the IAA, including conditions in the project's Decision Statement.

**14. What is the status of the Grassy Mountain Coal project assessment?**

- The assessment is being conducted by a Joint Review Panel, established with the Alberta Energy Regulator. The Panel held a virtual public hearing from October to December 2020. The Panel must submit its report to the Minister and the Alberta Energy Regulator by June 18, 2021.

- The Coal Development Policy and associated ban on mountain-top coal mining does not affect the Grassy Mountain Coal Project, as it is located outside of the areas captured by the Policy.

**15. What is the status of the Lake Manitoba and Lake St. Martin Outlet Channels project assessment?**

- IAAC is reviewing the adequacy of the information submitted by the proponent on December 7, 2020 related to the Environmental Impact Statement and is awaiting further information from the proponent, while maintaining regular communication with the proponent to support as timely a review as possible.

**16. What is the status of the Springbank Off-Stream Reservoir project assessment?**

- IAAC is considering comments received during the public comment period as well as by Indigenous groups on the draft Environmental Assessment Report and the draft potential conditions in order to finalize the Environmental Assessment Report that will be submitted to the Minister.

**17. What is the status of the Meaford Hydroelectric Pumped Storage project assessment?**

- The Project is in the pre-Planning Phase and the proponent has not submitted a draft Initial Project Description. When the proponent submits a draft Initial Project Description, IAAC will review it and work with the proponent to support an effective Planning Phase under IAA.

**18. How many projects has the Minister designated under the *Impact Assessment Act*?**

- Since Coming into Force, the Minister has taken 28 designation request decisions and has designated four (4) projects to be assessed under IAA. There are two requests currently under consideration for which IAAC is conducting an analysis and will make a recommendation to the Minister on whether to designate the project under the Impact Assessment Act (Erin Wastewater Treatment Plant and Tent Mountain Mine Redevelopment).
- The Minister decided to designate the GTA West Project under the IAA because the project may cause adverse effects on federally-listed species at risk and there remains uncertainty on whether these effects can be mitigated through project design or the application of standard mitigation measures.
  - The Ontario Ministry of Transportation is now required to submit an Initial Project Description for its proposed GTA West Project.
  - The Agency will work with the Government of Ontario to explore opportunities to address concerns that have been identified. If concerns can be avoided, or mitigated, there is potential for a determination that no IA is required.
- The Minister decided not to designate the Bradford Bypass Project because existing legislations and regulations, along with the application of standard mitigation measures will address the potential adverse effects and public concerns.

**19. What are the ongoing and requested Regional Assessments?**

- There is one ongoing Regional Assessment centred on the Ring of Fire Area in Ontario.
- Consideration is being given to four requests for Regional Assessments.
  - From the Mohawk Council of Kahnawà:ke, of the St. Lawrence River.
  - From Heather McPherson, Member of Parliament for Edmonton Strathcona, of the impacts of all proposed coal developments and exploratory activity in Southwest Alberta on Treaty and Aboriginal rights, water quality, species at risk and the environment.
  - From Western Energy Corridor (WEC), of an interprovincial corridor extending from east central Alberta across Saskatchewan to Churchill, Manitoba that includes marine shipping in Hudson Bay.
  - From members of the public, of the area of the Don Valley and Don River.

**20. What is a strategic assessment under the *Impact Assessment Act* and have any been completed?**

- A strategic assessment under the *Impact Assessment Act* can assess policies, plans, programs and issues relevant to impact assessment.

- The Government of Canada published the Strategic Assessment of Climate Change in July 2020.
- In December 2019, the Minister of Environment and Climate Change launched the *Strategic Assessment of Thermal Coal Mining*.

## Consultations

### 21. How does the impact assessment process reflect Indigenous views and perspectives?

- The Government of Canada consults and partners with Indigenous peoples as part of the new impact assessment process. In addition to consultation to meet the Crown's common law duty to consult, IAAC focuses on early and inclusive engagement and participation at every stage, in accordance with a co-developed Indigenous Engagement and Partnership Plan. The aim is to secure free, prior and informed consent through processes based on mutual respect and dialogue.

### 22. How are opposing views amongst affected Indigenous groups or within communities balanced in the federal review process (e.g. elected vs. hereditary chiefs)?

- The Government's role in leading federal Crown consultation with Indigenous peoples in the context of impact assessment is not to balance the views or concerns expressed by different Indigenous groups, but rather to facilitate a meaningful dialogue with affected Indigenous groups.
- Analysis of all evidence and perspectives will factor into IAAC's assessment of the potential project effects (both positive and negative) and impacts on Indigenous rights and interests, which supports decision making by presenting all of the various perspectives and recommending the best available options for avoiding, mitigating or accommodating adverse impacts.

### 23. How have Indigenous and public consultations been affected by the Pandemic?

- Meaningful engagement with Indigenous partners and with the public continues even where face-to-face meetings are not possible during the COVID-19 pandemic.

## Newfoundland Offshore Regulations

### 24. What is the Regulation affecting offshore exploratory projects under the *Impact Assessment Act*?

- This Regulation enables offshore exploratory drilling projects to be excluded, under specific conditions, from a project-specific impact assessment under the *Impact Assessment Act*. Prior to drilling, proponents must demonstrate they are able to meet the requirements of the Regulation, and must continue to comply with the conditions of the Regulation throughout the drilling program.

### 25. What is the status of the judicial review by environmental organizations challenging the Regional Assessment and associated Ministerial Regulation, and how will it affect future exploratory drilling projects in the eastern portion of the Canada-Newfoundland Offshore Area?

- A judicial review of the Regional Assessment and the Regulation was initiated in May 2020. The hearing will be held on May 25 and 26, 2021 in Halifax and via Zoom.
- The Government of Canada will continue to defend the application for judicial review that has been brought against the Regional Assessment Report and the Regulation.

## Cost Recovery

### 26. How does cost recovery work under IAA?

- IAA enables IAAC to recover from project proponents certain costs incurred during the course of an impact assessment. Until a new regulation is in place, the existing *Cost Recovery Regulations*, developed under CEAA 2012, will apply to assessments under both CEAA 2012 and the IAA.

**27. Does IAAC intend to cost recover for an impact assessment led by IAAC?**

- IAAC's forward regulatory plan includes a proposal to develop new Cost Recovery Regulations to replace the existing regulations and prescribe the costs IAAC would recover for administering the federal IA process.

**Minister's Advisory Council on Impact Assessment (MINAC)**

**28. Why was the Minister's Advisory Council on Impact Assessment created and what is its mandate?**

- The Minister's Advisory Council is a requirement under the Act. The Council will provide independent, non-partisan advice on implementation of the new impact assessment regime, including the regional and strategic assessment regimes.
- For its first report, due in June 2021, the Minister asked the Council to focus on three priority areas: the governance structures and processes put in place to support implementation of the new impact assessment regime; regional and strategic assessment considerations and priorities; and the new Planning Phase.

**29. What is the composition of the Council?**

- The Council is composed of 12 appointed members from diverse and varied backgrounds. The President of IAAC is an ex-officio non-voting member.

**30. What is the timeline for the first report of the Council and how will you integrate its advice into the work of the Impact Assessment Agency?**

- The Council will report on its advice biennially. Its reports will be tabled in Parliament and published on IAAC's internet site. The first report must be submitted to the Minister by June of this year. The Minister must provide comments back to the Council within 90 days of receipt of the report and post those comments online.

**31. What is the difference between the Minister's Advisory Council on Impact Assessment, the Indigenous Advisory Committee and the Technical Advisory Committee, and what advice have any of these bodies provided?**

- The Technical Advisory Committee on Science and Knowledge and the Indigenous Advisory Committee were established in 2019 to provide advice to the Agency on its work under the IAA. These committees are comprised of technical or procedural experts who provide the Agency with information and expert advice to inform its work.
- The Minister's Advisory Council is a complementary body that was established in late 2020 to advise the Minister on the implementation of the new regime in relation to the purposes set out for it in the Act.

**Indigenous Cooperation Regulations**

**32. What is the status of the Indigenous Cooperation Regulations?**

- IAAC's forward regulatory plan includes a proposal to develop Indigenous Cooperation Regulations to enable the Minister to enter into agreements with Indigenous governing bodies to be considered jurisdictions under the Act and to exercise powers and duties relating to impact assessments carried out under the IAA.
- IAAC expects to communicate its next steps in the coming months to work with Indigenous peoples in the development of these regulations.

# IAAC ASSESSMENTS, By the Numbers

## IPDs Accepted: 15

- Planning Phase (Ongoing): 7
- Planning Phase (Ended): 5
- Impact Assessment Not Required 2
- Proponent Terminated: 1

## Impact Statement Phase 4

- Agency-led Assessments 3
- Integrated Review Panel 1

## Substituted Assessments (BC) 1

## Designation Requests: 28

- Projects Designated: 4
- Designation Request (Ongoing) 2

## Regional Assessments 5

- Completed RA (NFLD Offshore Oil & Gas) 1
- Ongoing RA (RoF) 1
- Request for RA (Ongoing) 3

## Strategic Assessments 3

- Request for SA (Ongoing) 1
- Planning for SA (SATCM) 1
- Completed SA (SACC) 1

## Anticipated Initial Project Descriptions:

- Next 6 months: ~9 IPDs

## Anticipated Projects Entering IS Phase:

- In 2021-22, expected to issue up to ~9 Notice of Commencement, including final TISGs and Plans

## Anticipated Impact Statements

- First Impact Statements are expected between December 2021-March 2022 (Gazoduq or Wasamac)

## Ongoing CEAA 2012 Assessments:

- Agency-led: 35
- Substituted: 8
- Review Panel: 6
- **Anticipated EA Decisions: ~16**  
(May-March 2022)



## List of Assessment Requests

| #  | Assessment Name   | Type of Assessment Request | Requestor                    | Result                                | Date of Ministerial Decision |
|----|---|----------------------------|------------------------------|---------------------------------------|------------------------------|
| 1  | Horizon Oil Sands Mine North Pit Extension                | Designation                | Indigenous Groups            | Designation Denied                    | 2/15/2019                    |
| 2  | L'Orignal Ontario Cement Plant                            | Designation                | Public                       | Designation Denied                    | 3/28/2019                    |
| 3  | Wanipigow Sand Extraction                                 | Designation                | Public                       | Designation Denied                    | 5/16/2019                    |
| 4  | Canso Spaceport Facility                                  | Designation                | Indigenous Group             | Designation Denied                    | 6/28/2019                    |
| 5  | Upham East Gypsum Quarry                                  | Designation                | NGO                          | Designation Denied                    | 6/28/2019                    |
| 6  | Thorlakson Nature's Call (TNC) Open Air Compost Operation | Designation                | NGO                          | Designation Denied                    | 8/8/2019                     |
| 7  | Goldboro Gold Mine  | Designation                | Indigenous Group             | Designation Denied                    | 12/12/2019                   |
| 8  | Reid Road Reservoir Quarry                                | Designation                | Federal Member of Parliament | Designation Denied                    | 12/12/2019                   |
| 9  | Rycroft Alternative Water Hub Facility                    | Designation                | Indigenous Group             | Designation Denied                    | 12/12/2019                   |
| 10 | Xplornet Telecommunications Tower                         | Designation                | Public                       | Designation Denied                    | 12/12/2019                   |
| 11 | 600 Creek Drainage Network                                | Designation                | Public                       | Designation Denied                    | 12/13/2019                   |
| 12 | Atwater Drainage Network                                  | Designation                | Public                       | Designation Denied                    | 12/13/2019                   |
| 13 | Blackbird Creek Drainage Network                          | Designation                | Public                       | Designation Denied                    | 12/13/2019                   |
| 14 | Brooksby Drainage Network                                 | Designation                | Public                       | Designation Denied                    | 12/13/2019                   |
| 15 | Dry Lake Drainage Network                                 | Designation                | Public                       | Designation Denied                    | 12/13/2019                   |
| 16 | Lang Creek West Drainage Network                          | Designation                | Public                       | Designation Denied                    | 12/13/2019                   |
| 17 | Saline Lake Drainage Network                              | Designation                | Public                       | Designation Denied                    | 12/13/2019                   |
| 18 | Vipond Drainage Network                                   | Designation                | Public                       | Designation Denied                    | 12/13/2019                   |
| 19 | Wascana Block A Drainage Network                          | Designation                | Public                       | Designation Denied                    | 12/13/2019                   |
| 20 | Northern Pulp Replacement ETF                             | Designation                | Indigenous Group             | Designation Denied                    | 12/16/2019                   |
| 21 | Coalspur Phase II   | Designation                | Public                       | <b>Project Designated<sup>1</sup></b> | 12/20/2019                   |

<sup>1</sup> Subjected to the IAA process

|    |  |                        |  |   |                              |
|----|--|------------------------|--|---|------------------------------|
| 22 | West Path Delivery Program                           | Designation            | Corporation,<br>Indigenous<br>Group                                  | Designation<br>Denied                     | 5/27/2020                    |
| 23 | Coalspur Vista Coal Underground Mine                 | Designation            | NGO,<br>Indigenous<br>Group  | <b>Project<br/>Designated<sup>2</sup></b> | 7/30/2020                    |
| 24 | Fording River Project (formerly Castle Mountain)     | Designation            | NGOs,<br>Indigenous<br>Groups  | <b>Project<br/>Designated<sup>3</sup></b> | 8/18/2020                    |
| 25 | CanPacific Potash - Project Albany                   | Designation            | NGO  | Designation<br>Denied                     | 8/26/2020                    |
| 26 | Surrey Langley SkyTrain and Broadway Subway          | Designation            | Public   | Designation<br>Denied                     | 9/28/2020                    |
| 27 | Vivian Sand Facility Project                         | Designation            | Provincial<br>MLA,<br>Indigenous<br>Group                            | Designation<br>Denied                     | 11/16/2020                   |
| 28 | NWT Railway Switching Operation                      | Designation            | Indigenous<br>Group  | Designation<br>Denied                     | 1/19/2021                    |
| 29 | Long Pond Development                                | Designation            | NGO  | Designation<br>Denied                     | 3/8/2021                     |
| 30 | Ontario Line Project                                 | Designation            | Group of<br>NGOs   | Designation<br>Denied                     | 4/16/2021                    |
| 31 | Bradford Bypass Project                              | Designation            | NGO  | Designation<br>Denied                     | 5/3/2021                     |
| 32 | GTA West Corridor                                    | Designation            | NGO  | <b>Project<br/>Designated<sup>4</sup></b> | 5/3/2021                     |
| 33 | Town of Erin Urban Centre Wastewater Treatment Plant | Designation            | Group of<br>NGOs   | Request Ongoing                           | <b>5/26/2021<sup>5</sup></b> |
| 34 | Tent Mountain Coal Mine Expansion Project            | Designation            | Federal<br>Member of<br>Parliament,<br>Indigenous<br>Groups,<br>NGOs | Request Ongoing                           | <b>6/1/2021<sup>6</sup></b>  |
| 1  | Ring of Fire   | Regional<br>Assessment | University,<br>Indigenous<br>Group, NGO                              | <b>Request<br/>Accepted<sup>7</sup></b>   | 2/10/2020                    |
| 2  | St. Lawrence River                                   | Regional<br>Assessment | Indigenous<br>Group  | Further<br>Information<br>required        | 10/27/2020                   |
| 3  | Coal Mining in Southwestern Alberta                  | Regional<br>Assessment | Federal<br>Member of<br>Parliament                                   | Request Ongoing                           | <b>6/18/2021<sup>8</sup></b> |

<sup>2</sup> Subjected to the IAA process

<sup>3</sup> Subjected to the IAA process

<sup>4</sup> Subjected to the IAA process

<sup>5</sup> Anticipated time limit

<sup>6</sup> Anticipated time limit

<sup>7</sup> Subjected to the IAA process

<sup>8</sup> Anticipated time limit

|   |   |                      |  |                 |                         |
|---|---|----------------------|--|-----------------|-------------------------|
| 4 | Western Energy Corridor                                 | Regional Assessment  | Consortium of Energy and Pipeline Executives | Request Ongoing | 6/21/2021 <sup>9</sup>  |
| 5 | Toronto Danforth Area                                   | Regional Assessment  | Public                                       | Request Ongoing | 7/19/2021 <sup>10</sup> |
| 1 | In Situ Decommissioning of Nuclear Facilities in Canada | Strategic Assessment | Indigenous Group                             | Request Ongoing | 5/7/2021 <sup>11</sup>  |

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<sup>9</sup> Anticipated time limit

<sup>10</sup> Anticipated time limit

<sup>11</sup> Anticipated time limit