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July 20, 2016

Review of Environmental Assessment Processes  
Canadian Environmental Assessment Agency  
160 Elgin Street, 22nd Floor  
Ottawa ON  
K1A 0H3  
Via email: CEAA.EARReview-ExamenEE.ACEE@ceaa-acee.gc.ca

**Re: Environmental assessment processes: Draft Terms of Reference for Expert Panel**

Thank you for the opportunity to comment on the terms of reference for the expert panel review of Canada's federal environmental assessment (EA) processes. We welcome the federal government's appointment of an independent review panel and look forward to participating in the review.

CPAWS is a not-for-profit charity that has been working to protect public lands and waters in Canada since 1963. We have 13 regional chapters and a national office in Ottawa, and over 100,000 supporters. Our staff and members across Canada regularly participate in environmental assessment processes related to industrial projects, strategic environmental assessments and assessments of projects and activities in and around federal protected areas.

We note and support the comments submitted on the terms of reference by our colleagues at CPAWS Wildlands League Chapter as well as those submitted by other environmental groups including West Coast Environmental Law Association, Ecojustice Canada and the Canadian Environmental Law Association.

We are submitting this complementary letter to flag an important area that falls within the scope of the review panel's terms of reference, which is that **there is an urgent need to review and substantially improve environmental assessment processes for national parks and other federal protected areas, both terrestrial and marine**. The enactment of CEAA 2012 resulted in a serious downgrading in the frequency, rigour and transparency required for environmental assessments in national parks and other federal protected areas. This has contributed to an increase in development pressures in a number of national parks, putting their ecological integrity at greater risk. Ensuring the highest standards of EA are applied to projects inside and around protected areas is critical to deliver on our collective responsibility to protect these areas and pass them along unimpaired to future generations, and to maintain their role as cornerstones of Canada's biodiversity conservation efforts.

More generally, CPAWS supports the comments from other groups calling for a broadening of the definition and purpose of EA's, as well as the scope of the review to ensure it enables a visionary new approach to EA, rather than just tweaking the current approach.

Environmental assessments should be explicitly linked to a broader public interest and sustainability goals of protecting the environment and supporting human well-being. This means EA's should compare alternative approaches, including no-go options, to inform the selection of the most sustainable path forward. Also, EA processes should apply not only to projects, but also to undertakings including plans, policies and programs.

The review should go beyond examining how EA's are currently conducted by the three responsible authorities under CEAA 2012, to include a review and consideration of the strengths, limitations and alternatives to current approaches more generally, including strategic level solutions to strengthen EA law and practice.

It is essential that EA's better address Indigenous rights and interests, cumulative effects, climate change and biodiversity commitments, and include transparent public engagement from the earliest stages.

We appreciate the urgency of upgrading the federal EA framework, but also reflect that there needs to be adequate time to consult broadly and consider complex issues and substantial changes. To address this tension between urgency and comprehensiveness, we support the recommendation that the Jan 31 2017 report deadline be followed by a public comment period and the opportunity for the Panel to revise the report in light of comments received.

We look forward to submitting more detailed recommendations during the review process.

Thank you for your attention to these issues.

Sincerely,

A handwritten signature in cursive script that reads "Alison Woodley".

Alison Woodley  
National Director, CPAWS Parks Program