

2021-11-16 - Comments on the 2021-07-14 Webequie Supply Road Project Cumulative Effects Study Plan

#	Reference to Study Plan	Link to <a href="#">Tailored Impact Statement Guidelines (TISG)</a>	Context	Required Action
1	General Comment	Section 22	<p>The TISG requires an assessment of environmental, health, social and economic cumulative effects. Although this is mentioned in Section 1 of the study plan, the focus throughout the plan is exclusively on environmental effects.</p> <p>The issues scoping and effects to VCs in Section 2 of the study plan refer only to environmental effects but also must include changes to <i>health, social and economic conditions</i>.</p> <p>In the analysis described in Section 2.2 of the study plan, criteria used to assess changes to VCs and conditions must include a description of the health, social and economic contexts within which potential effects would occur, as well as input from Indigenous groups in assigning the criteria to be used and characterizing the effects.</p> <p>Agency <a href="#">guidance on assessing cumulative effects under CEAA 2012</a> focuses on cumulative effects linked to the biophysical environment. The Impact Statement must meet the requirements of the TISG, which includes the assessment of cumulative effects related to changes in the environment as well as changes in health, social and economic conditions.</p>	Describe in detail how changes in health, social and economic conditions, within which potential cumulative effects would occur, will be assessed.
2	1.3	<p><b>Section 24</b>                      “To inform the factors to consider described in paragraph 22(1)(i) of IAA, the Impact Statement should describe the effects of the Project in the context of environmental obligations, with a focus on Government of Canada obligations and commitments relevant to decision-making.”</p> <p>“...the Impact Statement should describe: a) how the Project’s effects (including contribution to cumulative effects) may contribute to Canada’s ability to meet its obligations (e.g., related to biodiversity); and b) how the Project’s effects (including contribution to cumulative effects) may hinder Canada’s ability to meet its obligations.”</p>	In relation to the approach to assessing cumulative effects from GHG emissions, the study plan should consider and refer to Section 24 of the TISG and to <a href="#">Policy Context: Considering Environmental Obligations and Commitments in Respect of Climate Change under the Impact Assessment Act</a> . The cumulative effects assessment should situate project effects in the context of the Government of Canada’s climate change commitments (whereby the analysis goes beyond an assessment of GHG emissions), including future projections related to climate change (see comment #6 on temporal boundaries below).	Demonstrate in the study plan how the approach to the cumulative effects assessment for the Project would consider the Government of Canada’s climate change commitments, including future projections related to climate change.
3	2.1	<p><b>Section 22</b>                      “...The cumulative effects assessment must include consideration of cumulative effects to rights of Indigenous peoples and cultures, for all potentially impacted groups including those located in the areas which will be impacted by increased access to the region by exploration and mineral development projects. Both the content and means of presenting this</p>	The study plan should refer to <a href="#">Guidance: Assessment of Potential Impacts on the Rights of Indigenous Peoples</a> in its discussion of cumulative effects to rights. The study plan should refer to this throughout when outlining its approach on cumulative effects to Indigenous interests.	Incorporate, into the approach when assessing the cumulative effects to Indigenous interests that is described in the study plan, the Agency guidance on potential impacts to the rights of Indigenous peoples.

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		information is to be developed in consultation with each potentially impacted Indigenous group. Proponents must engage with and clearly document and incorporate the views of Indigenous groups in the cumulative effects assessment...”		
4	2.1.1	<b>Section 13</b> <b>Section 16</b> <b>Section 17</b> <b>Section 18</b>	The study plan references Beanlands and Duinker (1983). The language and approach in this paper does not align well with the TISG in the context of health, social and economic effects. The study plan, particularly in relation to key criteria/indicators and how to assess changes to health, social and economic conditions, should refer to the Agency guidance on <a href="#">Analyzing Health, Social and Economic Effects under the Impact Assessment Act</a> .	Demonstrate how the approach when assessing the cumulative effects, as described in the study plan, aligns with the TISG and Agency guidance on analyzing health, social and economic effects.
5	2.1.2.1	<b>Section 7.4</b> “The spatial and temporal boundaries determined and established for the impact assessment will vary depending on the valued component and are considered separately for each valued component, including valued components related to the environmental, health, social and economic conditions of Indigenous peoples, or other potential effects and impacts....”	The spatial boundaries must include social boundaries in order to assess changes to health, social and economic conditions (including administrative, political or other human-made spatial boundaries that will be particularly relevant for health, social or economic VCs). Refer to <a href="#">Analyzing Health, Social and Economic Effects under the Impact Assessment Act</a> and the TISG. This also applies to descriptions of the study area.	Establish boundaries that take into account potential changes to health, social and economic conditions (including administrative, political or other human-made) for health, social and economic VCs when defining boundaries and study areas.
6	2.1.2.2	<b>Section 7.4.2</b> “...When defining temporal boundaries, the proponent should consider how elements of environmental, health, social and economic well-being that local communities, including municipalities, and Indigenous groups identify as being valuable could change over time...”  <b>Section 22</b> “...Cumulative effects are defined as changes to the environment, health, social and economic conditions, as a result of the Project’s residual environmental, health, social and economic effects combined with the existence of other past, present and reasonably foreseeable physical activities, as well as within activities of the Project itself from multiple emissions and discharges (e.g., simultaneous operations) to understand synergistic or additive effects...”  “ ... <ul style="list-style-type: none"> <li>temporal boundaries must include an appropriate baseline and should look at all potential effects throughout the lifecycle of the Project...”</li> </ul>	The temporal boundaries must extend to post-project legacy effects beyond the construction and operation phases. The effects associated with the operation phase are described as “continuing indefinitely” but that is not explained, or how the study plan will incorporate these future changes to the environment, or to health, social or economic conditions, in the cumulative effects assessment. The study plan should address this explicitly. The cumulative effects assessment should discuss past, present and <i>reasonably foreseeable projects and activities</i> (i.e., projects and activities that are expected to continue into the future and whose effects to VCs may occur beyond existing conditions). In addition to cumulative effects related to future projects and activities, future projections related to climate change should also be considered.  The approach and level of effort applied to the assessment of future conditions for a VC in the cumulative effects assessment will differ depending on, for example, the potential of the project to contribute to future cumulative effects; the sensitivity of the VC to the project’s effects; the health or status of the VC that may be affected by the project; and the level of past or existing disturbance in the project’s delineated spatial areas.	Describe what is meant by “continuing indefinitely” and how these changes to the environment, health, social and economic conditions will be addressed in the cumulative effects assessment.  Include the following in the cumulative effects assessment: <ul style="list-style-type: none"> <li>past, present and reasonably foreseeable projects and activities; and</li> <li>future projections related to climate change.</li> </ul>

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7	2.1.3	<b>Section 22</b> “...If there is an ongoing or completed regional assessment in the proposed project area, the proponent should use the information generated through that process to inform the cumulative effects assessment.”	When identifying physical activities for the cumulative effects assessment, the proponent should reference regional assessments as a comparator for the cumulative effects assessment. The Regional Assessment in the Ring of Fire Area may provide relevant information.	Include information generated through relevant regional assessments to inform the cumulative effects assessment.
8	2.2.2	<b>Section 22</b> “...Cumulative effects are defined as changes to the environment, health, social and economic conditions, as a result of the Project’s residual environmental, health, social and economic effects combined with the existence of other past, present and reasonably foreseeable physical activities...”  “... The Impact Statement must: ... • assess the cumulative effects to each valued component selected by comparing the future scenarios with the Project and without the Project. Effects of past activities (activities that have been carried out) are to be used to contextualize the current state of the valued component...”	The study plan states “For the cumulative effects assessment of the no-project scenario, the baseline condition of the VC, as determined through the project-specific effects assessment, will be adopted as a point of reference.”  The effects of past and existing projects and physical activities can be used to put the current state of the VC into context, and should be included in the cumulative effects analysis. The analysis should consider the degree to which the VC has already been impacted, rather than solely future impacts: i.e., CE = (past + present + predicted future effects of other physical activities) + residual effect of the project	Describe how the VC has already been impacted by past and existing projects and physical activities as part of the cumulative effects assessment. Establish the historical baseline, where possible (e.g. oral histories, past records) and the change from that historical baseline to present conditions.
9	2.5	<b>Section 21</b> “Proponents must describe the extent to which residual effects are adverse.... The description of the effect can be either qualitative or quantitative.”  <b>Section 22</b> “... The Impact Statement must: ... • describe and, where appropriate, quantify the level and severity of the adverse cumulative effects; ...”	The study plan states “Finally, the significance of the predicted cumulative effect will be classified as either “significant” or “not significant””.  More detail than a binary significant/not significant distinction is required to meet the requirements of Section 22 of the TISG.	Ensure that the adverse effects, and how their level and severity are determined, will be qualitatively and/or quantitatively described in the Impact Statement.  Provide criteria definitions and the rationale for the choice of criteria used to determine the extent to which the predicted effects are adverse.
10	2.6	<b>Sections 26, 26.1 and 26.2</b>	The description of follow-up program in the study plan is high level and does not include some of the elements required in Sections 26, 26.1 and 26.2 of the TISG.  The study plan does not indicate that effects on health, social and economic conditions would be included in the follow up program and follow-up program monitoring, as is required in Sections 26, 26.1 and 26.2 of the TISG.  The description of the follow-up program in the study plan does not demonstrate a commitment to the elements of the follow-up program framework, as outlined in Section 26.1 of the TISG; for example, the follow-up program, as described in the study plan, does not involve Indigenous groups in the development and implementation of the program.	Include, in the Impact Statement, descriptions of the follow-up program, its framework and monitoring that reflect the requirements of Sections 26, 26.1 and 26.2 of the TISG, including follow-up on effects from changes in environmental, health, social and economic conditions, and involvement of Indigenous groups in the development and implementation of the follow-up program.

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11	2.4	<p><b>Section 21</b>  “... The Impact Statement must:</p> <ul style="list-style-type: none"> <li>describe any differential effects as per GBA+ (e.g., are the effects more severe for some groups than others)...”</li> </ul> <p><b>Section 22</b>  “... The Impact Statement must: ...</p> <ul style="list-style-type: none"> <li>describe and, where appropriate, quantify the level and severity of the adverse cumulative effects; ...”</li> </ul>	The study plan includes the use of GBA+ in the cumulative effects assessment. The study plan should align with <a href="#">Guidance: Gender-based Analysis Plus in Impact Assessment</a> . This guidance should be the point of reference for the GBA+ approach.	Refer to Agency guidance on GBA+ in Impact Assessments to inform the cumulative effects assessment.
12	<p><b>Summary of relevant links:</b></p> <p><a href="#">Policy Context: Considering Environmental Obligations and Commitments in Respect of Climate Change under the Impact Assessment Act</a></p> <p><a href="#">Guidance: Gender-based Analysis Plus in Impact Assessment</a></p> <p><a href="#">Analyzing Health, Social and Economic Effects under the Impact Assessment Act</a></p> <p><a href="#">Guidance: Assessment of Potential Impacts on the Rights of Indigenous Peoples</a></p> <p><a href="#">Follow-up Programs under the Canadian Environmental Assessment Act - Canada.ca</a></p>			