

# Impact Assessment of the Gazoduq Project

IMPACT ASSESSMENT AGENCY OF CANADA COMMUNITY  
MEETINGS  
FEBRUARY 2020



Impact Assessment  
Agency of Canada

Agence d'évaluation  
d'impact du Canada

Canada 

# Presentation layout

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- a) Introduction to Federal Impact Assessment
- b) Integrated Review Panel on the Impact Assessment Process
- c) How to participate



# Introduction to the Federal Impact Assessment

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GAZODUQ PROJECT



# Impact Assessment Agency of Canada

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## About us

- The Impact Assessment Agency of Canada (the Agency) is responsible for conducting high-quality impact assessments and is the centre of expertise in this area within the Government of Canada.
- The Agency is responsible for federal reviews of major projects and collaborates with other agencies, as well as with provincial, territorial and Indigenous jurisdictions.
- Prior to the coming into force of the new *Impact Assessment Act* on August 28, 2019, the Agency was known as the Canadian Environmental Assessment Agency.



# What is an impact assessment?

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- An impact assessment is a study of the effects of a designated project conducted in accordance with the *Impact Assessment Act* (IAA). The *Physical Activities Regulations* establishes criteria for which projects are “designated”.
- Effects are defined as changes to the environment or to health, social or economic conditions and the positive and negative consequences of those changes.
- In addition to the effects, the assessment must consider several factors, such as cumulative effects, accidents and malfunctions, mitigation measures, impacts that the project may have on any Indigenous group, including on their rights, alternative means, Indigenous and community knowledge, and sustainability.



# Agency – Crown Consultation

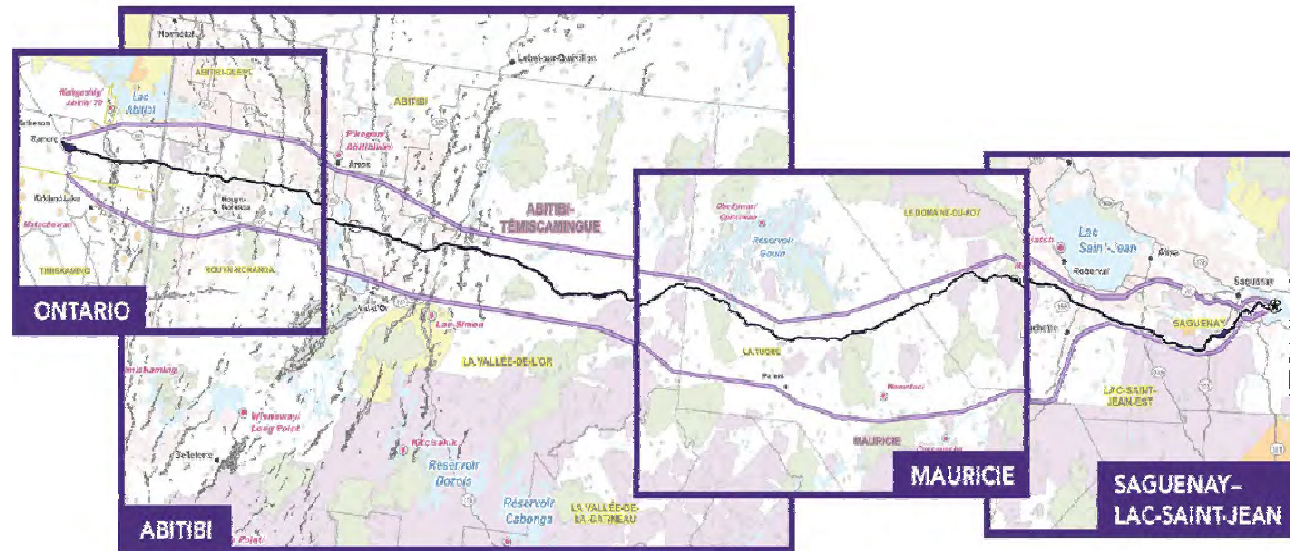
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- The *Impact Assessment Act* recognizes the special Constitutional relationship between the Crown and Indigenous groups and nations and the particular perspectives and interests they bring to the process.
- The Agency leads the consultation process and coordinates participation of other federal authorities or lifecycle regulators as appropriate, enabling a “one window” point of contact for Indigenous groups throughout the assessment process.
- The Agency works in cooperation and collaboration with the Indigenous groups and nations during the consultations on the Project to identify the options to avoid, mitigate or accommodate the issues or concerns related to the Project.



# The Proposed Project

- Gazoduc Inc. is proposing the construction and operation of a natural gas pipeline approximately 780 kilometres long starting at TC Energy Limited's existing main natural gas system near Ramore, Ontario ending at Saguenay, Quebec.
- The Project is a designated project under the *Impact Assessment Act*. The Project is also subject to the *Canadian Energy Regulator Act*.
- The Project's assessment is referred to an assessment by review panel.



# What is a review panel?

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- A review panel is a group of independent experts appointed by the Minister to conduct an impact assessment.
- Members must:
  - have knowledge or experience relevant to the Project's anticipated effects or have knowledge of the interests and concerns of the Indigenous peoples of Canada that are relevant to the assessment.
  - Must be unbiased and free from any conflict of interest relative to the Project.







# Impact Assessment Process led by an Integrated Review Panel

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PROJECT SUBJECT TO THE  
*CANADIAN ENERGY REGULATOR ACT*

# Integrated Review Panel Impact Assessment Process

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- For any project subject to the *Canadian Energy Regulator Act* (CERA), the Minister automatically refers the project to an integrated review panel.
- A single assessment, the integrated assessment, will be conducted through a panel review process and will meet the requirements of the relevant legislation (IAA and CERA).
- The Canada Energy Regulator will take part in all stages of the impact assessment to provide expertise.
- The impact assessment for the Gazoduq Project will be the first integrated review panel under IAA and CERA.

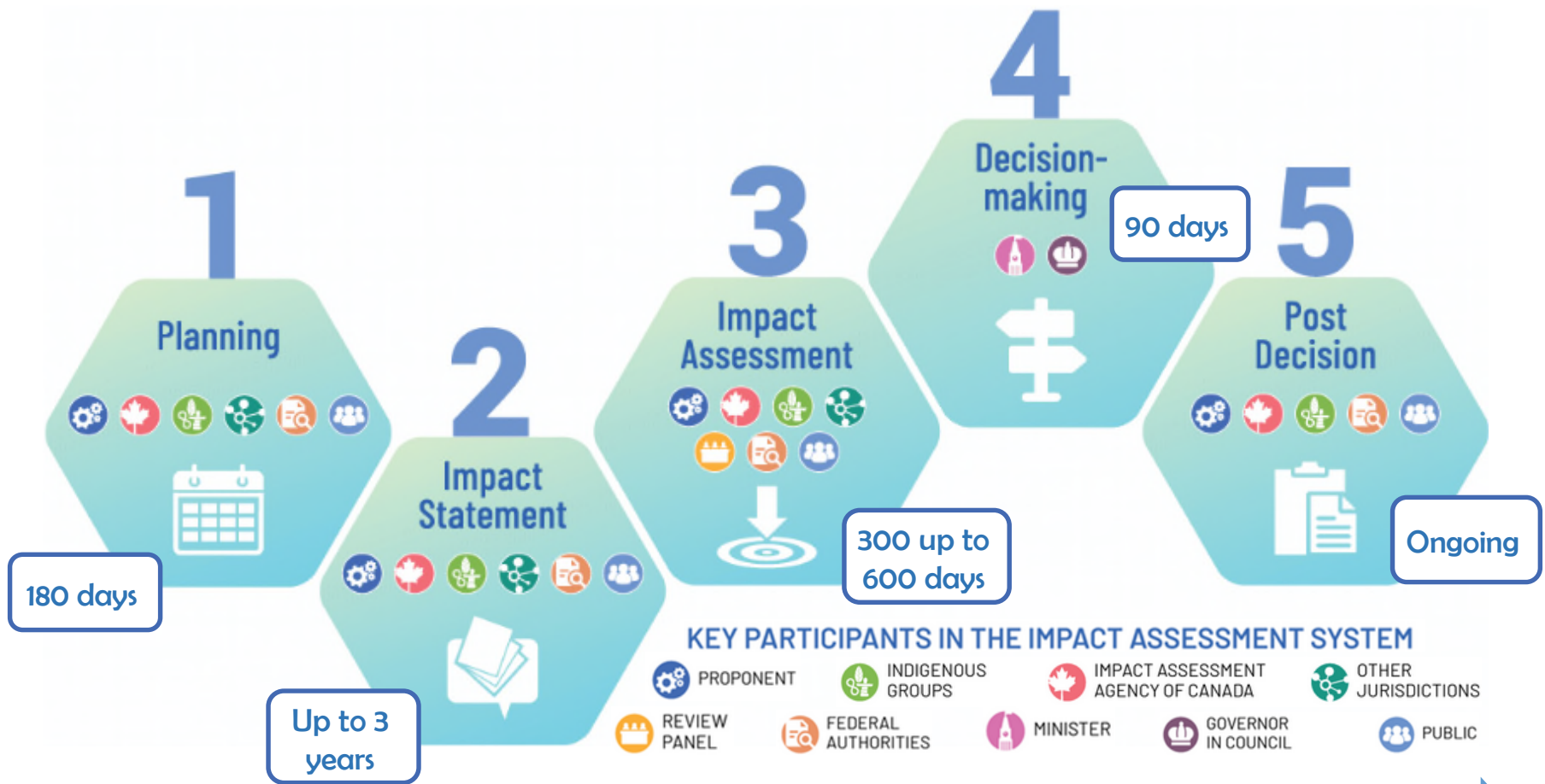


# Canada Energy Regulator

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- The Regulator works to ensure the safe transport of energy everywhere in Canada. We work in the public interest.
- The Regulator is responsible for overseeing the movement of energy in Canada, including companies that operate oil and gas pipelines as well as power lines that cross national, provincial or territorial borders.
- The Regulator regulates the operation, development and transmission of energy products (pipelines, international power lines, renewable energy projects, land access and oil, gas and electricity exploration).
- For projects requiring a certificate, like Gazoduq, the company cannot begin construction before a detailed route is also approved. This occurs after a certificate is granted.

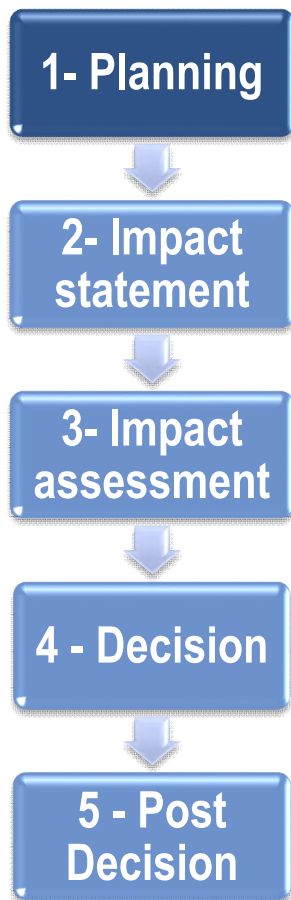
# Impact assessment process



The Agency conducts Indigenous consultations throughout the process.


# 1- Planning

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- A new phase defined in the Act with the objective of encouraging participation and mobilization from the start of the process.
- The Agency and the Regulator consult with Indigenous groups and nations, the public, federal authorities and other jurisdictions in order to:
  - Identify and address issues at the earliest opportunity, to the extent possible,
  - Help guide the process and define the impact assessment phase, and
  - Specify the information and studies that the proponent must provide in its impact statement.
- Timeframe: 180 days

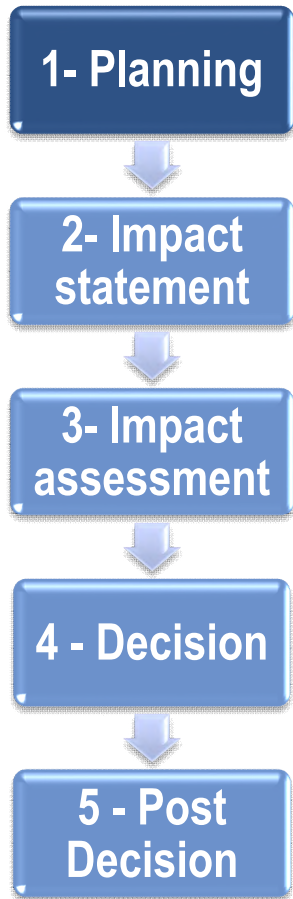
# 1- Planning: Progress as of February 2020

Steps	Deadlines*
Planning phase begins - Agency accepts proponent's project description	October 22, 2019
Public consultation period on the initial project description	October 22 - November 22, 2019
Agency transmits summary of issues to the proponent	November 29, 2019
Sponsor submits detailed project description	January 10, 2020
Agency determines that an impact assessment is required	January 22, 2020
Comments on the guidelines and public participation plan	January 30 – March 10, 2020 
Post Notice of the Commencement of the Impact Assessment including the guidelines and plans	Mid-April 2020



# 2 - Impact statement phase

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- Once the Guidelines and related plans are finalized, the Agency posts the Notice of Commencement of Impact Assessment.
- The proponent prepares the impact statement and submits it to the Agency.
- The Agency reviews the impact statement in collaboration with the Regulator.
- If the impact statement does not comply with the Guidelines, the Agency will require the proponent to provide the missing information or revisions.
- Once the Agency is satisfied that the impact statement contains all the studies and information set out in the Guidelines, the Agency will publish a notice and begin the impact assessment phase conducted by a review panel.

# 3 - Impact assessment conducted by an Integrated Review Panel



- Begins when the Agency determines that the impact statement contains all the information requested.
- Integrated Review Panels have a 300-day time limit. For more complex projects, the Agency could set a maximum of 600 days for the review. Time limit to be confirmed at the end of the planning phase.
- Milestones for the Integrated Review Panel:
  - Analyses the information and studies provided in the impact statement and comments from participants.
  - Seeks clarification from the proponent or participants, as required.
  - Holds public hearings.
  - Prepares a report containing its rationale, conclusions and recommendations, including recommendations on conditions, and submits it to the Minister.



# Review Panel Hearings

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- Allows participants to present to the panel, in person or in writing, their expertise, comments and views on the potential positive and negative effects of the project, as well as on mitigation and follow-up measures.
- Allows the proponent to explain the project and respond to questions and concerns raised by other participants.
- Allows the panel, participants and the proponent to ask questions about the information presented.
- Allows for fair and transparent participation by Indigenous peoples, the public and the proponent.
- To take place throughout the project's trajectory - to be determined.
- Announced at least 45 days in advance.

# Agency's responsibility once the report is submitted

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- Once the Panel submits its report, the Agency finalizes the potential terms and conditions and the report on consultation with Indigenous groups and nations for the Minister.
- The Agency consult if conditions are added to the Panel's proposed conditions or if conditions are modified.

# 4– Decision-making

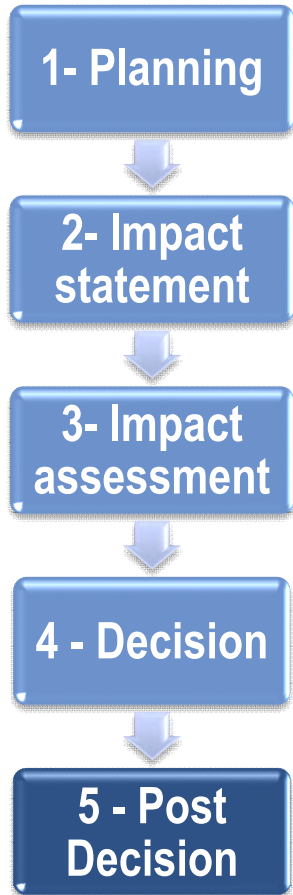
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- The Minister, in consultation with the Minister of Natural Resources, refers the public interest determination to the Governor in Council.
- The Governor in Council determines whether the adverse effects within federal jurisdiction are in the public interest, and whether the Crown's duty to consult with Indigenous peoples and accommodate their needs has been fulfilled.
- The Agency publishes the Minister's decision statement on the Registry, including the reasons for the determination and the conditions.
- If the project is approved, the Regulator may make regulatory decisions under the CERA.

# 5 - Post-Decision

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Takes place if the project is approved

- The Regulator becomes responsible for the Crown's responsibilities.
- The Regulator verifies and enforces regulatory requirements throughout all phases of the project, from construction to operation and maintenance, and during temporary or permanent pipeline suspensions, such as deactivation, decommissioning and abandonment.
- The Regulator is committed to providing the public with information about the safety of the pipelines and facilities it regulates, including company performance and enforcement actions.
- All enforcement actions taken are made public.

# Next steps for Gazoduq

Steps	Deadlines*
Comment period	January 30 - March 19, 2020
Finalize guidelines and plans	Mid-April 2020 (Notice of Commencement)
Preparation of the impact statement by the proponent, followed by the Agency's compliance review	Maximum of 3 years
Review Panel Impact Assessment Phase (technical review, hearings, report preparation)	300 to 600 days ((to be specified with the notice of commencement of the impact assessment in mid-April)
Decision phase	90 days





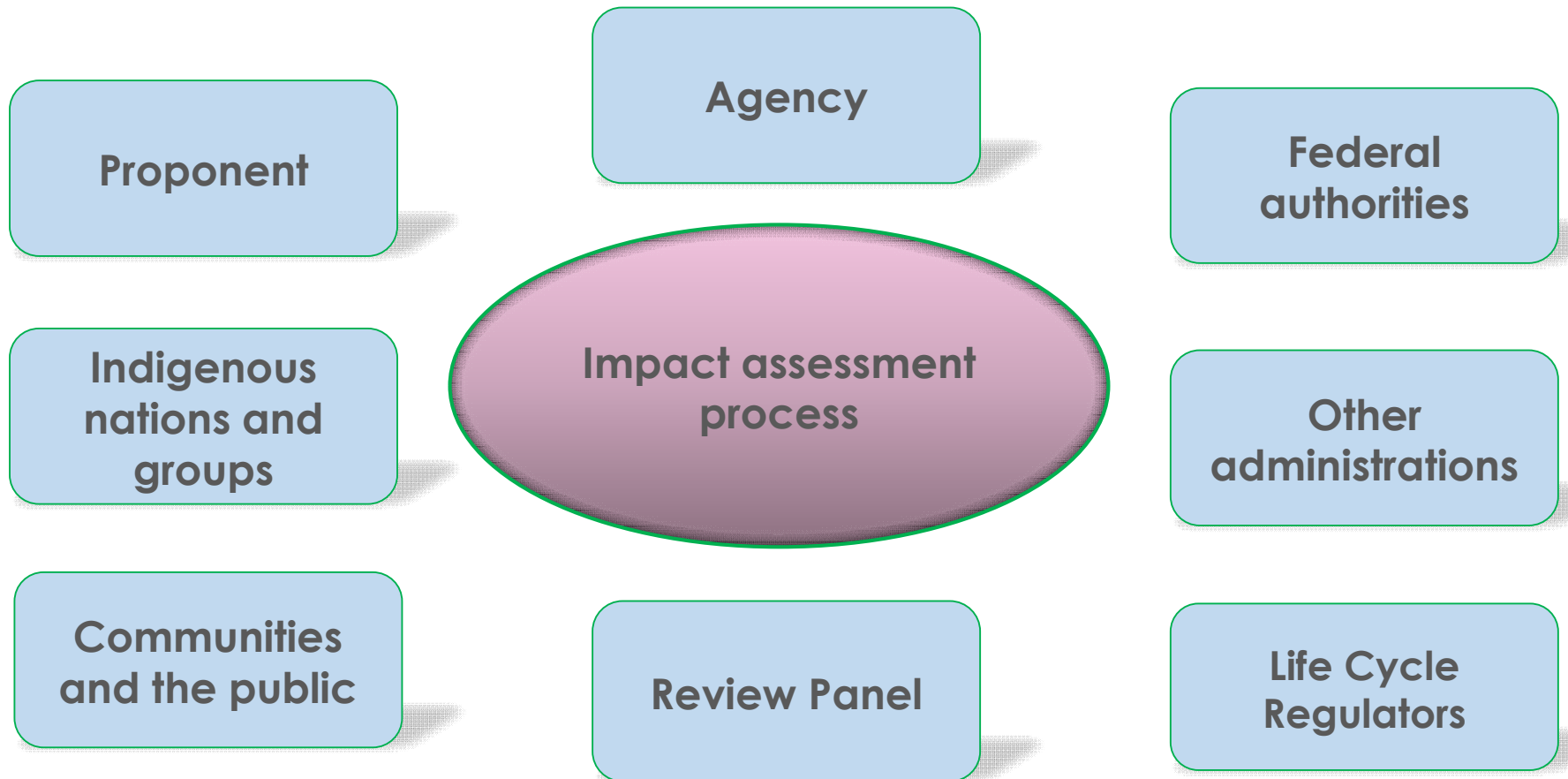
# Participation

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OPPORTUNITIES TO PARTICIPATE

# Participants in the impact assessment

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# Opportunities to participate

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- **Comments on key documents:**

- ★ ◦ The Guidelines and Public Participation Plan (ongoing - until March 10)
- The panel's terms of reference and the joint review panel agreement, if applicable.
- Proponent's Impact Statement
- Potential conditions developed by the Integrated Review Panel

- **Participation in:**

- Interactive Community Meetings (ongoing - see public notice)
- Public Hearings





# Tailored Impact Statement Guidelines

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- Proponent is provided with given clear and detailed requirements.
- Specify the information and studies deemed necessary for the project's impact statement.
- The impact statement must be informed by reliable scientific data, Indigenous knowledge and community knowledge.
- Comment period on the tailored impact statement guidelines from January 30 to March 10 for all participants.



# Tailored Impact Statement Guidelines - Comments

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- Please consider the following when drafting your comments. For example, tell us:
  - What environmental, health, social or economic conditions, either positive or negative, are important to you or your community?
  - What areas of particular importance to you might be affected by the project?
  - Any other issues you would like to see address in the final version of the Guidelines.



# Public Participation Plan – Comments

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- This document describes the objectives of public participation, how people wish to participate and all opportunities for participation in each phase of the impact assessment process.
- Please consider the following when drafting your comments. For example, tell us:
  - Your preferences, as well as your suggestions for communication and participation tools that could facilitate your participation.
  - Challenges you or your community face that may prevent you from accessing participation opportunities for this project (for example, linguistic, economic, technical or other factors).



# How to participate

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- a) By providing comments on key documents using:
  - “Submit a Comment” available on the Registry at [iaac-aeic.gc.ca/050/evaluations/proj/80264](http://iaac-aeic.gc.ca/050/evaluations/proj/80264).
  - email or mail.
- b) By participating in events organized by the Agency or the Review Panel namely the Community Meetings and Public hearings
- c) By frequently consulting the Canadian Impact Assessment Registry
- d) Distribution list for Agency or Review Panel updates and notices
  - To register, send an email to [iaac.gazoduq.aeic@canada.ca](mailto:iaac.gazoduq.aeic@canada.ca) with your full name and email address.



# Canadian Impact Assessment Registry

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- The Registry is a platform that provides access to information to help the public participate in the impact assessment process.
- The Registry contains information and records on impact assessments. It consists of two parts:
  - a website containing key information on impact assessments (Project Gazoduq: [iaac-aeic.gc.ca/050/evaluations/proj/80264](http://iaac-aeic.gc.ca/050/evaluations/proj/80264))
  - project files containing all the documents produced, collected or presented in the context of an impact assessment.



# Participant Funding Program (PFP)

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- Promotes the involvement of the public and Indigenous peoples in participation activities conducted by and the review panel, for example:
  - participation in Indigenous consultations.
  - participation in key public participation opportunities provided during engagement activities conducted by the Agency and a review panel.



# Participant Funding Program (PFP)

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- Eligible costs include, for example, travel, professional services, report preparation, research, and information analysis.
- Criteria to meet in order to qualify for funding:
  - have a direct and local interest in the project;
  - have local knowledge or Indigenous traditional knowledge that may be relevant to the impact assessment;
  - have specialist information with respect to the project's anticipated effects;
  - have an interest in how the project may affect treaty lands, settlement lands, traditional territories or traditional territories.



# References

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- **Gazoduq Project Registry:** [iaac-aeic.gc.ca/050/evaluations/proj/80264](https://iaac-aeic.gc.ca/050/evaluations/proj/80264)
- **Link to the most recent Public Hearing Webcast:** [Review Panel for the Milton Logistics Hub Project: https://iaac-aeic.gc.ca/050/evaluations/document/131087](https://iaac-aeic.gc.ca/050/evaluations/document/131087)
- **Agency Website – Processes, policies and guidance:** <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance.html>
- **Agency Website:** <https://www.cer-rec.gc.ca/index-eng.html>





# Contact us

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- **General Information**

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- **Media Relations:**

Canada Impact Assessment Agency  
343-549-3870 / [iaac.media.aeic@canada.ca](mailto:iaac.media.aeic@canada.ca)

- **Participant Funding Program:**

1-866-582-1884 / [iaac.FP-PAF.aeic@canada.ca](mailto:iaac.FP-PAF.aeic@canada.ca)





Thank you!

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Questions?

