

Environmental Assessment in PEI

Department of Communities, Land and Environment
Presentation to the Expert Panel on Federal EA Review
Fredericton NB, October 11, 2016



Legislation

- EA's proposed developments which may qualify as undertakings as defined in the *Environmental Protection Act*.
- Section 9 of the EPA outlines the requirements
- EIA Guidelines Document (revised 2010) used to present the requirements under the EIA process to developers, planners and public



Legislation

- Under the EPA four main criteria as used for determining whether a project requires an EIA, or not:

Any proposal which will or may

(i) cause the emission or discharge of any contaminant into the environment,

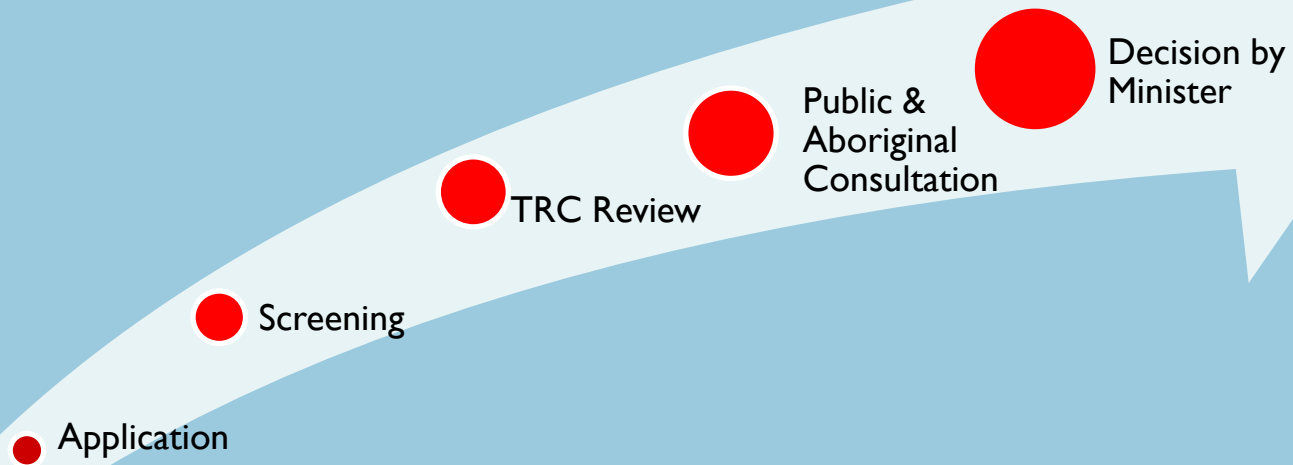
(ii) have an effect on any unique, rare or endangered feature of the environment,

(iii) have a significant effect on the environment or necessitate further development which is likely to have a significant effect on the environment

(iv) cause public concern because of its real or perceived effect or potential effect on the environment



Typical EA Process



EA Similarities with other Jurisdictions

- All documents are review by Technical Review Committee (TRC)
- TRC made up of Provincial and Federal Departments
- Compile info from TRC responses
- Aboriginal advisement and consultation
- Prepare the screening report and recommendation for minister
- Minister makes decision to approve, or deny



Federal/Provincial EA Interactions

- Prior to CEAA 2012 the Province of PEI and Federal Departments carried out a large number of assessments (smaller scale)
- Since CEAA 2012 there have been no “designated projects”
- Have conducted a few Joint/Collaborative EA’s
- Example – 2015/16 PEI-NB Underwater Cable Interconnection Upgrade Project



Cable Project

- Proponent – PEI Energy Corp
 - Installation of two 180 MW submarine cables between Borden, PEI and Cape Tormentine, NB, (16.5 km) in the Northumberland Strait,
 - 60 km of new overhead transmission line construction between Cape Tormentine and Memramcook in NB
- PWGSC conducted a CEEA Section 67 determination as Federal Authority
- Based that some portion of Northumberland Strait is considered federal land



Cable Project



Cable Project

- Project triggered the PEI & NB EA processes
 - PWGSC coordinated Federal Departments
 - PEI EA coordinated the provincial Dept's & Aboriginal Duty to consult on PEI
 - NB EA coordinated their provincial Dept's & Aboriginal Duty to consult in NB
 - One document CEAA/EIA submission
 - Federal Dept's participated in Aboriginal Consultations in both NB and PEI



Suggested Improvements to Current Federal EA Process

- Minimum Standards for Aboriginal Consultation which apply across the country
- Every jurisdiction has its own specific policies but..
 - Standards around which First Nations to consult with?
 - Mechanism for consultations?
 - Timelines?
 - Clarity on when to start consultation/when is it finished?



Best Practices and Lessons Learned

- PEI successfully uses a joint/collaborative approach to EA's with Federal Departments including consultation activities
- PEI supports the principle of one project, one document, one assessment.
- For small provinces, like PEI, with limited resources, Federal Government needs to ensure that scientific expertise and input continue to be provided in the future



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