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Johanne Gélinas, Chair, Expert Panel  
Review of Federal Environmental Assessment Processes  
VIA EMAIL: [CEAA.EARReview-ExamenEE.ACEE@ceaa-acee.gc.ca](mailto:CEAA.EARReview-ExamenEE.ACEE@ceaa-acee.gc.ca)

Dear Ms. Gélinas:

**Re: Metro Vancouver Staff Comments on the Review of Federal Environmental Assessment Process**

Metro Vancouver is pleased to provide feedback to the Expert Panel appointed by the Minister of Environment and Climate Change to review the federal environmental assessment processes.

Metro Vancouver is a regional government that reflects a partnership of 21 municipalities, one Electoral Area and one Treaty First Nation that collaboratively plans for and delivers regional-scale services. Metro Vancouver provides drinking water, wastewater treatment and solid waste management services, regulates air quality, plans for urban growth, manages a regional parks system, and provides affordable housing and works with a wide range of authorities at the municipal, regional, provincial, and federal levels to collaboratively address issues of regional significance.

Effective planning for major projects requires close consultation and coordination among all levels of government, businesses, institutions and residents since many of these projects can have far-reaching impacts on land use, transportation, the economy, and the environment in our region. Metro Vancouver staff have participated in several federal, coordinated and substituted environmental assessments as well as National Energy Board processes.

With a diverse set of mandates and services, Metro Vancouver provides many perspectives on proposed major projects and feedback on the federal environmental and regulatory processes is no exception. Enclosed are Metro Vancouver staff comments by service area based on the goals and objectives expressed in the Board Strategic Plan, *Metro Vancouver 2040: Shaping our Future (Metro 2040)*, the regional growth strategy, and other regional plans such as our *Integrated Air Quality and Greenhouse Gas Management Plan*, *Drinking Water Management Plan*, *Regional Parks Plan* and *Integrated Liquid Waste and Resource Management Plan*.

Metro Vancouver appreciates the opportunity to provide input on this important review process. For further information, please contact Elisa Campbell, Director of Regional Planning and Electoral Area Services, by phone at 604-451-6556 or email at [Elisa.Campbell@metrovancover.org](mailto:Elisa.Campbell@metrovancover.org).

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Yours truly,



Carol Mason  
Commissioner/ Chief Administrative Officer

CM/NC/lbf

Encl: Feedback from Metro Vancouver Staff on Federal Environmental Assessment Processes

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### **Feedback from Metro Vancouver Staff on Federal Environmental Assessment Processes**

During the Panel's review of federal environmental assessment processes, Metro Vancouver staff suggest the following areas should be examined for improvement:

- The important role of local governments. Over the last year, the federal government has been seeking feedback on several processes and pieces of legislation that may impact local government infrastructure, public services and core values. Comments from local governments are currently being sought via the same mechanisms as the public (online surveys and public hearings), but in several cases local governments have reached out to federal staff to arrange more fulsome cross-jurisdictional discussions and facilitate thoughtful feedback. The current federal environmental assessment process incorporates opportunities for self-identified local governments to submit information requests/comments on environmental impact statements to the Canadian Environmental Assessment Agency (CEAA). However, these comments are screened by CEAA and only a subset is formally passed on to the proponent for response. In the case of Roberts Bank Terminal 2, staff from Metro Vancouver sit on the technical working group which has not met since May 2015, but federal and provincial agencies were requested to clarify their roles and relevant mandates for the Review Panel during a Panel orientation session in June 2016. Staff from Metro Vancouver and several member municipalities, on the other hand, had to request a second session to address the Panel. It is critical to incorporate ongoing mechanisms for dialogue and opportunities for meaningful engagement with local governments into federal environmental assessment processes.
- Timelines for the conduct of environmental assessments. With many active federal and provincial environmental assessment processes taking place in Metro Vancouver, it can be challenging for interested parties and the public to review such large documents and provide informed comment by the prescribed deadlines. At key points in the process, enough lead time is needed for staff feedback to be considered by local government elected officials who operate within municipal Council and/or regional Board approval processes.
- Consideration of science. The science in many fields is evolving and environmental assessments should reflect these growing bodies of scientific evidence with respect to the valued components for a project (e.g., climate change adaptation, health impact assessment, cumulative impacts, ecosystem services, visual air quality, ground-level ozone, etc.). The review process should also allow some flexibility to incorporate the most recent methods and findings, regardless of whether they were specified in the original environmental impact statement guidelines.
- Consideration of cumulative effects. Over the past decade, several major projects have been completed (e.g., Golden Ears Bridge, Port Mann Bridge/Highway 1 Project, Deltaport Third Berth, South Fraser Perimeter Road, Canada Line, Evergreen Line), approved (e.g., Vancouver Airport Fuel Delivery Project, Fraser Surrey Docks, TransMountain Pipeline Expansion), or proposed (e.g., Vancouver Airport Fuel Delivery Project, Fraser Surrey Docks, Roberts Bank Terminal 2, George Massey Tunnel Replacement, WesPac Tilbury Marine Jetty, Centerm Expansion, Pattullo Bridge Replacement Project, Fraser Grain Terminal) within Metro Vancouver. Many of these projects are/would be situated along the Fraser River Estuary, a complex and critically important ecosystem. As more projects are developed in a particular region, the consideration of cumulative impacts/effects becomes more important. Although a single project may cause negligible impacts on a select valued component, these impacts may become significant when effects from development, other industrial projects and potential system-wide (e.g., transportation, ecosystems) changes are considered. A clear

and scientifically-sound approach should be employed to develop a consistent methodology for assessing cumulative effects.

- Monitoring and follow-up after the construction and operation of a project are necessary to compare environmental assessment predictions to real world results. Lessons from such monitoring and follow-up programs should be used periodically to evaluate the methodologies used in environmental assessments and changes that should be reflected in the assessment process.

Specifically, we encourage the Expert Review Panel to consider the following:

Metro Vancouver Service	Comments
Regional Planning	<ul style="list-style-type: none"> <li>- Review regulations regarding the coordination/harmonization of environmental assessment procedures and requirements, including the process for triggering responsible authority. To avoid conflict of interest, assessment review processes for projects where the proponent is a provincial government ministry (e.g., George Massey Tunnel Replacement Project) should be led by CEAA.</li> <li>- Seek feedback on consistent, evidence-based methodologies for determining significance of impacts and system-wide cumulative effects.</li> <li>- Require major project proponents to:               <ul style="list-style-type: none"> <li>o Assess potential impacts on regional transportation (on-road, rail, air and marine) patterns and land use in the affected region,</li> <li>o Conduct health impact assessments as part the environmental assessment process in addition to human health risk assessments,</li> <li>o Assess cumulative effects on all relevant species, habitats and ecosystems of concern as identified through the consultation process,</li> <li>o Quantify and valuate the ecosystem services that may be lost if the project is approved and compare with compensation values,</li> <li>o Develop management/mitigation plans in consultation with local and regional governments prior to project approval and require proof of efficacy with the Application, and</li> <li>o Complete follow-up monitoring and evaluation.</li> </ul> </li> <li>- Conduct an independent review of Port of Vancouver’s Project and Environmental Review Process which has reduced the rigor of the environmental assessment and public engagement processes for significant projects on port lands.</li> <li>- Work with local governments and other key stakeholders to develop a mechanism for coordinated review of major projects and assessment of cumulative environmental effects. For example, prior to 2013 the Burrard Inlet Environmental Action Program-Fraser River Estuary Management Program coordinated the review of federal, provincial and local projects, facilitated forums between experts, developed collaborative management plans and provided annual reporting on the state of the Burrard Inlet and the Fraser River.</li> </ul>

<b>Metro Vancouver Service</b>	<b>Comments</b>
Air Quality and Climate Change	<ul style="list-style-type: none"> <li>- Require major project proponents to:               <ul style="list-style-type: none"> <li>o Investigate alternatives to proposed projects as a standard component of the environmental assessment process.</li> <li>o Assess the impact of proposed projects on ground-level ozone, a contaminant of concern in the Lower Fraser Valley airshed.</li> <li>o Include visual air quality as a standard valued component to respond to the growing body of science and international commitments to protect visibility.</li> <li>o Assess upstream and downstream greenhouse gas emissions. The interim requirements for pipeline reviews to assess related upstream greenhouse gas emissions is an important step forward to ensure the fulsome consideration of potential climate change impacts in environmental assessments. However, climate change is a global issue, and the cumulative impacts of these projects cannot be evaluated without also considering the downstream greenhouse gas emissions that result from the end use of the fossil fuels produced or transported by major oil and gas projects in Canada. Although downstream emissions may occur in other countries, the effects of these emissions will be felt globally, including in Canada.</li> </ul> </li> </ul>
Liquid Waste Services	<ul style="list-style-type: none"> <li>- Assessments should be risk-based, putting the most effort into addressing the highest environmental concerns.</li> <li>- Equal and consistent treatment for participants (industry and government).</li> <li>- Use true environmental restoration with multipliers for compensation for environmental damage.</li> <li>- Give credit to organizations with distinct proven and effective environmental strategies.</li> <li>- Ensure updated processes are simple and effective to maximize the likelihood that they are both understood and followed.</li> </ul>
Water Services	<ul style="list-style-type: none"> <li>- Consider enhanced guidance for public utility system operators on regulatory expectations for managing environmental risk during unplanned or unforeseen events in the utility system, to ensure that consideration is given to the continued delivery of essential public utility services under adverse operating conditions (e.g., repair of water main breaks).</li> <li>- In general, the current environmental and regulatory processes tend to be prescriptive in nature and apply generally to all activities, industries, and persons. As such, public utility system operators cannot integrate risk management considerations with the public interest in ensuring the safe and reliable delivery of public utility services.</li> <li>- Consider an expedient and accessible process whereby exceptions to the usual requirements may be considered in specialized cases, especially for utilities providing essential public services.</li> </ul>

<b>Metro Vancouver Service</b>	<b>Comments</b>
	<ul style="list-style-type: none"> <li>- Ensure that regulatory staff understand the complexity of utility system operations required to assess environmental risks and compliance in context.</li> <li>- Generally consider streamlining amongst the various agencies that manage the regulatory and environmental processes, including better alignment with parallel provincial processes (e.g. reporting requirements). Ensure that approval of construction windows are coordinated amongst different levels of government and agencies.</li> <li>- In general, the regulatory and environmental processes may not consider the effects of changing climates, which have affected, and are affecting, background conditions. Rigid criteria in existing processes can present challenges to public utility system operators in adapting to emerging risks.</li> </ul>

In closing, the Government of Canada must ensure that science, facts, evidence and expert knowledge with respect to environmental, health, socio-economic and economic benefits/impacts, and public opinion are considered when making environmental and regulatory decisions.