

Environmental Assessment Program

Alberta's Environmental Assessment Process Updated February 2010

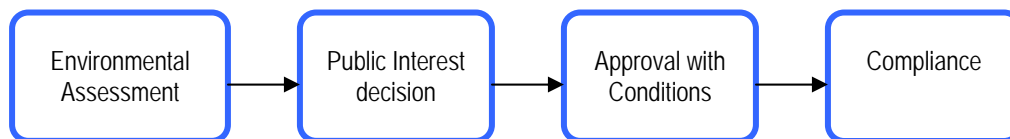
Introduction

In Alberta, laws are in place to regulate industrial activities to protect the environment and human health. Alberta Environment is responsible for two major Acts which accomplish this, the *Environmental Protection and Enhancement Act* (EPEA) and the *Water Act*. Under these Acts, many activities must obtain formal approval before they can begin operation. Depending on the complexity or potential consequences of the project, another regulatory process is in place to gather additional information to scrutinize a project. This is the Environmental Assessment process.

4. Follows up to ensure that the project is operating within the approval conditions.

There are environmental assessments conducted in Alberta which do not fall under the responsibility of Alberta Environment and are not mandated by EPEA. The Government of Canada, municipalities, corporations and lending institutions also undertake environmental assessment processes under their own laws and authority and for a variety of purposes.

When the Government of Canada requires an environmental assessment on a project in Alberta that is also subject to EPEA, the two governments cooperate wherever possible to minimize overlap. They follow the process



Environmental Assessment is the first step in a regulatory process that:

1. Examines a project to determine what the environmental, social, economic and health implications may be;
2. Decides whether it is in the public interest to let the project go ahead;
3. Gives formal approval to the project and sets specific conditions under which the project can operate; and

set out in a bilateral agreement [*The Canada – Alberta Agreement for Environmental Assessment Cooperation*](#).

The Purpose of Environmental Assessment

Alberta's Environmental Assessment process has three basic goals:

1. Gather Information – the process ensures that enough information is provided by the Proponent to inform the public and the government agencies about the Proponent's

understanding of the consequences of their project.

2. Public involvement – the process provides an opportunity for people who may be affected by a proposed activity to express any concerns and provide advice to Proponents and government agencies.
3. Support sustainable development – the information provided during the process allows early consideration of the project’s place in the overall plan for the province’s environment and economy.

The Stages of the Environmental Assessment Process

Is an Environmental Impact Assessment report required?

The Environmental Assessment process is shown in the diagram at the end of this guide. It begins when the Proponent, another government department, local authority or other person informs Alberta Environment about a new project. The Approvals Director¹ decides if the project requires an approval under EPEA or the *Water Act*.

The Environmental Assessment Director² will also determine if an Environmental Impact Assessment (EIA) report will be required based on the [Environmental Assessment \(Mandatory and Exempted Activities\) Regulation](#), which contains two

¹ An Alberta Environment employee appointed by Ministerial Order to make decisions under Part 2, Division 2 of the *Environmental Protection and Enhancement Act*.

² An Alberta Environment employee appointed by Ministerial Order to make decisions under Part 2, Division 1 of the *Environmental Protection and Enhancement Act*.

lists; activities for which an EIA report is mandatory; and activities which are exempt from requiring an EIA report³.

Activities that are not specifically listed in the Regulation are called discretionary. The Environmental Assessment process may be triggered for those types of activities through four mechanisms:

1. Another Alberta Environment Director, usually the Approvals Director, refers the project to the Environmental Assessment Director for consideration;
2. The Proponent requests the Environmental Assessment Director make a decision on the need for an EIA report; or
3. The Environmental Assessment Director decides that an EIA report may be required.
4. The Minister may order an EIA report be prepared.

Proponents may be required to submit a [Project Summary Table](#) to facilitate review of discretionary projects. Following this review the Director may decide that:

1. An EIA report is not required, and the Proponent can apply for any approvals that may be required from Alberta Environment, or
2. More information is needed to determine if an EIA report is required through the preparation of a Screening Report⁴.

To prepare a Screening Report, the Director requires the Proponent to prepare a

³ The Minister may require an EIA report even if the activity appears on the exempted list.

⁴ Given the length of the Screening Report process some Proponents will volunteer to do an EIA rather than wait for the outcome of the process, especially if they believe the outcome is likely to be a requirement for an EIA in any event.

Disclosure Document, and seeks comments from the public and from other government agencies on the merits of the project and the need for an EIA report. The minimum period for public comment is 30 days. The Screening Report considers the complexity of the project, the nature of technology involved, the sensitivity of the location, the presence of other similar activities, public interest and any other factors the Director considers significant. When completed, the Screening Report is made available to the public and the Director advises the Proponent whether an EIA report is required.

Terms of Reference and EIA

The Proponent prepares Proposed Terms of Reference (PTOR) and provides them to the public and to Alberta Environment for review⁵. Although EPEA sets out general requirements for information to be included in the EIA report, the Environmental Assessment Director considers input received from the public and from other government agencies and issues the Final Terms of Reference (FTOR) that sets the scope for the EIA report. These Final Terms of Reference are also made available to the public.

Most EIA reports will include:

- a detailed description of the project;
- the location and environmental setting for the project, and baseline environmental, social and culture information;
- the potential positive and negative environmental, health, social,

⁵ The Proposed Terms of Reference are largely based on [Standardized Terms of Reference](#) developed by Alberta Environment which encompass input received from the public and other government agencies on previous TORs.

economic and cultural effects of the proposed activity;

- plans to mitigate potential adverse effects and to respond to emergencies;
- information on public and First Nations consultation; and
- an assessment of cumulative effects⁶.

More detailed information on the preparation of EIA reports is available in further [Guides from Alberta Environment](#).

Once completed, the EIA report is submitted to the Environmental Assessment Director for review. For most large energy or resource development projects, the EIA report is part of the application submitted to the Alberta Utilities Commission (AUC), the Energy Resources Conservation Board (ERCB) or the Natural Resources Conservation Board (NRCB).

Technical Review

The purpose of the EIA report is to provide information about the project that can be used in the public interest decision and in the approvals process, should the project proceed to that point. The EIA report review is coordinated by Alberta Environment and is assigned to a multi-disciplinary, integrated team of experts from various government agencies and departments. Depending upon the nature and location of the project, federal agencies may also participate in the evaluation of the EIA report.

The purpose of the review is to identify any project-related uncertainties or risks and determine if the information provided by the

⁶ See ERCB/NRCB/AENV Information Letter [Cumulative Effects Assessment in Environmental Impact Assessment Reports under the Alberta Environmental Protection and Enhancement Act](#).

Proponent meets the requirements of the Terms of Reference. If the information provided is either unclear or insufficient to meet these objectives, the Review Team may ask the Proponent for additional information. These questions are called Supplemental Information Requests (SIRs).

When the Review team is satisfied that they understand the nature of the proposed activity and the Proponent's description of potential effects and mitigation, they will inform the Environmental Assessment Director. The Director takes this information and makes a determination that the EIA report is complete and then formally refers the report to the Board or the Minister to become part of the Public Interest Decision process.

Public Interest Decision and
Regulatory Approvals

These next steps in the regulation of activities in Alberta occur after the Environmental Assessment process. Once a project has been through an environmental assessment, **it does not mean that project has been approved** or that it can commence operation. It has simply met the information requirements necessary to move onto the next phase. Information about these steps may be obtained from [Alberta Environment](#), the [AUC](#), the [ERCB](#), or the [NRCB](#).

Citation

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This Guide replaces:

- *Alberta's Environmental Assessment Process* – September 2004, and

- *Guide No. 2 Referral of Proposed Activities to the Regional Environmental Manager* – Feb 2004

Environmental Assessment Contacts

Further information about Alberta's Environmental Assessment process can be obtained from:

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Website:

<http://www.environment.alberta.ca/1274.html>

or from the nearest Alberta Environment Regional Office.

Canadian Environmental Assessment Agency Contact Information

Information about the Canadian Environmental Assessment process can be obtained from:

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