

# What We Heard:

## ENGAGEMENT ON THE DRAFT CANADA-BRITISH COLUMBIA IMPACT ASSESSMENT COOPERATION AGREEMENT



### What is the agreement?

The Impact Assessment Cooperation Agreement (the agreement) is a consolidation and update of previous agreements between the British Columbia Environmental Assessment Office and the Impact Assessment Agency of Canada (formerly the Canadian Environmental Assessment Agency) that have been in place as early as 2004. The agreement sets out the administrative processes required from both provincial and federal agencies to ensure an efficient and effective assessment is carried out when projects are subject to assessment by both jurisdictions, supporting the principle of “one-project, one-assessment.”

### Summary of engagement

The Impact Assessment Agency of Canada (the Agency) and the British Columbia Environmental Assessment Office (EAO) engaged Indigenous groups, key stakeholders, and held a 30-day public comment period on the draft Impact Assessment Cooperation Agreement.

#### What we heard:

Overall, feedback on the agreement was positive. Indigenous groups noted the inclusion of language indicating the EAO and the Agency’s intent to develop agreements with interested Indigenous groups regarding cooperation on assessments, and industry associations were supportive of the governments seeking ways to increase efficiencies in impact assessments. The feedback received during engagement helped to inform revisions to the text and is reflected in the final agreement.



### Direct Indigenous and stakeholder engagement

#### INDIGENOUS GROUPS

The Agency and the EAO shared the draft cooperation agreement with over 60 B.C. Indigenous groups that have experience in impact assessments via email, with an invitation to provide feedback or discuss the draft agreement.

#### What we heard:

Some Indigenous groups sought reassurance that nothing in the cooperation agreement would impede the development of bilateral or trilateral agreements with Canada and B.C. Some groups suggested that language be added to sections of the agreement indicating Canada and B.C.’s commitment to complying with their treaty obligations.

## B.C. IMPLEMENTATION COMMITTEES

An Indigenous Implementation Committee and a Stakeholder Implementation Committee were established to support the implementation of B.C.'s new Environmental Assessment Act, comprised of a diverse range of experts in environmental assessments. Agency and EAO representatives shared the draft agreement during regularly scheduled meetings of these committees.

### What we heard:

Most Committee members reacted positively to the draft cooperation agreement. Suggestions included emphasizing the consultation of local governments, exploring the use of Indigenous and community-based monitoring bodies in the post-decision phase and, in the case of substituted assessments, highlighting the participation of federal departments and considering the role of the Agency in Indigenous consultations.

## Public comment period

The Agency and the EAO held separate but coordinated 30-day public comment periods on the draft agreement from July 8th to August 7th, 2019. In total, the Agency and the EAO received 11 submissions:

- 5 from industry
- 1 from an environmental non-governmental organization
- 1 from a not-for-profit organization
- 4 from individuals

### What we heard:

The main themes raised during the public consultations were:

- Support for the development of the cooperation agreement and for coordinated assessments, noting that coordination helps increase certainty and efficiency;
- Encouragement of the development of comprehensive guidance on coordinated impact assessments and for guidance for the assessment of projects that would include the Agency, the EAO and the Canada Energy Regulator;
- Support for substitution;
- Concerns with substituted assessments, suggesting that federal responsibilities would not be adequately discharged in substituted assessments; and,
- Suggestions for modifications to the transboundary section of the agreement.

### What's Next

Feedback received during the engagement is being analyzed and will help inform the final version of the agreement. We anticipate the final agreement will be announced sometime in September, 2019.

