

Ducks Unlimited Canada Recommendations for EA Revitalization:

Key Issues and Possible Solutions July 2018

**NB: Reference to Advisory Committee recommendations listed numerically and in blue ink**

Issue	Possible solution
<p>1. DUC is concerned that existing triggers that create requirement of an Environmental Assessment through the <i>Reviewable Project Regulation</i> may, in some cases, be misaligned with need for assessment in some bases. DUC is particularly concerned that there are projects that would currently be considered ‘sub’-threshold’, where impacts to specific ecological, social or cultural values, or where concerns arise over cumulative effects (see issue 2) should warrant an EA review.</p>	<p>Generally speaking, we would ask government to reconsider the system for deciding thresholds and triggers for environmental assessment and that the new approach include consideration of ecological, social and cultural impacts as well cumulative effects and regional priorities.</p> <p><b>R10:</b> The Reviewable Projects Regulation needs to be revised to move away from strictly production capacity-based outputs, to criteria that more accurately reflect the potential for a given project to result in adverse impacts. A strong rationale needs to be provided to justify why certain project types that contribute to cumulative effects may be exempted from EA review.</p>
<p>2. DUC echoes the concern that the single-project focus for review is too narrow in many cases.</p> <p>A lack of landscape-level view of project benefits and impacts exposes risk of cumulative effects and is a missed opportunity for consideration of important regional planning, development and conservation considerations.</p> <p>Additionally, the narrow focus also creates potential misalignment with other provincial priorities such as regional Land Use Planning, Climate Change Mitigation and Adaptation, Species at Risk etc</p>	<p>Encourage strategic environmental assessment and land use planning to address “bigger picture” issues that are more appropriately dealt with outside project-specific assessments.</p> <p><b>R29:</b> Resources should be made available to conduct regional and strategic level impact assessments to provide essential context for individual project assessments.</p> <p><b>R31:</b> The Provincial Government, at the earliest possible date, should initiate information sharing and collaboration among the teams assessing revitalization of Land Use Planning, Rural Development, Species at Risk, Climate Change Strategy, Professional Reliance and Project Impact Assessment.</p>
<p>3. A lack of clear decision criteria to guide professionals and statutory decision makers, particularly on matters of impact mitigation, leads to discretionary</p>	<p>Encourage the development of professional practice directives and accountability measures and better oversight of the EA process within government;</p>

<p>decisions about permit conditions and an inability to reliably manage for specific environmental objectives.</p>	<p>Require EA Certificate conditions that are measurable and verifiable;</p> <p>Introduce clearer decision criteria for the mitigation of impacted values (including ways to avoid, minimize and where required, compensate for impacts), such as specific habitat features or species values;</p> <p>DUC recommends that the province introduce a provincial Wetland Policy, which would, among other non-EA permitting benefits, help bring clarity and certainty to permitting where impacts to wetlands habitats are concerned. We propose that the wetland policy could be considered a ‘pilot’ for a broader habitat mitigation strategy that could grow to include other values and ecosystem types;</p> <p><b>R17:</b> Evidence derived by indigenous communities by traditional means that reflect culturally distinct and holistic relations with the land and are conveyed through indigenous peoples’ languages and traditional means of oral communication among generations needs to be recognized as valid equivalents to western science in consideration of values to be assessed in EA procedures and the formal decisions that are made.</p> <p><b>R16:</b> The EA process should recognize the need to provide broadly accepted independent verification of project information and analyses. This may best be served by common agreement on the means of verification but may have to enable parties to conduct some of their own independent work to ensure confidence in the impartiality of information used to support EA decision making steps.</p>
<p>4. There is currently there is a lack of long-term oversight and monitoring of permitting conditions to ensure satisfaction of permit conditions.</p>	<p>Introduce new accountability mechanisms for proponent, government, third parties;</p> <p>Clarify roles and responsibilities for post-certificate monitoring and enforcement</p>

	Central repository of site monitoring information, lessons learned that can improve knowledge of species, habitats and habitat conservation methods/techniques.
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