

Early Engagement Policy

VERSION 1.0

DECEMBER 16, 2019

ISSUED BY:



KEVIN JARDINE, ASSOCIATE DEPUTY MINISTER
ENVIRONMENTAL ASSESSMENT OFFICE



EAO

Environmental
Assessment Office

Version Control History


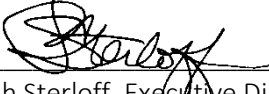
| Version # | Date (YYY-MM-DD) | Modification | Approved by |
|-------------|------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Version 1.0 | 2019/12/16 | n/a |  _____ Scott Bailey, Assistant Deputy Minister Operations Division Environmental Assessment Office  _____ Trish Sterloff, Executive Director Strategic Services and Compliance Environmental Assessment Office |

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ACRONYMS AND ABBREVIATIONS

Act – the 2018 *Environmental Assessment Act*

BC – British Columbia

CAC - Community Advisory Committee

CEAO – Chief Environmental Assessment Officer

DPD – Detailed Project Description

EA – Environmental Assessment

EAO – Environmental Assessment Office

GHG – greenhouse gas

IPD – Initial Project Description

NTS – national Topographic System

RPR – Reviewable Projects Regulation

TAC - Technical Advisory Committee

VC – valued component

1.0 INTRODUCTION

This document provides guidance for carrying out the Early Engagement phase of an environmental assessment (EA) pursuant to the [Environmental Assessment Act \(2018\)](#) (the Act), specifically [Part 4 – Early Engagement](#). The primary user of this guidance will be proponents of proposed projects. However, other participants in a provincial EA, including Indigenous nations, may also use this guidance document to understand the roles, responsibilities, and process requirements during Early Engagement. This Early Engagement Policy is intended to be read and interpreted in conjunction with the Act. For this policy, the key sections of the Act referenced are 13 through 17.

Projects that meet the criteria set out in the [Reviewable Projects Regulation](#) or projects determined reviewable by the Minister of Environment and Climate Change Strategy under [Section 11](#) of the Act or by the Chief Executive Assessment Officer (CEAO) under [Section 12](#) of the Act are generally required to undertake a provincial EA.

When a project requires both a provincial and federal EA, the [Impact Assessment Cooperation Agreement between Canada and British Columbia](#) sets out the administrative processes required from the Environmental Assessment Office (EAO) and the Impact Assessment Agency of Canada to ensure an efficient and effective assessment is carried out, supporting a ‘one-project, one-assessment’ approach. During the EA, cooperation could be in the form of substitution, coordinating impact assessments, or establishing joint review panels. Provincial and federal ministers still make separate and independent decisions.

Early Engagement is the first phase in the provincial EA process and informs the decision made by the CEAO under [Section 16](#) of the Act described below (called the Readiness Decision) as well as subsequent phases in the EA process. See Figure 1 for an overview of the EA phases and associated timelines.

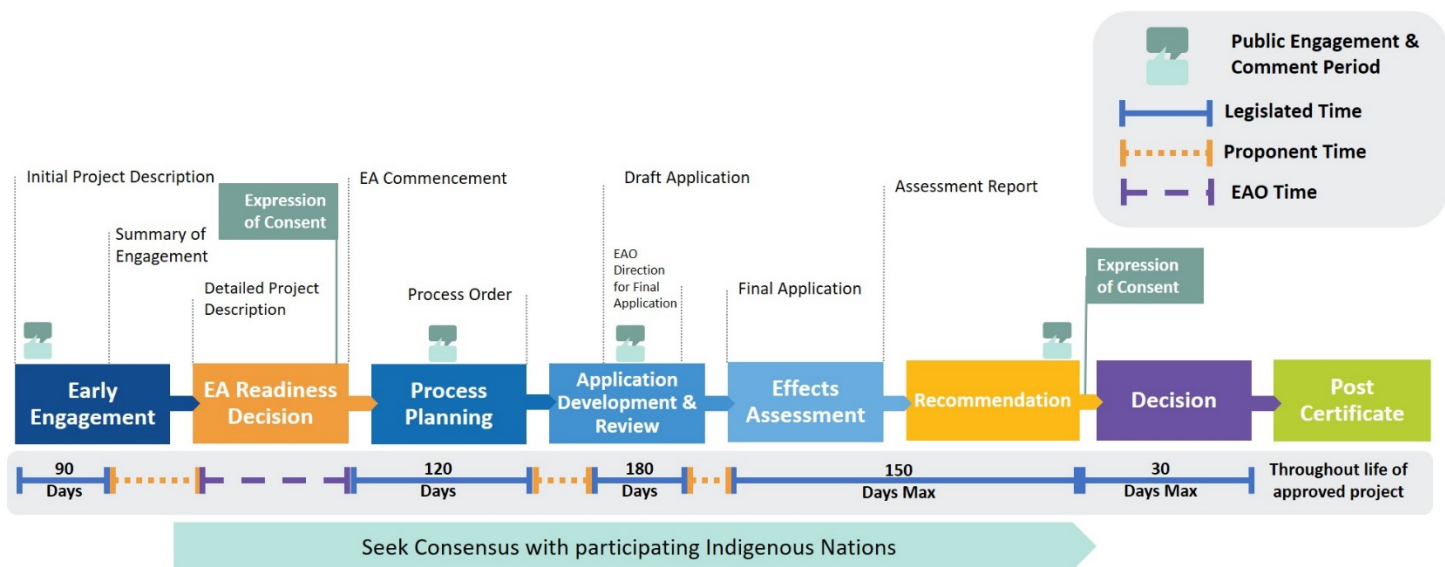


Figure 1. Overview of the EA process and identification of the Early Engagement phase within the process

1.1 Purpose and Objectives

The Early Engagement phase establishes an important preparatory stage during which meaningful conversations can begin about a proposed project with the project proponent, Indigenous nations, the public, municipalities¹, provincial and federal government agencies, and other stakeholders to identify potential interests, issues and concerns early in the EA process. This early period of engaging and listening to the various parties that may be involved in a project's EA helps establish an important foundation for the remainder of the process – both in terms of establishing the relationships between the various parties, as well as starting to understand the key issues and interests of the various parties. Input from these groups may will inform the development of the Detailed Project Description (DPD) as well as project design, siting, and alternative approaches to developing the proposed project.

The primary objectives of Early Engagement are to:

- Identify and start to engage with all relevant parties to the EA, including Indigenous nations, the public, municipalities, provincial and federal government agencies, and stakeholders;
- Identify key questions and issues early in the EA process and chart a path for potential resolution;
- Identify participating Indigenous nations and gain an understanding of their interests, issues, questions, or concerns and their process and information needs in relation to the proposed project including Indigenous decision-making considerations; and
- Prepare for and inform the Readiness Decision for the proposed project.

2.0 EARLY ENGAGEMENT PROCESS

The Early Engagement phase is the commencement of the regulatory process with the EAO and provides an opportunity for Indigenous nations, the public, municipalities, provincial and federal government agencies, and stakeholders involved in the EA to better understand the project and establish a foundation for the upcoming phases of the EA. Communication and information sharing undertaken by a proponent in advance of the Early Engagement phase can help to build relationships with all EA participants in relation to their proposed project and support a more efficient Early Engagement phase. An overview of the Early Engagement process is provided in Figure 2 below.

2.1 Initial Project Description and Engagement Plan

The Early Engagement phase begins with the submission of a proponent's Initial Project Description (IPD) and Engagement Plan to the EAO, as required under [Section 13\(1\)](#) of the Act. Prior to drafting the IPD and Engagement Plan, proponents should review any agreements that are in place between an Indigenous nation and the EAO² to consider whether aspects may be appropriate to incorporate into the IPD or Engagement Plan. Proponents are strongly encouraged to discuss the IPD and Engagement Plan with Indigenous nations, municipalities, and provincial and federal government agencies prior to submission to the EAO to better understand how interested parties want to be engaged during the EA process. It is recommended that drafts of both documents are shared with Indigenous nations in advance of filing with the EAO and where possible that information specific to each Indigenous nation is included in the IPD and Engagement Plan. Refer to [Appendix 1](#) and [Appendix 2](#), respectively, for guidelines on completing a project-specific IPD and Engagement Plan.

¹ Municipalities include local governments.

² Agreements between the EAO and an Indigenous nation(s) are available on the [EAO's website](#).

Prior to filing the IPD and Engagement Plan with the EAO, it is recommended that a proponent meets with the EAO to present the proposed project and that the proponent shares at least one draft of the documents with the EAO. After the IPD and Engagement Plan are filed, the EAO will undertake a review within 10 days and may accept the documents or may require changes to be made prior to acceptance, as per [Section 13\(3\)](#) of the Act. Note that this review will be to confirm conformity with this policy, including the IPD and Engagement Plan guidelines appended to this policy. Once the IPD and Engagement Plan are determined to be adequate, the EAO will issue a legal order under [Section 13\(3\)\(a\)](#) of the Act to approve the documents. The EAO will issue a fee order of \$25,000 under [Section 13\(1\)](#) of the Act to the proponent within 30 days of filing of the IPD and Engagement Plan. Please refer to the [Proponent Fee Regulation](#) for more information.

2.2 The First 90 Days

The Early Engagement Phase commences with the CEAO's approval of the IPD and Engagement Plan (at day 0 of Early Engagement) and the posting of the documents to the EAO's project website. The EAO will then hold a minimum 30-day public comment period on the IPD per [Section 13\(4\)](#) of the Act. During this time the EAO will also undertake engagement with Indigenous nations, and other parties to the EA as required, including the public, municipalities, provincial and federal government agencies, and stakeholders. The extent and type of engagement will be determined on a project specific basis based on the level of interest and potential effects of the proposed project. The EAO-led engagement could include:

- Meetings and information sharing with Indigenous nations, the public, municipalities, and provincial and federal government agencies;
- Public open houses;
- Community workshops and presentations; and
- Meetings with stakeholders, organizations, community interest groups, or individuals with a relevant interest in the proposed project.

The EAO expects that the proponent will provide support to the EAO with respect to its activities during Early Engagement, including the conduct of the public information sessions and advertising during the public comment period. The EAO will require the proponent to respond to all public comments received on the IPD in their DPD, unless otherwise directed by the EAO. Please refer to the EAO's [Public Engagement Guide](#) for further information on conducting transparent and meaningful engagement activities.

The EAO will start engagement with all Indigenous nations who have been identified by the proponent, the EAO, other provincial government agencies, or through self-identification, upon acceptance of the IPD and Engagement Plan. The EAO will invite Indigenous nation(s) identified to have the potential for the Nation or their rights to be affected by the proposed project to be a participating Indigenous nation. Indigenous nations who wish to be participating Indigenous nations must, by day 80 of Early Engagement, provide a notice of intent to the EAO to participate in the EA as a participating Indigenous nation. See [4.0 Indigenous Nations](#) below for more information on the criteria considered in determining participating Indigenous nations.

By day 90 of Early Engagement, the EAO will provide the proponent with the EAO's Summary of Engagement, which includes a confirmation of participating Indigenous nations and a summary of public comments, as required by [Section 15\(5\)](#) of the Act. The EAO's Summary of Engagement report may also contain further direction to the proponent on completing their DPD. At day 90 the EAO will also form the Technical Advisory Committee (TAC).

2.3 Detailed Project Description and Readiness Decision

Proponents may submit their DPD to the EAO after receiving the EAO's Summary of Engagement. After one year the CEAO may terminate the assessment if a DPD has not been provided, as per [Section 39\(a\)](#) of the Act. The EAO will require that proponents provide them with a draft DPD prior to filing the final version with the EAO. The EAO will issue a \$75,000 fee order under [Section 15\(1\)](#) of the Act within 30 days of filing of the final DPD. Please refer to the [Proponent Fee Regulation](#) for more information.

Under [Section 16](#) of the Act, the CEAO recommends whether or not a project should proceed to an EA that evaluates the effects of the project. This is referred to as the Readiness Decision, which takes place following the filing of the DPD. The EAO will seek consensus with participating Indigenous nations before making a recommendation regarding the Readiness Decision and provide an opportunity for expression of consent for termination or exemption decisions. If consensus is not reached, a pending decision may be referred to dispute resolution. Please refer to the [Readiness Decision Policy](#) for further information on the Readiness Decision and the [Certificate Exemption Policy](#) for more information on exemptions.

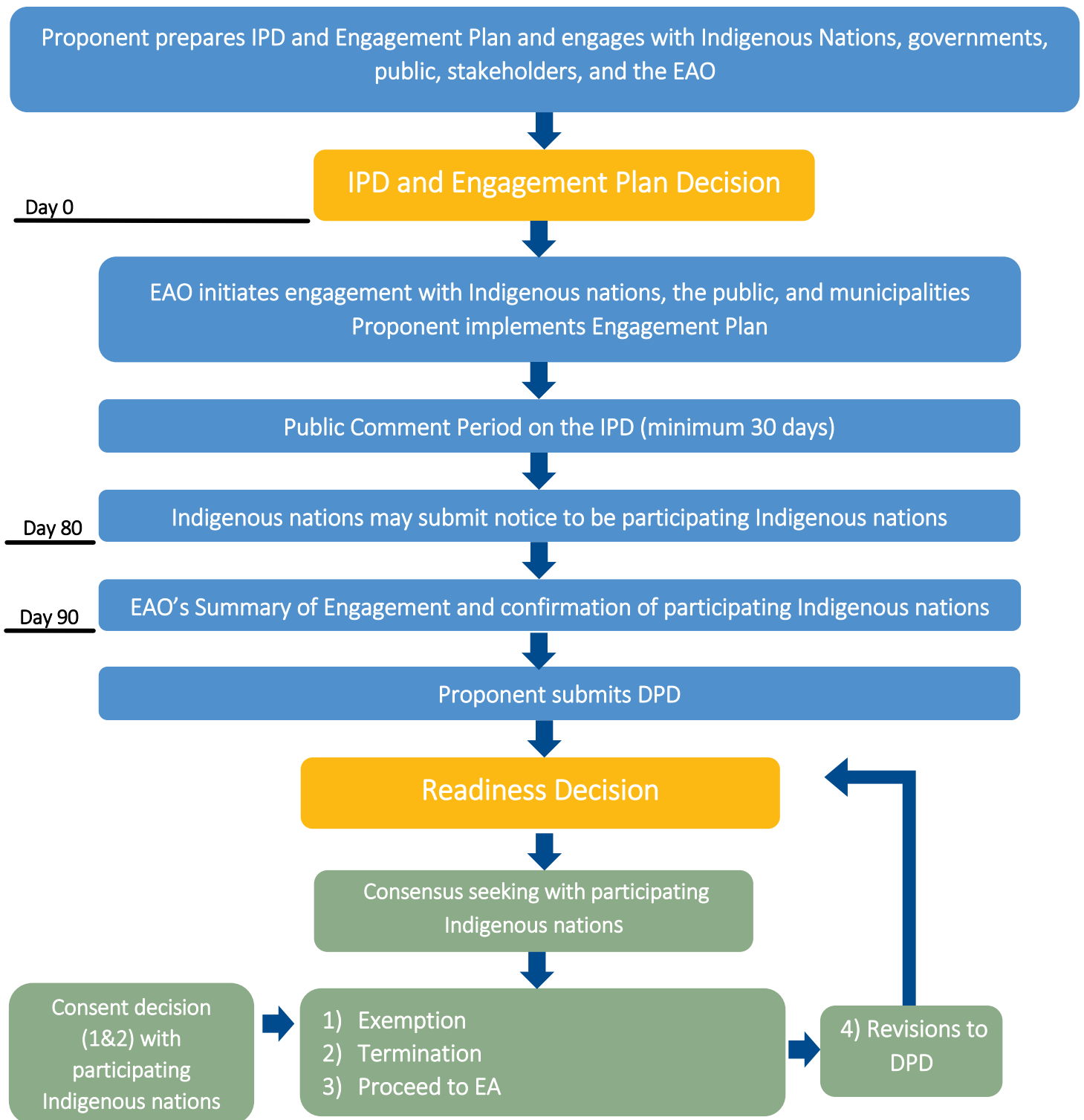


Figure 2. Early Engagement Process Diagram

3.0 EARLY ENGAGEMENT DOCUMENTS

During the Early Engagement phase there are three key documents that a proponent is responsible for preparing (the IPD, the Engagement Plan, and the DPD) and one that the EAO must prepare (the EAO’s Summary of Engagement). The provision of quality materials within the specified timelines will support a more efficient process. The timing of and parties responsible for key deliverables during Early Engagement are summarized in Table 1 below.

Table 1. Early Engagement deliverables, responsible parties, and associated timelines

| Document/Activity | Responsible Party | Timing |
|--------------------------------------------------|--------------------|--------------------------------------------------------------------------------------------------------------------|
| Initial Project Description | Proponent | Start of Early Engagement |
| Engagement Plan | Proponent | Start of Early Engagement |
| Public Comment Period (minimum 30 days) | The EAO | After acceptance of the IPD and Engagement Plan |
| EAO engagement with interested parties | The EAO | After acceptance of the IPD and Engagement Plan |
| Notice of participating Indigenous nations | Indigenous nations | By day 80 of Early Engagement |
| Confirmation of participating Indigenous nations | The EAO | By day 90 of Early Engagement |
| Summary of Engagement | The EAO | By day 90 of Early Engagement |
| Detailed Project Description | Proponent | After 1 year the CEAO may terminate the assessment if a DPD has not been provided, as per Section 39(a) of the Act |
| Readiness Decision | The EAO | Timelines depend on recommended decision option |

3.1 Initial Project Description

The IPD should provide enough information to parties participating in the EA to build an understanding of the proposed project, and to identify potential interests and concerns that would need to be considered or addressed if the proposed project proceeds to the next phase of the EA. The IPD will also inform the public comment period. The IPD is meant to have a flexible format that includes plain language, easily accessible and understandable information, and visual graphics, where appropriate. The information contained in the IPD may require updating for inclusion in the DPD based on the feedback received during Early Engagement.

Indigenous nations may use the IPD to gain an initial understanding of potential direct and indirect project effects or interactions with their Indigenous interests. This will help to inform their decision of whether to notify the EAO of their intention to be a participating Indigenous nation. Indigenous nations may have additional considerations for an IPD in a formal agreement with the EAO or they may identify additional information through review of a proponent’s draft IPD. Proponents should demonstrate in the IPD how they have addressed or intend to address questions or concerns raised by Indigenous nation during engagement on the draft IPD. Proponents should refer to the [EAO’s website](#) or contact the EAO or Indigenous nations directly to obtain further information specific to their proposed project. Refer to [Appendix 1 – Initial Project Description Guidelines](#) for more information on completing a project-specific IPD.

If a proponent intends to pursue an exemption at the Readiness Decision, they should provide the information that is required under [Section 16](#) of the Act and in the [Certificate Exemption Policy](#) in the IPD. A minimum 30-day public comment period on the IPD will still be required if an exemption is being sought.

3.2 Engagement Plan

Proponents are required to submit an Engagement Plan with their IPD per [Section 13](#) of the Act. The Engagement Plan should include a summary of all engagement conducted prior to the start of Early Engagement and the engagement proposed for the entire Early Engagement phase. The Engagement Plan should lay out the proponent's proposed process and approach to communication and information sharing between the proponent, the EAO, Indigenous nations, the public, municipalities, provincial and federal government agencies, and stakeholders during Early Engagement. The objectives of the Engagement Plan are to:

- Support transparent sharing of information early in the EA process;
- Outline the proponent's approach for seeking information and feedback to inform development of the DPD and subsequent EA processes;
- Provide the methods and activities proposed for engagement with Indigenous nations, the public, municipalities, provincial and federal government agencies, and stakeholders throughout Early Engagement; and
- Develop engagement processes that consider how each party wants to be engaged with.

The EAO expects that the proponent will provide support to the EAO with respect to its activities during Early Engagement, including the conduct of the public information sessions and advertising during the public comment period. The Engagement Plan should consider different types of engagement to ensure that there are opportunities for all potentially impacted parties to be involved in the EA. The scope of engagement will vary between projects and should be informed by the potential project effects and the location of the project in relation to Indigenous nations and the public or areas of importance to Indigenous nations or the public.

The Engagement Plan will also help inform the design of subsequent engagement processes, which will be defined in the Assessment Plan during the Process Planning phase of the EA. Proponents should maintain engagement records regarding identified issues, and, if applicable, the resolution reached, for inclusion in the DPD. If a proponent intends to seek an exemption from the requirement of an EA, the Engagement Plan should identify how interested parties have been or will be made aware of this intent and include any feedback received from them. Proponents should refer to the [Certificate Exemption Policy](#) for more information on an exemption request.

Indigenous nations may have additional engagement consideration that may be incorporated into the Engagement Plan. Proponents should refer to the [EAO's website](#) or contact the EAO or Indigenous nations directly to obtain further information specific to a project. Refer to [Appendix 2 – Engagement Plan Guidelines](#) for further information on completing a project-specific Engagement Plan.

3.3 The EAO's Summary of Engagement

At the beginning of Early Engagement, the EAO will start engaging with Indigenous nations, the public, municipalities, provincial and federal government agencies, and other stakeholders. This work, including the public comment period, will inform the EAO's Summary of Engagement provided to the proponent at day 90. The EAO's Summary of Engagement will include the requirements in [Section 13\(5\)](#) of the Act:

- A summary of comments received during the public comment period; and
- The Indigenous nations that are participating Indigenous nations.

The EAO's Summary of Engagement may also identify:

- The EAO’s preliminary understanding of Indigenous nations’ interests in the project area³;
- A summary of the issues and concerns identified to date;
- Additional information or engagement requirements for the DPD, including requirements identified by participating Indigenous nations; and
- Information needed for the Process Planning phase, should the project proceed, including potential critical issues that will require resolution and key audiences the proponent must engage with during the EA.

The EAO’s Summary of Engagement, along with all engagement conducted by the proponent, helps to inform the DPD.

3.4 Detailed Project Description

The DPD should clearly outline how information collected during Early Engagement has been used to inform the document. Information required by the EAO’s Summary of Engagement should be clearly identified in the DPD. Further, the DPD should include enough information regarding project components and activities and potential effects so that the Process Planning phase can be completed, should the project proceed to an EA. The objectives of the DPD are to:

- Identify key issues and concerns, including identification of if and how some issues may have been resolved and others that will need to be addressed during the EA;
- Provide an overview of potential positive and negative effects of the project to inform Process Planning;
- Describe the outcomes of engagement undertaken to date; and
- Update and confirm information regarding the proposed project and identify how comments received on the IPD have been considered.

Proponents should work with Indigenous nations and the TAC in preparing a DPD to ensure that the information presented is complete and sufficient to support the EAO seeking consensus with participating Indigenous nations at the Readiness Decision. Proponents may choose to provide further information in the DPD to inform the Process Planning phase such as:

- Draft study and modelling plans for key issues that will require resolution to facilitate application development;
- Proposed updates or project specific revisions to the standard [Application Information Requirements](#); and/or
- Additional information related to scoping of the EA.

If an exemption is sought, proponents must provide the information that is required under [Section 16\(2\)\(b\)](#) of the Act in the DPD. Proponents should refer to the [Certificate Exemption Policy](#) for more information on an exemption request.

Indigenous nations may have additional considerations regarding information in a DPD, which will typically be identified in the EAO’s Summary of Engagement or through engagement directly with the Proponent. The EAO expects proponents to engage Indigenous nations in the development of the DPD. This may include sharing drafts, seeking input, and addressing feedback received or any other activities required by the approved Engagement Plan or specified in the EAO Summary of Engagement. The EAO will be seeking consensus with participating Indigenous nations on the adequacy of the DPD at the Readiness Decision. The more proponents can resolve issues with Indigenous nations or other parties prior to submitting the DPD, the quicker and simpler the Readiness Decision phase will be. Refer to [Appendix 3 – Detailed Project Description Guidelines](#) for further information on completing a project-specific DPD.

³ The understanding of Indigenous Interests will be further refined throughout Early Engagement and Process Planning.

4.0 INDIGENOUS NATIONS

Starting in Early Engagement, the EAO will work with participating Indigenous nations to establish effective consensus-seeking processes for the EA of the proposed project that respect and seek to align where possible, with their own governance frameworks, jurisdictions, and authorities. Part of this collaborative engagement is building a shared and comprehensive understanding of the Nation's culture and unique connection to the lands and resources that are subject to a proposed project, including situating the project proposal within the Nation's priorities and visions into the future. Through these understandings, the EAO and the Indigenous nation can work through a range of potential decisions about the assessment process for a proposed project and determine how the EAO and the Indigenous nation make those decisions together. The EAO will ensure participating Indigenous nations have capacity funding to support participation in the EAO-led activities during Early Engagement.

The matters that the EAO and a participating Indigenous nation will seek to achieve consensus on are determined by the Act, the interests of the Indigenous nation in the project area (including the procedural and informational requirements of an Indigenous nation), and the nature of the proposed project. It is up to each Indigenous nation to determine the entity to represent their collective interests in an EA process. Refer to the EAO's [Guide to Consensus and Consent Seeking in the EA Process](#) for more information on how the EAO will work with Indigenous nations during the EA.

4.1 How Indigenous Nations are Involved in Early Engagement

Prior to submitting an IPD and Engagement Plan to the EAO, proponents should identify Indigenous nations:

- Whose traditional territory overlaps with or is close to the proposed project area; or
- With a reasonable possibility for their Nation or their rights under Section 35 of the *Constitution Act, 1982* to be affected by project-related direct or indirect effects.

Proponents may refer to the EAO's [guidance](#) for more information on determining the scope of project components and project-related effects. Proponents may identify the potentially affected Indigenous nations through the provincial [Consultative Areas Database](#), discussions with the EAO and other provincial government agencies, and through direct engagement with Indigenous nations. The Indigenous nations identified should be provided an opportunity for involvement in developing of the IPD, Engagement Plan, and DPD.

In some cases, the EAO may have an agreement with an Indigenous nation regarding undertaking EAs in their traditional territory. Treaties and non-treaty agreements with Indigenous nations may also have specific requirements for an EA. Proponents should familiarize themselves with the requirements of relevant agreements or treaties and, where appropriate, reflect these additional considerations in the IPD, Engagement Plan, and/or DPD.

The goals for Indigenous nation involvement in Early Engagement are to:

1. Identify the participating Indigenous nation(s) to be engaged in the EA;
2. Identify the decision-making requirements of Indigenous nations, including any specific procedural requirements of each Indigenous nation for EAs and informational requirements to facilitate informed decision making;
3. Gain a preliminary understanding of Indigenous interests and refine this understanding over the course of Early Engagement;
4. Gain a preliminary understanding of project interactions with Indigenous interests;
5. Identify the informational needs of Indigenous nations to be included in the DPD to support consensus seeking at the Readiness Decision;

6. Identify any potentially extraordinarily adverse effects on an Indigenous nation or its rights that, in the opinion of the Indigenous nation, make the project unviable unless adequately addressed in the DPD;
7. Identify any processes or agreements developed between Indigenous nations for working together in areas of territorial overlap or shared territory; and
8. Ensure participating Indigenous nations are ready and informed to fully participate in the Readiness Decision phase.

4.2 Participating Indigenous Nations

Participating Indigenous nations are afforded specific procedural rights within the Act, including capacity funding, consensus seeking processes, a procedure to communicate consent or withhold consent at specific decision points, and access to facilitated dispute resolution.

After a proponent files an IPD and Engagement Plan with the EAO, the EAO will notify all Indigenous nations whose interests could reasonably be expected to be affected by a proposed project. This will include Indigenous nations whose traditional territory overlaps with or is close to the project area, or there is a reasonable possibility a Nation or its rights could be affected by project-related direct or indirect effects. An Indigenous nation may also notify the EAO of their interest in a proposed project if they believe it may affect their interests. Indigenous nations who wish to participate in an EA as participating Indigenous nations must notify the EAO of their intention by email or letter by day 80 of Early Engagement. This notification should provide a description of the Nations' interests and how their interests could be affected by the proposed project. The following are taken into consideration by, but do not limit, the CEAO when reviewing an Indigenous nation's request to become a participating Indigenous nation:

1. The entity represents an Indigenous nation with rights under Section 35 of the *Constitution Act, 1982*;
2. The Indigenous nation must have a governance role in relation to the area potentially affected by the proposed project; and
3. There is a reasonable possibility that the Indigenous nation or its Section 35 rights will be adversely affected by the proposed project.

Where the CEAO has concerns regarding the notification rationale from an Indigenous nation and consideration thereof, an opportunity will be given to the Indigenous nation to address those concerns. The CEAO, under [Section 38](#) of the Act, may extend the time limit for the EAO's Summary of Engagement to allow for this consideration. Following a consideration of that input, the EAO will provide notice regarding whether or not the CEAO has determined that there is a reasonable possibility the Indigenous nation or its rights could be adversely affected by the proposed project. This notice will outline the reasons for the determination. If consensus is not reached on the determination, then the EAO or the Indigenous nation may trigger dispute resolution under Section 5 of the Act.

Some Indigenous nations may choose not to identify as participating Indigenous nations under the Act. In these cases, the EAO must still fulfill its constitutional obligations to consult these Indigenous nations and will continue to engage with them according to these obligations. This may require that some procedural components of consultation be delegated to the proponent. Details regarding consultation with Indigenous nations who are not participating Indigenous nations will be defined in the Process Order developed during the Process Planning phase.

4.3 Preliminary Understanding of Indigenous Interests and Scope of Engagement

A preliminary understanding of interests will be developed with the EAO and a participating Indigenous nation during Early Engagement and may be refined through the process as needed. The development of an Indigenous nation's

understanding of interests is meant to support an EA to be reflective of the Nation’s governance requirements. The EAO will work with Indigenous nations to:

- Identify specific procedural requirements of the Indigenous nation for EAs including Indigenous decision-making requirements (processes and information requirements);
- Identify any processes or governance agreements developed between Indigenous nations for working together in areas of territorial overlap or shared territory;
- Develop a deep understanding of a Nation’s unique connection to, and past and future uses of, the area potentially affected by the proposed project and Indigenous legal frameworks that governs this use; and
- Apply the outcomes of these collaborative discussions towards consensus on an EA process that is reflective of the Nation’s governance requirements and any broader interests of a Nation that could be affected by the proposed project.

Figure 3 below outlines the potential inputs that could be considered when developing an understanding of a participating Indigenous nation’s interests.

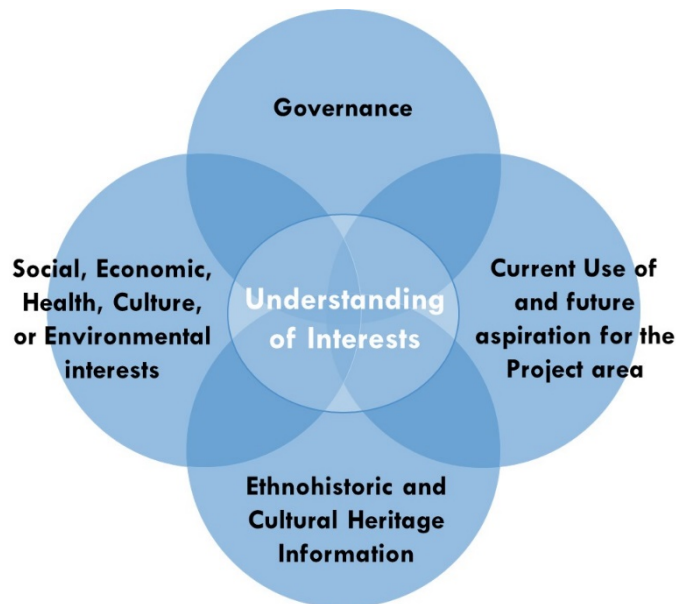


Figure 3. Potential inputs considered when developing an understanding of a participating Indigenous Nations’ interests

The preliminary understanding of interests may be included in the EAO’s Summary of Engagement issued to the proponent at day 90 of Early Engagement. This information will help inform the proponent in the preparation of their DPD and will support consensus seeking between the EAO and participating Indigenous nations regarding the adequacy of the DPD.

The EAO will work with participating Indigenous nations to identify how they wish to share information and work together through Early Engagement, and the subsequent EA if the proposed project proceeds to Process Planning. Engagement between the EAO and participating Indigenous nations may include meetings with technical staff from the Nation or Indigenous leaders, conducting community scoping workshops to identify areas of concern, or other agreed upon activities. The Early Engagement phase is an opportunity for Indigenous nations to learn more about the EA process, to share their issues and concerns, to identify how Indigenous knowledge may be used to inform the EA, and to communicate their procedural and informational requirements. Interests raised by a participating Indigenous nation may

include their rights under Section 35 of the *Constitution Act, 1982*, treaty rights, and any other effects to the Indigenous nation.

The EA process is designed to be inclusive of Indigenous nations and reflective of the understanding of interests that will be collaboratively developed respective to the participating Indigenous nation. The understanding of interests will inform the EA, should the proposed project proceed to Process Planning, by:

- Identifying the Indigenous interests that will be included in the effects assessment during the EA;
- Developing the types of information and study requirements to assess effects on Indigenous interests;
- Determining the engagement participating Indigenous nations will have in the EA process, including in the TAC;
- Informing the structure of the Indigenous nation component of the EAO's Assessment Report;
- Determining the scope of consensus seeking activities between participating Indigenous nations and the EAO; and
- Informing decision making in considering the perspectives of different Indigenous nations who may be affected by a proposed project.

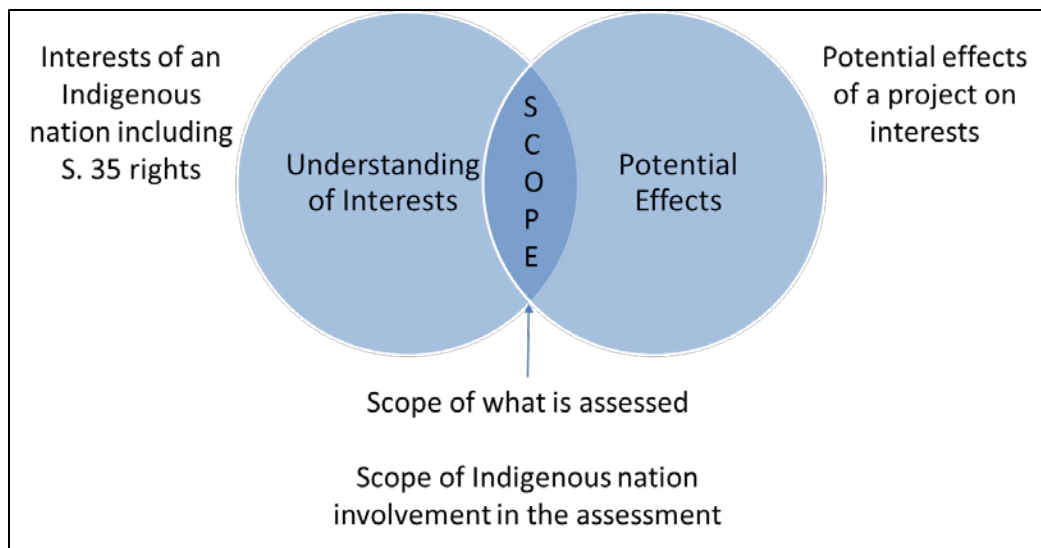


Figure 4. Determining the scope of an assessment

During the Process Planning phase, the understanding of interests can be further refined so that the appropriate information and study requirements are identified and included in the Process Order. The engagement that the proponent is required to undertake with Indigenous nations in the preparation of their Application will also be identified by the Process Order.

5.0 ENGAGEMENT WITH MUNICIPALITIES AND GOVERNMENT AGENCIES

Municipalities

Municipalities have their own statutory and decision-making processes. It is important for the EAO and proponents to understand the decision-making processes of municipalities so that they can effectively participate in an EA. Proponents and the EAO will also engage with municipalities to establish project specific information sharing and communication processes and identify their interests or concerns. Municipalities can also be valuable resources for providing information about the community setting, identifying those who may have local knowledge relevant to the EA, identifying other community contacts, anticipating local interests or concerns, and designing appropriate public engagement activities.

The EAO will seek to meet with municipalities during Early Engagement to understand how they want to be engaged in the EA and, if appropriate, start to develop an engagement plan with municipalities. Municipalities may also provide their views on the structure and need for a Community Advisory Committee (CAC). Additionally, the EAO may have a role in supporting municipality staff as they bring relevant items relating to the EA to mayor and council. Similarly, proponents should have ongoing engagement with municipalities to inform the development of their proposed project.

Provincial and Federal Government Agencies

Provincial and federal government agencies may be regulators and/or issuers of authorizations for proposed projects. Staff for provincial and federal government agencies may also be subject matter experts that can provide proponents and the EAO with technical advice on a variety of topics within their mandates or areas of competency. Provincial and federal government agencies can also proactively identify regulatory issues during the EA, ensuring a smooth transition between the EA and subsequent permitting should a project be approved. Provincial and federal government agencies involved in Early Engagement may become part of the TAC.

6.0 PUBLIC ENGAGEMENT

The purpose of public engagement in an EA is to incorporate the interests, concerns and knowledge of all affected and interested members of the public in decision making. During Early Engagement the EAO will seek to understand how the public wants to be engaged throughout the EA process and gather the public's major concerns with project design and siting. The Act's minimum legal requirements related to public engagement in Early Engagement are for the proponent to submit an Engagement Plan acceptable to the EAO and for the EAO to hold a minimum 30-day public comment period on the IPD. Depending on the public's familiarity with the EA process and the proposed project, the proximity of the proposed project to and the size of local communities, and the potential for adverse project effects, additional public engagement may be warranted.

The EAO will endeavor to tailor their approach during Early Engagement to the potential effects of the proposed project and the level of public interest. Based on the community setting, the EAO will select appropriate public engagement tools, including but not limited to, meetings, workshops, community events, advertisements, and/or open houses. Proponents will be required to undertake public engagement in accordance with their approved Engagement Plan, per project-specific direction from the EAO, and, when requested, to support the EAO-led public engagement. The EAO will provide public comments on the IPD to the proponent by day 90 of Early Engagement in the EAO's Summary of Engagement report. The public comments will inform the development of the proponent's DPD. Further information and guidance on how the EAO and proponents may undertake public engagement can be found in the [Public Engagement Policy](#).

7.0 ADVISORY COMMITTEES

The Act requires that a TAC be formed and allows for one or more CACs to be formed if the CEAO determines that there is enough interest.

Technical Advisory Committee

By day 90 of Early Engagement the EAO will convene a TAC to advise the EAO and participating Indigenous nations on technical matters related to the assessment, including review of technical materials provided by the proponent. The TAC is the principal forum for the technical review of the proposed project.

TAC members will be identified by their individual organizations. Municipality and provincial and federal agency TAC members will be selected to provide input in the areas of expertise needed to assess the potential project effects identified during the Early Engagement phase and the required assessment matters in [Section 25](#) of the Act. As the EA progresses, it is possible that the EAO may appoint additional TAC members as needed to address potential effects that were not initially identified. Each participating Indigenous nation will be invited to name one or more member(s) to the project TAC. These members may provide an Indigenous perspective, Indigenous knowledge, and/or scientific expertise. For further information on the TAC please refer to the [Technical Advisory Committee Handbook](#).

Community Advisory Committee

The Early Engagement phase is an opportunity to understand the level of public interest in a proposed project. The information gathered during Early Engagement will assist in identifying the amount of community interest in a proposed project and the necessity and feasibility of establishing one or more CACs during the Process Planning phase of an EA. Indigenous nations, members of the public and public stakeholder groups, and municipalities involved in Early Engagement may become part of a CAC. The information gathered during Early Engagement will provide information on the desired structure and membership of potential CACs. Further information on the CAC is available in the [Community Advisory Committee Guideline](#).

APPENDIX 1 – INITIAL PROJECT DESCRIPTION GUIDELINES

The IPD is intended to be a tool to share project information and support discussions during Early Engagement. The headings and information below are provided as guidance for inclusion in a proponent's IPD. While the EAO expects this information be included in the IPD, how the information is presented is at the proponent's discretion. Proponents are encouraged to use visuals, diagrams, and creative formats to present information in the IPD in a way that is accessible and clear.

The IPD should include a simple description of the proposed project, including its location, to provide an early understanding of the potential interactions of a proposed project with the biophysical and human environment, and the Indigenous nations and public whose interests could be affected. Proponents are strongly encouraged to share drafts of the IPD for review and comment with Indigenous nations and key stakeholders prior to submission to the EAO. If a proponent is seeking an exemption, the IPD should clearly state this intention and the rationale for the exemption request. Please contact the EAO and refer to the [Certificate Exemption Policy](#) for further information regarding exemption requests.

Executive Summary

- A plain language summary of the IPD that is clear and concise.

General Information and Contacts

- Project name;
- Project location;
- Project industrial sector and type (e.g., open pit metal mine); and
- Proponent name, mailing address, phone numbers, email address and website URL.
 - Include the name and contact information of the primary representative for the EA.

Purpose and Rationale

- A general rationale for why the project has been proposed; and
- Potential project benefits.

Legislative and Regulatory Context

- The type and size of the project, with specific reference to EA Regulatory Triggers [e.g., the EAO Reviewable Project Regulations and *Impact Assessment Act* (Canada) thresholds];
- A list of anticipated authorizations and permits;
- Consider the requirements of any applicable agreements between the Province and Indigenous nations, including treaties;
- Consider the requirements of any applicable international agreements between the Province and state or federal governments;
- A description of relevant government policies that the project may not be compatible with; and
- Proposed timing for conducting the provincial EA and federal EA, if applicable.

Project Status and History

- Project history, including past ownership;
- State if it is a new project or a modification to an existing project;

- A list of any existing permits or tenure in place;
- A description of any previous proposal(s) for the project or a similar proposal and the outcomes and history of the proposal(s), if applicable; and,
- If the project was previously declined or terminated, a description of how this proposal differs and how the issues for which the previous proposal was declined or terminated have been addressed.

Project Timing

- A list of proposed project phases (e.g. construction, operation, decommissioning, and reclamation) and the anticipated timing and duration of each phase; and
- Include any known seasonal timing constraints.

Project Location, Activities and Components

- A description of the proposed project's location in a local and regional context, including proximity to communities or locations of interest to the public, government, or Indigenous nations, and key designated or protected areas such as parks or Wildlife Habitat Areas;
- Proposed project activities and components;
- Proposed on and off-site facilities and equipment;
- A brief description of proposed activities related to processing, transportation and/or shipping of materials to/from the site;
- A description of any other project(s) that are needed for the proposed project to proceed and be feasible (e.g. a pipeline would be needed for an oil and gas facility to proceed);
- A description of the work that has been conducted to arrive at the proposed project as described in the IPD;
- A list of design or siting constraints that are flexible and those that are not flexible;
- A list of other design or siting options that may be considered; and
- Anticipated daily and annual maximum production or operational capacity of the project (if applicable).

Maps and Shapefiles

- Local and regional scale maps of the project showing its location and known off-site components;
- Shapefiles of the proposed project footprint and the footprint of known offsite components:
 - Shapefiles must be in ESRI format and include four file types: .shp, .shx, .dbf, and .prj;
 - Please also provide .KMZ files;
 - Shapefiles must be in BC Albers (NAD83) projection;
 - Shapefile polygons and their corresponding polygons on all maps must be identical in shape, size, and location;
 - Spatial features (.shp and .shx) must be represented as polygons, not as points or line features;
 - Shapefiles must be named in a way that clearly describes the contents;
 - To avoid having ArcGIS generate random errors, follow these best practices: avoid starting names by number, add an underscore instead of a space or dash, and do not include a symbol outside of the underscore; and,
 - Provide shapefiles demonstrating the overlap of known project components with any identified communities or locations of interest to the public. This may include information regarding specific sites of importance to an Indigenous nation or their territory, if this information is not confidential in nature and an Indigenous nation has agreed to allow the information to be shared.
- Maps must be presented in the required standard format with legible grids and suitable scaling (typically 1:100,000 to 1:150,000 for centralized projects such as a mine, and up to 1:1,500,000 or 1:1,250,000 scale for linear projects such as a pipeline or transmission line); and

- Maps must also include a national Topographic System (NTS) Map number, latitude and longitude references, titles, a north arrow, and relevant legends.

Indigenous Nation Interests

- A description of the proximity of the proposed project to Indigenous nations’ territory, communities, locations of interest, *Indian Act* reserve lands, lands subject to a Treaty, or other relevant agreements;
- A description of potential project interactions with any identified Indigenous interests;
- A description of alignment of the IPD with Indigenous nation laws, customs and policies; and
- A list of any issues, concerns, or questions raised by Indigenous nations during engagement on the draft IPD or other information shared in relation to the proposed project⁴.

Questions to consider:

What key interests and/or potential project impacts on Indigenous interests, including potential cumulative effects, have been identified?

On whose traditional territory is the project located? Are there agreements or is there an understanding regarding governance responsibilities among multiple Indigenous nations or with the Province in relation to the proposed project area?

Are there major issues to be addressed that can already be identified (e.g., caribou endangerment, linear feature density, water quality management, or important areas)? Can the proponent suggest mitigations to these early issues?

Are there Indigenous stewardship plans, reports on Indigenous history or culture, territorial plans or other Indigenous initiatives that should be considered for the EA? Will the proposed project affect Indigenous values, culturally important sites or activities referenced in those sources?

Has the EAO established any additional considerations for the IPD in an agreement with Indigenous nations that should be reflected?

Biophysical Environment

- A description of the natural setting characteristics, including coastal, foreshore, riparian, mountainous, watersheds, and agricultural land;
- A description of disturbed area characteristics, including: brown field; contaminated site(s), and any history of development;
- Identification of sensitive or vulnerable species, ecosystems, and/or habitats in the project area; and
- A list of existing data, including monitoring reports, previous EAs, regional studies, and/or other sources of information that support the understanding of the existing biophysical conditions.

Optional information:

Include a table listing any studies that are underway and those that are anticipated, including known guidance and standards to be used in these studies.

Human and Community Wellbeing

- A description of the proposed project’s proximity to local communities, including seasonal or temporary residences;
- Identification of the municipalities within which the proposed project is located or where effects may occur;

⁴ This information should be shared with and agreed upon by the Indigenous nation prior to submission to the EAO. Information that is confidential to an Indigenous nation should not be included in the IPD – please contact the EAO to discuss with the Indigenous nation how confidential information may be shared.

- A description of the proposed project’s proximity to important or sensitive community and natural places such as: municipal boundaries, parks, schools, hospitals, housing, water supplies, roads, railways, and protected and recreational areas;
- A list of existing data, including monitoring reports, previous EAs, regional studies, and/or other sources of information that support the understanding of the existing human environment conditions;
- Identification of any sensitive or vulnerable economic, social, heritage, or health values that may be affected by the project; and
- A preliminary understanding of the anticipated size of the workforce for each project phase, where the workforce will be drawn from, and where the workforce will be housed. Refer to the [Human and Community Wellbeing Guidelines](#) for further information.

Questions to consider:

What nearby human populations might experience disproportionate effects from the proposed project?

Are there existing chronic health problems in communities near the proposed project?

Are there capacity constraints in nearby/host communities in terms of community infrastructure and services (including housing availability, affordability and quality)?

What are the relevant health authorities, emergency service providers and/or other local and regional community service organizations?

Emissions, Discharges, and Waste

- A high-level outline of anticipated direct project waste and emissions to land, air, and water, including estimated greenhouse gas (GHG) emissions.
 - This information would include direct emissions that are expected to be above provincial or national standards and emissions that have the potential to interact with Indigenous interests, the biophysical environment, and/or the human environment.
- A description of proposed mitigation measures and/or project design changes to address emissions, including GHGs.

Public and Environmental Safety

- A description of potential malfunctions or accidents associated with the industry or specific to the proposed project and how they will be managed.
 - Include any proposed outreach to help Indigenous nations, governments and the public better understand the risks and mitigations; and
 - Include any issues raised about public and environmental safety during engagement with Indigenous nations, the public, provincial and federal government agencies, and stakeholders and how issues were considered in developing any mitigation measures or design changes.

Alternative Means of Carrying out the Project

- A high-level description of the alternative options for the proposed project, including a rationale for the preferred option that demonstrates how positive and negative effects and/or issues raised during engagement have been considered;
- The alternative means of undertaking the proposed project may include information related to:
 - the use of best available technologies;
 - the technical and economic feasibility;

- the potential effects, risks and uncertainties of those alternatives;
- the preferred option and a rationale for this preference; and,
- the different options for the project location, project routing, technologies, mitigation, or design.

Effects of the Environment on the Project

- An overview of potential effects of natural hazards or processes and climate change on the proposed project.

Questions to consider:

How susceptible is the proposed project to current and predicted climate change factors?

Does the proposed project depend on any natural resources susceptible to environmental change (e.g. instream water flow)?

Is the proposed project area prone to flooding or severe weather events?

How might climate change affect the frequency and intensity of severe weather events?

How has best available science, Indigenous knowledge and local knowledge been used?

Land and Water Use

- An outline of the anticipated project footprint and proposed area of disturbance;
- A description of the land required for the proposed project, including whether the project is located on private lands, provincial or federal Crown lands, or Indian Reserve lands;
- Include the applicable zoning, Agriculture Land Reserve designation, land and resource management plans, and other land use designations (e.g. parks and protected areas) and the legal land descriptions and/or tenure numbers of those lands, if known;
- A description of past uses of the land required for the proposed project, including whether the site has been previously developed; and,
- A description of water requirements for the proposed project, if applicable, and the proposed source of water.

Optional information:

Location of previously disturbed site or green field site, agricultural land, foreshore;

Legal information regarding land title; Proximity to seasonal or temporary residences; and

Relationship to known regional initiatives such as Environmental Stewardship Initiatives or the Elk Valley Water Quality Plan.

Land Use Plans

- A list of all relevant land use plans, including provincial land use plans, Indigenous land use plans, and relevant municipal plans; and,
- An identification of any rezoning or changes in land designations that would be required for the proposed project.

Project Interactions

- A description of potential interactions between the proposed project and the biophysical and human environments, including Indigenous interests. It may be helpful to present this information in a table format, refer to the [Effects Assessment Policy](#) for examples of interaction tables;
- A summary of any biophysical feasibility studies undertaken that may be pertinent to understanding potential interactions, if applicable;
- A list of any activities proposed to be undertaken during the Early Engagement period to inform the development

- of the DPD or the Application, should the project proceed to an EA; and,
- An identification of existing cumulative effects in the region that the project may interact with. Refer to the [Effects Assessment Policy](#) for more information.

Questions to consider:

What potential interactions could the proposed project have with Indigenous nations' interests, communities, the biophysical environment, and/or the human environment?

What parts of the proposed project or project-related activities could interact with sensitive ecosystems or habitat, species or communities?

How has feedback and input from potentially affected parties, including Indigenous nations, informed the identification of potential project interactions?

What past, present, and reasonably foreseeable future projects and activities are there in the proposed project area and region?

APPENDIX 2 – ENGAGEMENT PLAN GUIDELINES

The purpose of the Engagement Plan is to ensure that key parties to the EA are identified early in the EA process and provided a common understanding of how each party will be engaged. Key parties include Indigenous nations, the public, municipalities, and stakeholders. The Engagement Plan should promote transparent sharing of information early in the EA process, outline the proponent’s approach for seeking information and feedback to inform development of the DPD and subsequent EA processes, provide the methods and activities proposed for engagement throughout Early Engagement, and ensure engagement reflects how each party wants to be engaged with. The EAO expects that the proponent will provide support to the EAO with respect to its activities during Early Engagement, including the conduct of the public information sessions and advertising during the public comment period. Further, the Engagement Plan should facilitate the provision of information to inform development of the DPD. If an exemption is sought, this information should be included in the Engagement Plan to make all parties aware. Please contact the EAO and refer to the [Certificate Exemption Policy](#) for further details.

The headings and information below are provided as guidance for inclusion in the Engagement Plan. The EAO expects this information be included in the Engagement Plan but the structure in which this information is presented may be adapted to ensure the most effective communication possible.

General Information and Contacts

- Project name;
- Project location within the province;
- Project industrial sector and type (e.g., open pit metal mine); and
- Proponent name, mailing address, phone numbers, email address and website URL. Include the name and contact information of the primary representative for the EA.

Project Overview

- A brief description of the proposed project (the Engagement Plan may refer to the IPD for a more detailed overview of the proposed project);
- The proximity of the proposed project to local communities, neighbourhoods and/or areas used by or of value to Indigenous nations and the public; and,
- An outline of engagement that occurred in the development of the Engagement Plan and how any feedback received was considered and addressed.

Engagement Methods

- A list of who the proponent proposes to engage with during Early Engagement, including key contact names for appropriate Indigenous nations, members of the public, municipalities, provincial and federal government agencies, and stakeholders, and a rationale for those selected (where appropriate, personal information may be excluded as confidential - the Engagement Plan will be a public document);
- An outline of when and how each party will be engaged with during Early Engagement, including but not limited to, the type and frequency of engagement and any constraints to the engagement;
- An identification of any potentially impacted populations that may be underrepresented by the proposed engagement methods and how this will be mitigated or otherwise addressed. Refer to the [Human and Community Wellbeing Guidelines](#) and [Public Engagement Policy](#) for more information;
- A description of different types of engagement tailored to the project and the area to ensure opportunities for all potentially impacted people (consider language and cultural preferences, minority groups, marginalized

- populations);
- An outline of how information will be communicated in a timely and consistent manner;
- A description of how input and feedback will be gathered and how it will be considered, including how it will be used in project design and what deliverables will be produced to respond to the feedback received such as the use of tracking tables and other documentation methods; and
- An outline of the process for periodic updating of the Engagement Plan, including when and how the document may be updated and the process for communicating any updates made.

Questions to Consider:

How will proponents ensure engagement will be broad enough to capture the diverse interests and needs of communities and community members?

When and in what form will public notifications occur?

How will a gender-based assessment framework inform the approach to engagement?

What types of engagement activities will be provided to achieve equitable engagement and effective information collection?

How will confidentiality be considered depending on parties' wishes?

How will timing of engagement consider factors affecting community availability?

How will input be considered and how will feedback be reported?

Who are the relevant landowners, tenure holders, and community interest groups?

Indigenous Nation Engagement

- A list of all Indigenous nations whose territory overlaps with the project area or overlaps with potential direct or indirect effects of the project⁵;
- For each Indigenous nation identified, an overview of engagement activities that have been carried out, a description or tracking table of issues that have been raised with respect to the proposed project, and an explanation of how those issues have been or will be addressed by the proponent, providing a clear rationale for not addressing any issues raised;
- A list of any relevant agreements (including agreements between Indigenous nations), memorandums of understanding, assessment protocols, treaty or other publicly available information of potentially affected Indigenous nations and how requirements of those documents informed the Engagement Plan;
- A description of how Indigenous nations and Indigenous knowledge holders will be engaged to ensure Indigenous knowledge is applied appropriately and in alignment with the laws and customs of the Indigenous nation. Refer to the [Indigenous Knowledge Guide](#) for more information; and
- An outline of how participating Indigenous nations will be engaged during the development of the DPD.

Best Practices for Indigenous nation Engagement

- Introduce the proposed project Indigenous nations early (e.g. prior to submitting an IPD and Engagement Plan to the EAO) to build an understanding of Indigenous history, tradition, governance and procedural requirements, including decision-making requirements;
- Meet with Indigenous nations early to establish a collaborative working relationship prior to asking for their feedback and to ensure you are engaging with the appropriate Indigenous entities;

⁵ Based on a preliminary understanding of project effects, the list of potentially impacted Indigenous nations may change as the EA advances.

- Ensure you are familiar with the requirements of any treaties, processes, agreements (including agreements between Indigenous nations), or other government-to-government arrangements within the Indigenous nations' territory;
- Engage with potentially impacted Indigenous nations to understand their cultural perspectives, governance and decision-making requirements;
- Identify how Indigenous nations wish to engage in the EA according to their governance and decision-making requirements;
- Display an understanding of how engagement with Indigenous nations differs from that with the public or municipalities;
- Discuss the use of Indigenous knowledge with Indigenous nations and commit to using Indigenous knowledge according to the laws, customs and practices of the Indigenous nation;
- Share drafts of the IPD, Engagement Plan, and DPD with Indigenous nations prior to submitting to the EAO for approval;
- Meet with Indigenous nations individually or collectively to discuss proposed changes to drafts of the IPD, Engagement Plan, and DPD based on feedback from Indigenous nations;
- Track all issues raised by Indigenous nations and indicate how issues have been or will be addressed during the EA; and,
- Proponents are encouraged to support engagement activities with Indigenous nations by providing capacity funding during the development of the IPD, Engagement Plan, and DPD.

Questions to consider:

How does each identified Indigenous nation govern and make decisions? Are identified Indigenous nations part of an elected or hereditary system?

When do Indigenous nations hold elections? How will this effect timing of their review and decision making?

Who is the entity authorized to represent the Indigenous nation to identify potential impacts to its collective rights? Is it an individual house, clan, Indigenous nation or collective or group of Nations?

How does each identified Indigenous nation wish to be engaged in review of the project?

What processes and protocols need to be observed for effective engagement with each Indigenous nation?

What information is needed to ensure that Indigenous nations' decision makers and interested community members are aware of the potential impacts of a proposed project?

What level of information is needed to support Indigenous nations in their decision to be a participating Indigenous nation or not?

Will Indigenous nations be afforded opportunities to be involved in baseline data collection and/or to provide input on data analysis and development of mitigation measures?

How will the proponent track and resolve issues identified by Indigenous nations?

Public and Stakeholder Engagement

- To ensure that engagement is focussed and relevant, a list of the groups, populations, or individuals that the proponent will engage with as part of public engagement;

- To help focus engagement, a list of the public’s interests in the proposed project, such as concerns, potential benefits, project design improvements, and how the public wish to be engaged in Early Engagement and the EA;
- A description of any engagement already completed with landowners, land rights holders, other commercial, industrial, agricultural, and recreational land users, as well as the public, including key interests or issues identified and how these interests/issues were considered in project design;
- A table identifying the issues that have been raised by those parties with respect to the proposed project, and an explanation of how those issues have been or will be addressed by the proponent; and
- A description of how local information and knowledge will be collected and considered in project planning and in the preparation of the DPD.

Who is the Public?

The public includes those who could be directly or indirectly affected by a proposed project such as: municipalities, residents from nearby communities, businesses and business groups, non-government organizations, academic institutions, community groups, recreation groups, tenure holders and other public stakeholders, among others.

Questions to consider:

How does the public use the land? What aspects of the land that are important to the public might be affected by the project?

Historically, what sectors have been the major economic drivers in communities nearest to the project? Is the community familiar with this industry already and potential impacts or is it a new industry?

Are members of the public seeking information about the project, opportunities for input, or other issues related to the EA?

Will the project affect some people more than others?

Have specific groups been formed to oppose or support the project?

To date, have consultation activities generally been received by communities in a positive, negative, neutral, or mixed way?

Has the project and/or the EA received attention in the media? If so, what interests and concerns have been identified?

Are there specific environmental or community features that will be impacted by the proposal? How will they be addressed?

Best Practices for Public and Stakeholder Engagement

- Ensure that opportunities to engage on the project are made apparent to the public via local media, publicly accessible websites, and/or other available and appropriate means;
- Conduct public engagement in a way that removes as many barriers to participation as possible and captures a diverse range of feedback;
- Tailor engagement to the needs of the community by asking the right questions of the right people to gain meaningful feedback;
- Help the public better understand how to provide useful feedback on the project; and
- Show responsiveness to feedback by modifying project design, plans and/or studies. Refer to the EAO’s [Public Engagement Policy](#) for further information.

Engagement with Municipalities and Government Agencies

- A list of all appropriate municipalities, and provincial and federal government agencies to be engaged with and relevant representatives from each agency;
- A description of any previous engagement with municipalities, and provincial and federal government agencies

prior to submission of the Engagement Plan, including how the Engagement Plan reflects these engagement discussions; and

- A list of any municipal plans relevant to the EA.

Questions to consider:

How does the proponent propose to engage municipalities and provincial/federal government agencies?

How do municipalities want to be engaged during Early Engagement?

What key interests or issues have been identified?

Best Practices for Engagement with Municipalities and Government Agencies

- Engaging early to understand the capacity and needs of municipalities and provincial and federal government agencies in the EA process;
- Ensure appropriate municipalities and provincial and federal government agencies and experts are involved to help the proponent to address potential impacts from the project; and
- Identify relevant health authorities, emergency service providers and/or other local and regional community service organisations.

APPENDIX 3 – DETAILED PROJECT DESCRIPTION GUIDELINES

The DPD should include information provided in the IPD with updates, revisions, and further details following engagement with Indigenous nations, the public, municipalities, provincial and federal government agencies, and other stakeholders. It's important that the DPD describe how engagement contributed to changes in the proposed project or EA process. Proponents should use the EAO's Summary of Engagement to inform the DPD, including addressing all information requirements identified by the EAO.

If a proponent is seeking an exemption, the DPD should provide the information necessary to support this request as required by the EAO's Summary of Engagement and in the [Certificate Exemption Policy](#).

The headings and information below are provided as guidance for inclusion in the DPD. As with the IPD, while the EAO expects this information be included in the DPD, how the information is presented is at the proponent's discretion. Proponents are encouraged to use graphics, diagrams, and plain language where appropriate to clearly communicate information in the DPD.

Executive Summary

- Any updates to information in the IPD.

General Information and Contacts

- Any updates to information in the IPD; and
- Anticipated cost for construction and decommissioning as well as projected annual operating costs.

Purpose and Rationale

- Any updates to information in the IPD.

Legislative and Regulatory Context

- Any updates to information in the IPD.

Project Status and History

- Any updates to information in the IPD.

Project Timing

- Any updates to information in the IPD, including a justification for any updates/changes to project timing and a description of how engagement was considered; and
- A list of timelines for the proposed project's EA and permitting processes and expected timing to submit key permit applications.

Project Location, Activities and Components

- Any updates to information in the IPD, including a justification for any updates/changes to the project location, activities and/or components, and a description of how engagement was considered;
- Include what further information, if any, is needed to confirm design and siting options, and approximate timelines; and
- A description of the work that has been conducted to arrive at the proposal, including what other options were considered and how engagement was considered.

Maps and Shapefiles

- Any updates to information in the IPD;
- When known, include landscape features of importance to Indigenous nations⁶ and local communities in maps;
- Any new maps showing the boundary within which the project would be built, including updated location, project components and transportation routes;
- Maps must be presented in the required standard format with legible grids and suitable scaling (typically 1:100,000 to 1:150,000 for centralized projects such as a mine, and up to 1:1,500,000 or 1:1,250,000 scale for linear projects such as a pipeline or transmission line); and
- Maps must also include NTS Maps number, latitude and longitude references, titles, a north arrow, and relevant legends.

Indigenous Nation Interests

- Any updates to information in the IPD, including a justification for updates/changes and a description of how engagement was considered;
- For each Indigenous nation identified, an overview of engagement activities that have been carried out, a description of issues that have been raised with respect to the proposed project, and an explanation of how those issues have been or will be addressed by the proponent;
- A description of how Indigenous nations plan to work with the proponent moving forward;
- A list of agreements the proponent has entered into with Indigenous nations during Early Engagement;
- A description of opportunities for the proponent to work with the EAO and Indigenous nations;
- Additional information provided by participating Indigenous nations;
- An identification of potential effects on Indigenous interests;
- A description of how this engagement and information was considered in the DPD, and corresponding changes that were made with justification for these changes; and
- A description of how information contained in the EAO's Summary of Engagement provided by the EAO was addressed in the DPD.

Biophysical Environment

- Any updates to information in the IPD, including a justification for updates/changes and a description of how engagement was considered;
- A table showing a list of studies that are underway and those that are anticipated, including guidance and standards to be used in preparing these studies;
- A description of engagement that occurred following acceptance of the IPD and Engagement Plan, including any additional information collected during this period on sensitive or vulnerable environmental values that may be affected by the

Questions to consider:

What different habitats might be affected by the proposed project?

What downstream effects may be experienced?

What critical ecosystems are present in areas potentially affected by the proposed project?

Will habitat isolation potentially occur?

Will the effect be limited to a single phase of the proposed project?

Is there the potential for the introduction of invasive species? How can this be minimized?

⁶ This information should be shared with and agreed upon with the Indigenous nation prior to submission to the EAO. Information that is confidential to an Indigenous nation should not be included in the DPD – please contact the EAO to discuss with the Indigenous nation how confidential information may be shared.

proposed project and any further understanding of the potential effects of the project, including cumulative effects;

- A description of future methods of information collection that will occur through continuing engagement;
- A description of Indigenous knowledge that may have been incorporated into the description of existing biophysical environment, with permission of the Indigenous nation; and
- A description of how this engagement and information was considered, and corresponding changes that were made with justification for these changes.

Human and Community Wellbeing

- Any updates to information in the IPD, including a justification for updates/changes and a description of how engagement was considered;
- An outline of the anticipated number of construction and operating jobs and anticipated percent of workforce from local community;
- A description of how the proposed project may affect the local and regional economy;
- A description of the engagement that occurred following acceptance of IPD and Engagement Plan and any additional information collected during this period regarding sensitive or vulnerable economic, social, heritage, or health values that may be affected by the proposed project; and
- A description of how this engagement and information was considered, and corresponding changes that were made with justification for these changes. Refer to the [Human and Community Wellbeing Guidelines](#) for further information.

Questions to consider:

How will scientific, Indigenous and local knowledge and perspectives be integrated into the scoping and information gathering process of the EA, including the perspectives of different sub-populations?

How has gender based assessment been considered?

How will baseline data collection identify existing strengths, weaknesses and diversities and the potential for diverse project interactions in the host and nearby populations (e.g., jobs, training, social issues, local health concerns)?

Does the DPD demonstrate engagement techniques that promote inclusivity and support the participation of diverse groups and perspectives in the EA process?

How can the mental and physical health of workers be accommodated in worker camps?

How can the workforce be safely diversified with the inclusion of Indigenous peoples, gender-diverse people, and/or individuals with disabilities?

Has the cultural diversity in the potential project area been considered?

What opportunities does the proposed project provide to current and future generations?

Does the proposed project put demand on natural systems that will affect the ability for future generations to benefit from them?

How can benefits from the proposed project be provided or extended for future generations?

How have potential long-term negative effects been lessened and positive long-term effects been encouraged?

Emissions, Discharges, and Waste

- Any updates to information in the IPD, including a justification for updates or changes and a description of how engagement was considered;

- An estimate of direct and indirect project GHG emissions by phase;
- A description of the potential effects on the province being able to meet its targets under the *Greenhouse Gas Reduction Targets Act*; and
- A justification for updates or changes to expected emissions, effluents, discharges and/or wastes and a description of how engagement was considered.

Public and Environmental Safety

- Any updates to information in the IPD, including a justification for updates/changes and a description of how engagement was considered;
- Include a description of potential project-related scenarios when there is a real or perceived risk of a malfunction or accident; and,
- Identification of moderate-to-high-risk potential malfunctions or accidents associated with the proposed project and how they will be managed:
 - Refer to risk disclosure standards and provincial risk management policy, including the Risk Management Guideline for the B.C. Public Sector (Province of British Columbia Risk Management Branch and Government Security Office, April 2019).

Alternative Means of Carrying out the Project

- Any updates to information in the IPD, including a justification for updates/changes and a description of how engagement was considered; and
- Provide clear definitions with transparent weighting and criteria for assessing alternative means.

Effects of the Environment on the Project

- Any updates to information in the IPD, including a justification for updates/changes and a description of how engagement was considered; and
- A justification for updates/changes to potential effects and a description of how engagement was considered, especially Indigenous knowledge and local knowledge gathered during Early Engagement.

Land and Water Use

- Any updates to information in the IPD, including a justification for updates/changes and a description of how engagement was considered;
- Identification of the location of previously disturbed site or green field site, agricultural land, foreshore;
- Legal information regarding land title, authorization, permits;
- Identification of the proximity to seasonal or temporary residences;
- Description of the relationship to known regional initiatives (e.g. Elk Valley Water Quality Plan or Indigenous land use plans); and
- A description of project land and water use following engagement clearly noting any changes and a justification for why changes were made and how engagement was considered.

Land Use Plans

- Any updates to information in the IPD, including a justification for updates/changes and a description of how engagement was considered; and
- A justification for updates/changes to relevant provincial land use plans and a description of how engagement was considered.

Potential Project Effects

- Any updates to information in the IPD, including a justification for updates/changes and a description of how engagement was considered;
- A description of potential positive and negative effects of the project on the biophysical and human environments, and Indigenous interests, including any potential cumulative effects;
- A summary of key conclusions from any biophysical feasibility studies undertaken that may be pertinent to understanding potential interactions, if applicable;
- An initial description of measures to prevent or reduce the potential negative effects to an acceptable level. Include measures that could be integrated into project design, compliance with applicable regulations, standards, codes of practice, or Best Management Practices, corporate management systems, and/or project-specific measures that will be implemented; and
- A brief description of proposed monitoring programs, if known, that will be implemented to measure the effectiveness of mitigations to prevent or reduce the potential negative project effects.

Questions to consider:

Have all available land use plans (e.g., local, regional, Indigenous nations) been reviewed and taken into consideration?

How have the applicable parties been consulted regarding how the project will affect these plans?

Questions to consider:

Is the project area already experiencing cumulative effects that the project may add to?

What past, present, and reasonably foreseeable future projects and activities are there in the project area and region?

Are there any potential extraordinary adverse effects that have been identified?

Preparing for the Process Planning Phase

To facilitate an efficient Process Planning phase, proponents may choose to provide their proposed revisions to the standard Application Information Requirements at the time of filing their DPD with the EAO. Any proposed revisions should follow the guidance for scoping and valued component (VC) selection provided in the [Effects Assessment Policy](#) and [Human and Community Wellbeing Guidelines](#), and include considerations identified during Early Engagement, including Indigenous interests regarding the project, comments received from the public, stakeholders, municipalities and other agencies. A rationale for the selection, omission, addition, or other changes to the EAO's standard Application Information Requirements and VCs, including subcomponents and indicators, would also facilitate efficient process planning.

If this additional information is provided with the DPD, it would not be considered in the Readiness Decision and would not be subject to consensus seeking with participating Indigenous nations at the Readiness Decision. The EAO will be seeking consensus with participating Indigenous nations on the Process Order, including the Application Information Requirements, during Process Planning. Please refer to the [Process Planning Policy](#) for more information.