
West Coast Environmental Law

Ensuring Sustainability through Impact Assessment

Submissions on Consultation Paper on Information Requirements and Time Management Regulations

June 1, 2018

We are pleased to provide these comments on the Government of Canada's *Consultation Paper on Information Requirements and Time Management Regulations* (Consultation Paper).¹ We are providing a separate submission on the *Consultation Paper on the Approach to Revising the Project List*.²

West Coast Environmental Law Association (West Coast) is a British Columbia-based non-profit environmental law organization dedicated to safeguarding the environment through law. One of Canada's oldest environmental law organizations, West Coast has provided legal support to British Columbians to ensure their voices are heard on important environmental issues and worked to secure strong environmental laws for over 40 years.

Since its founding, West Coast has been involved with various aspects of provincial and federal environmental assessment (EA). We have been deeply engaged in the development of the proposed new *Impact Assessment Act* (IAA),³ including appearing before the Standing Committee on Environment and Sustainable Development (Standing Committee) as a witness and providing submissions on Bill C-69. In addition to providing legal services to First Nations, community groups and individuals involved in EA processes, West Coast co-Chairs the Environmental Planning and Assessment Caucus of the Canadian Environmental Network, and is a delegate on the Minister of Environment and Climate Change's (the Minister) Multi-Interest Advisory Committee. Since the review of federal EA processes began in 2016, we have been deeply involved in advancing leading-edge thinking on next generation EA for Canada.

¹ Government of Canada, *Consultation Paper on Information Requirements and Time Management Regulations* (February 2018), online: <https://www.impactassessmentregulations.ca/information-management-and-time-management>.

² Government of Canada, *Consultation Paper on the Approach to Revising the Project List: A proposed impact assessment system* (February 2018), online: <https://www.impactassessmentregulations.ca/project-list>.

³ Bill C-69, *An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts*, 1st Sess, 42nd Parl, 2018 (1st reading) [Bill C-69].

Summary

The Consultation Paper appears to focus on the information that proponents will be required to provide, as well as information the Agency will provide to the proponent. This proponent-centred approach appears to leave out other important information sources and analysts, including federal departments and officials, members of the public, Indigenous peoples and other jurisdictions, stakeholders, and non-proponent consultants, academics and experts. We urge the government to consider the recommendations of numerous individuals and groups, including West Coast,⁴ the Environmental Planning and Assessment Caucus,⁵ and the Expert Committee⁶ appointed to review federal environmental assessment processes, regarding ensuring a robust role for both federal departments and non-government experts and groups in information gathering, analysis and review. The Regulations should not only focus on proponent information, but also on non-proponent roles in the impact assessment process, and impose a duty of scientific integrity on all parties and information.⁷

The Consultation Paper also proposes to prescribe in the Regulations information respecting the documents the Agency would provide to the proponent and make publicly available, including Impact Assessment Cooperation Plans, and public and Indigenous engagement plans. We urge the government to take advantage of this opportunity and prescribe in the Regulations the basic criteria and principles for public and Indigenous engagement, as well as for considering, reviewing and weighing information, such as through detailed decision-making criteria and rules.

In summary, we recommend that the Regulation:

1. Apply to all stages of project, regional and strategic assessments.
2. Establish sustainability-based decision criteria and rules, and require the identification of assessment-specific criteria in the planning phase.
3. Define and prescribe the broad and comparative evaluation of alternatives.
4. Require all parties, including the proponent, to use and integrate the best available scientific information and methods throughout all phases of assessments, in balance with Indigenous knowledge.
5. Expand upon the information required to be provided in the Initial Project Description to include, for example, any relevant regional and strategic assessment, reasonable alternatives, and the public interest context and objectives.
6. Expand upon the information required to be provided in the Detailed Project Description, for example to include potential effects of alternatives, the outcomes of

⁴ Anna Johnston, *West Coast Environmental Law Submissions on Next Generation Environmental Assessment* (23 December 2016) at 28, online: West Coast Environmental Law <https://www.wcel.org/sites/default/files/publications/wcel-submissions-to-ea-panel-final-16-12-23.pdf>.

⁵ Justina Ray, "Peer Review in EA" in Anna Johnston and Jamie Kneen, eds, *Submission on the Government of Canada's Environmental and Regulatory Reviews Discussion Paper* (Environmental Planning & Assessment Caucus, 2017) [unpublished], online: Réseau Canadian Environmental Network http://rcen.ca/sites/default/files/epa_caucus_submission_on_env_and_reg_reviews_discussion_paper_17-08-28.pdf/.

⁶ Expert Panel, *Building Common Ground: A New Vision for Impact Assessment in Canada* (2017) at 43-46, online: EA Review Expert Panel <https://www.canada.ca/content/dam/themes/environment/conservation/environmental-reviews/building-common-ground/building-common-ground.pdf>.

⁷ With the exception of Indigenous peoples in the provision of Indigenous knowledge.

- any relevant regional or strategic assessment, and the need for and purpose of the project from a public interest perspective, while removing the limitations on potential environmental effects to be considered.
7. Expand on prescribed requirements for the documents the Agency must prepare, to:
 - a) Set out the matters to be addressed in cooperation plans to be jointly developed with or consented to by Indigenous peoples, and with provinces if applicable;
 - b) Set out basic principles and rules respecting the development of the public participation plan; and
 - c) Include information, analysis and review by parties other than the proponent.
 8. Require the Minister to stop the clock when requested by an Indigenous jurisdiction or rights-holder and respond publicly to any request to stop the clock, and ensure that any clock-stops include sufficient time to review and respond to new information.

General recommendations

1. Apply to all Stages of Project, Regional and Strategic Assessment

The “information” component of the Consultation Paper appears to focus solely on information requirements related to or flowing from the planning phase of project assessments, despite the importance of information integrity and application throughout assessments, from early planning through to follow-up and monitoring. We recommend the Regulation prescribe:

1. How monitoring and follow-up information from *other* undertakings is to be applied in the planning and impact assessment phases of the assessment.
2. How the outcomes of project, regional and strategic assessment outcomes are to guide each of the other tiers of assessment, and the basic information requirements for scenario-based regional assessment.
3. That monitoring and follow-up information from the undertaking at hand may be used to inform future design changes to the project or mitigation.
4. The scope of cumulative effects assessment (all past, present and reasonably foreseeable future development within the geographic extent of any project effects).
5. Principles respecting the spatial and temporal scope of project assessments.

2. Include Sustainability Criteria and Rules, and a Decision-Making Framework

West Coast, along with other groups and experts, have recommended establishing in regulations clear criteria and rules to provide a transparent framework for decision-making to ensure that impact assessment achieves the IAA goal of fostering sustainability.⁸ The *Information and Time*

⁸ See, e.g., West Coast Environmental Law Association, *Bill C-69 – Achieving the Next Generation of Impact Assessment Brief to the House of Commons Standing Committee on Environment and Sustainable Development* (6 April 2018) at 3, online: <http://www.ourcommons.ca/Content/Committee/421/ENVI/Brief/BR9804432/br-external/WestCoastEnvironmentalLawAssociation-e.pdf>; Submission of the Environmental Planning and Assessment Caucus, Réseau Canadian Environmental Network to the Standing Committee on Environment and Sustainable Development (6 April 2018), online: <http://www.ourcommons.ca/Content/Committee/421/ENVI/Brief/BR9825921/br-external/CanadianEnvironmentalNetwork-e.pdf>; Bob Gibson, *Sustainability in the proposed new federal assessment*

Management Regulation provides an excellent venue for basic sustainability-based decision criteria and rules, and for guiding the development of assessment-specific criteria.

Decision criteria and rules provide greater certainty for all parties, jurisdictions and members of the public. If established, they would also guide the Agency and review panels when preparing their assessment reports, and decision-makers in determining whether an undertaking is in the public interest. While section 65 of the IAA provides greater clarity than the current “significance and justification” test, it will likely not be clear to proponents, Indigenous peoples, the public, or potentially even assessment authorities how decision-makers will apply the section 65 factors – and in particular section 63(a), “the extent to which the designated project contributes to sustainability” – when determining whether to approve a project.

The Regulation should set out basic decision criteria and rules for how to apply the information gathered in the assessment, and determining whether an undertaking is in the public interest. These criteria and rules should also apply to guide the outcomes of regional and strategic assessments. The Regulation should also require the Agency, in collaboration with Indigenous jurisdictions, to establish detailed criteria based on information gathered and consultations made in the planning phase. We recommend the following basic criteria and rules in the Regulation:

Decision criteria

1. *Taking into consideration the factors set out in section 22 of the Act,⁹ including interactive effects, and applying the precautionary principle,¹⁰ the Agency or review panel, as case may be, and the Minister or Cabinet, as the case may be must, in all regional, strategic and project assessments:*

 - (a) *decide which option from among the proposal and alternatives makes the greatest positive contribution to sustainability by protecting, restoring or enhancing each of the following to achieve mutually reinforcing, cumulative and lasting sustainability gains:*
 - i. *ecological integrity,¹¹ including the ecological basis for the meaningful exercise of Aboriginal and treaty rights and community health,*

law as proposed: an initial report card, Supplementary submission to the House of Commons Standing Committee on Environment and Sustainable Development concerning its review of the proposed Impact Assessment Act in Bill C-69 (6 April 2018) at 3, online: <http://www.ourcommons.ca/Content/Committee/421/ENVI/Brief/BR9803981/external/GibsonRobert-UniversityOfWaterloo-e.pdf>.

⁹ As noted above, the factors to be considered, currently set out in CEAA, 2012, section 19(1) will need to be revised to, among other things, include consideration of impacts, benefits, risks and uncertainties, reasonable alternatives, and an expanded definition of cumulative effects. The legislation should define cumulative effects as: “Cumulative effects means the effects resulting from the combination and interaction of the effects of the proposed undertaking, including the environmental effects of malfunctions or accidents that may occur in connection with the undertaking, and the effects of past, present and reasonably anticipated future human actions, with appropriate consideration to the synergistic and interactive outcomes of multiple land-use practices, industrial developments, and climate change that aggregate over time and space.”

¹⁰ The legislation should define a strong precautionary principle.

¹¹ The Regulation should define ecological integrity as “the biological richness and the ecosystem services provided by natural terrestrial and marine processes, sustained at all scales through time (e.g., species richness, vegetation diversity, soil productivity, water quality, predator–prey interactions, nutrient cycling, hydrology, disturbance regimes, succession, carbon storage), including the structure, function, and composition of natural ecosystems.” We recommend that measurable ecological limits be defined through REA or regional-strategic EAs (R-SEA) scenario analysis and that these be based on benchmarks of low relative ecological risk for key values and rights. In general,

- ii. *the Government of Canada’s ability to meet its environmental obligations and its commitments in respect of climate change,*
- iii. *the community and social well-being of potentially affected people,*
- iv. *the health of potentially affected people, especially vulnerable populations,*
- v. *long-term economic wellbeing,*
- vi. *livelihood sufficiency and opportunity over the short and long-term,*
- vii. *intra-generational equity,¹²*
- viii. *inter-generational equity,¹³*
- ix. *resource maintenance and efficiency,¹⁴ and*
- x. *any additional criteria established by the Agency in accordance with section (x) of this Regulation; and*

(b) uphold Indigenous jurisdiction, law and rights in accordance with the United Nations Declaration on the Rights of Indigenous Peoples.

- 2. *Decisions on project assessments under section 1 must be consistent with the outcomes of any regional or strategic assessment conducted under sections 92, 93 or 95 of the Act.*
- 3. *The proponent bears the burden of proof in demonstrating, based on clear and convincing evidence, that the criteria set out in sections 1(a) and 2 have been met, or if trade-offs are anticipated, that the circumstances set out in section 4 are present.*

Trade-off rules

- 4. *Where no available option meets the criteria listed in section 1(a), the Minister or Cabinet, as the case may be, may approve an option if satisfied that it:*
 - (a) will maximize net gains to overall sustainability based on the criteria identified in paragraph 1(a), even if not every criterion is met;*
 - (b) is not likely to result in the exceeding of an ecological limit;*
 - (c) complies with sections 1(b) and 2; and*
 - (d) is consistent with any additional trade-off rules established in regulations or policy.*

Reasons

- 5. *A decision to approve an option under sections 1 or 4 must be accompanied by explicit, clear and cogent reasons demonstrating:*
 - (a) how the option best contributes to overall sustainability compared to the alternatives in accordance with the criteria listed in section 1(a);*

assignment of risk and identification of ecological limits should be based on best available information regarding likely outcomes and relative ecological risk associated with current and future conditions.

¹² The Regulation should define contributions to intra-generational equity as, “Enhancement of fairness in the distribution of benefits, effects, risks and uncertainties, as well as choice availability, among potentially affected individuals, communities, regions and other interests.”

¹³ The Regulation should define inter-generational equity as, “The equal preservation or enhancement of the ability of current and future generations to benefit from environmental, social, cultural, health and economic well-being in potentially affected areas.”

¹⁴ The Regulation should define resource maintenance and efficiency to include “reducing extractive damage, avoiding waste and minimizing overall material and energy use.”

- (b) how the option meets sections 1(b) and 2;*
- (c) efforts to avoid trade-offs;*
- (d) if applicable, how trade-offs have been considered, addressed and justified;*
- (e) how the decision is based on the meaningful engagement of all jurisdictions, rights-holders and stakeholders as set out in section (z); and*
- (f) disclosure of the evidence upon which the decision is based.*

3. Define Alternatives and Prescribe their Consideration

The meaningful consideration of alternatives to an undertaking, in addition to alternative means of carrying it out, is integral to impact assessment’s use as a planning tool. Identification of alternatives should begin early in the planning phase and continue throughout the assessment. The Regulation should provide guidance respecting the identification and comparative assessment of reasonable alternatives from a public interest perspective. Alternatives should be defined broadly, with the assumption that alternatives will be on the table rather than off.

4. Impose a General Duty of Scientific Integrity and Best Available Information

Bill C-69 as reported back by the Standing Committee includes a provision imposing a duty of scientific integrity on the Government of Canada, the Minister, the Agency and federal authorities. That duty should be extended to apply to all parties and information considered in an assessment, with a particular emphasis on the proponent. We recommend that the Regulation impose a general duty of scientific integrity on non-federal parties, and in particular the proponent.

Further, we recommend that the Regulations require the use of the best available scientific information, which is absent from the Act.

Question 1: Views on the initial project description requirements

We have a few brief recommendations regarding additional information that should be prescribed in the Regulations as required in the initial project description. As an overarching comment, we note that the Consultation Paper states that a purpose of the initial project description would be to inform the public about the project. It is important at this early stage to also be identifying and informing the public about alternatives to the undertaking, and alternative means of carrying it out.

We recommend that the Regulations:

1. Require the inclusion of a brief description of any regional or strategic assessments relevant to the undertaking and its location, and sufficient evidence to demonstrate how the undertaking is consistent or inconsistent with the outcomes of relevant regional or strategic assessments.
2. Require the inclusion of any reasonable alternatives to the undertaking or alternative means of carrying it out that the proponent has identified or that have been brought to the proponent’s attention.
3. Regarding #6, the project’s context and objectives should include a description of the context and objectives from a public interest perspective. For example, while the objectives of a hydropower authority may be to maximize the hydroelectric

potential of a particular body of water, a public interest perspective may be a reliable supply of low-cost, sustainable energy.

4. For #8, include activities that are related to the undertaking, as well as physical works and activities that are induced by it (e.g., land use changes as a result of the undertaking).
5. Include the proposed duration of all activities, infrastructure and structures associated with the undertaking.

Question 2: Views on the detailed project description requirements

Our recommendations for Question 1, above, also apply to this question, along with additional recommendations. For the detailed project description, we recommend that the Regulations:

1. Require the inclusion of a description of any regional or strategic assessments relevant to the undertaking and its location, the outcomes of those assessments, and sufficient evidence to demonstrate how the undertaking is consistent or inconsistent with those outcomes.
2. Require that the description of alternatives to the undertaking or alternative means of carrying it out be described in detail in the project description. Thus, numbers 7-13 and 17 should be required for the description of any alternatives to the undertaking, or alternative means of carrying it out.
3. Regarding #6 and 14, the project's context and objectives, as well as its purpose of and need for, should include a description of the context and objectives from a public interest perspective.
4. For #8, include activities that are related to the undertaking, as well as physical works and activities that are induced by it (e.g., land use changes as a result of the undertaking).
5. Include the proposed duration of all activities, infrastructure and structures associated with the undertaking.
6. For #24, we urge that the enumerated matters within federal jurisdiction be deleted. Federal jurisdiction over the environment is not limited to the factors listed in #24 or set out in Schedule 3. For the purpose of determining whether an impact assessment is required, the Agency should have information about *all* environmental effects on areas within federal jurisdiction, or on federally-regulated projects. There is nothing in the legislation that requires narrowing the effects information that the proponent be required to provide, and in our view, no reason to do so in the Regulations.
7. Require a description of any effects in addition to those within federal jurisdiction. The Supreme Court of Canada has said that when the federal government has jurisdiction to assess a project, it is not limited to only considering matters within its jurisdiction, but may consider broader factors that are related to matters within federal jurisdiction.¹⁵

¹⁵ *Friends of the Oldman River Society v Canada (Minister of Transport)*, [1992] 1 SCR 3, [1992] 2 WWR 193.

8. Regarding studies, plans and methodologies, we recommend including a description of any studies that may be undertaken by a party other than the proponent, and any plan for peer-reviewing the proponent's information.
9. For #33, the description of public engagement activities should include how the proponent will respond to the concerns raised, as well as how the proponent's engagement will interact with engagement by the Agency or review panel.

Question 3: Views on the Agency document requirements

As noted above, the Consultation Paper appears to only contemplate information flowing to and from proponents, which is a shortcoming. The public, federal departments, provincial and Indigenous governments, Indigenous peoples, civil society groups, and independent experts and consultants can all play helpful roles in providing and ensuring the integrity of critical information. The diagram on page 3 of the Consultation Paper only indicates where the proponent would be required to submit information, and the Agency would be required to provide the proponent with documents. It is silent on information the Agency may seek from parties other than the proponent, and suggests that other federal departments would be involved by providing expert advice throughout assessments, without discussing federal departments providing data, studies, analysis or peer-review.

Furthermore, while the IAA explicitly requires the consideration of Indigenous knowledge, it does not prescribe how Indigenous knowledge is to be considered alongside scientific information, or how information from each knowledge system is to form the basis of interim and final assessment decisions.

A plan for data collection, analysis and peer-review by non-proponent parties may be incorporated into the Tailored Impact Statement Guidelines, or be produced as a stand-alone plan. Whichever forum the government decides to use respecting this information, we urge it to expand the focus of the Regulations to include explicit consideration of these important sources of information, analysis and oversight.

1. Impact Assessment Cooperation Plan

We support the suggestion that the Regulations require an Impact Assessment Cooperation Plan if the Agency determines that an assessment is required. These plans should be jointly developed with and/or consented to by Indigenous peoples.

To this end, we recommend that the regulations contain the following provision:

Prior to issuing a notice of commencement for an impact assessment under s. 18(1) of the Act, the Agency must develop a conduct of assessment agreement in collaboration with jurisdictions and Indigenous groups referenced in section 12 of the Act, informed by public comments provided under s 11 of the Act.

Further, the Regulations should set out the basic content requirements of Assessment Cooperation Plans. For example, these may include:

- a) The scope of the review, including the factors to be considered;
- b) The plan for collecting and analyzing information, including what information must be provided, who is responsible for providing that information, and who may be appointed to review the information;

- c) A public engagement plan that sets out the opportunities that will be provided for meaningful public participation during the assessment;
- d) Details of how provincial and Indigenous processes and decision-making will align,
- e) Any other matter addressed in a collaboration agreement that the Minister has entered into with any provincial or Indigenous jurisdiction or affected Indigenous group;
- f) Suggested timelines and funding requirements for the assessment;
- g) Criteria to guide the Minister or Cabinet's, as the case may be, determination under section 63;
- h) Any environmental, social, economic and health values, concerns, priorities and plans; and
- i) Any other information relevant to the assessment.

2. Public Engagement Plan

We support the requirement to produce a public engagement plan prior to the commencement of an impact assessment. It is important that this plan be developed following public engagement, and reflect public input on how engagement should occur.

It is also important that the plan be developed according to prescribed principles and criteria to ensure that participation is meaningful, as required by the IAA. Thus, in addition to prescribing that the Agency produce a participation plan, the Regulations should also prescribe a definition of meaningful public participation, its basic principles, and criteria for developing the contents of that plan. For the definition, we recommend adopting the definition proposed by the Environmental Planning and Assessment Caucus:¹⁶

Meaningful public participation establishes the needs, values, and concerns of the public, provides a genuine opportunity to influence decisions, and uses multiple and customized methods of engagement that promote and sustain fair and open two-way dialogue.

Additionally, we recommend that the Regulations set out the following ten principles of meaningful public participation, which are based on those set forth by the Multi-Interest Advisory Committee appointed by the Minister of Environment and Climate Change to advise on the federal environmental assessment review:¹⁷

1. *Participation must begin early in the decision process, be meaningful, and designed to build public confidence;*
2. *Public input must be able to influence or change the outcome or undertaking being considered in the assessment;*
3. *Opportunities for public comment must be open to all interested parties, be varied and flexible, include openings for face-to-face discussions, and include involving the public in the actual design of an appropriate participation program;*

¹⁶ Submission of the Environmental Planning and Assessment Caucus, Réseau Canadian Environmental Network to the Standing Committee on Environment and Sustainable Development (6 April 2018), Appendix at 5: online, http://rcen.ca/sites/default/files/caucus_submission_to_envi_committee_-_appendix_2018-04-06.pdf.

¹⁷ Multi-Interest Advisory Committee, *Advice to the Expert Panel Reviewing Environmental Assessment Processes* (2016) at 41-42, online: Expert Panel Review of Environmental Assessment Processes < <http://eareview-examenee.ca/view-submission/?id=1481330791.1676>.

4. *Formal processes of engagement, such as hearings and dispute resolution processes, must be specified, and implemented according to principles of natural justice and procedural fairness;*
5. *Adequate and appropriate notice must be provided;*
6. *Ready access to information and all decisions must be made available, including in local languages, in a manner that they may be easily read and understood in affected communities;*
7. *Participant assistance and capacity building must be made readily available and accessible in order to support informed dialogue and discussion;*
8. *Participation programs must be learning-oriented;*
9. *Participation programs must be designed to recognize the knowledge and acumen of the public; and*
10. *Participation processes must be fair, open and transparent, and designed to secure the public's acceptance of decisions.*

The Regulations should set out additional criteria to guide the development of the participation plan, based on recommendations of groups like West Coast, the Multi-Interest Advisory Committee, the Environmental Planning and Assessment Caucus, and consultations on the Regulations throughout the remainder of 2018.

3. Tailored Impact Statement Guidelines and Non-Proponent Information

As noted above, absent from the Consultation Paper is any mention of information, analysis and review by non-proponent individuals and entities, despite the federal government's stated intention to incorporate greater rigour and peer-review into impact assessment.¹⁸

We recommend that the Regulations explicitly acknowledge the role of non-proponent evidence and peer-review, and require the Agency, either in the Tailored Impact Statement Guidelines or another Agency-produced document, to produce a plan for the following:

1. Information that will be provided by parties other than the proponent (e.g., federal departments, provincial or Indigenous entities, academics and other non-government actors);
2. Peer-review of the proponent's information, and for any other studies or information that the Agency identifies as benefiting from or requiring peer-review;
3. How science, Indigenous knowledge and community knowledge are to be considered and weighed in the assessment.

Question 4: Views on stopping the clock

We support the Minister's ability to stop the clock in order to help ensure the rigour, fairness and transparency of assessments. In addition to the circumstances described in the Consultation Paper, we recommend that the Regulation require the Minister to stop the clock where

¹⁸ Canada, *Environmental and Regulatory Reviews Discussion Paper* (June 2017) at 12, online: Government of Canada <<https://www.canada.ca/content/dam/themes/environment/conservation/environmental-reviews/share-your-views/proposed-approach/discussion-paper-june-2017-eng.pdf>>.

requested by an Indigenous authority in order to allow it to meaningfully exercise its authority according to its own laws and processes, and Indigenous rights-holders in order to ensure meaningful consultation. The public should be allowed to request that the clock be stopped for the provision or review of information, and the Minister required to respond publicly to any response.

It is critical to the integrity and public buy-in of assessments that the clock not be stopped just for the length of time necessary to provide additional information. Reviewing what can constitute hundreds, if not thousands, of pages of information requires time. We recommend that the Regulations provide for how any stopping of the clock will include sufficient time to meaningfully review and comment on any new information.

Finally, the Regulations should explicitly permit the Agency, in the planning phase, to identify where in an impact assessment the clock may be stopped, or recommend any time extensions for the Minister or Cabinet to make under the IAA. Early identification of additional time needs will help ensure the integrity of impact assessments while providing proponents, the public, Indigenous peoples and other jurisdictions up-front certainty and transparency.

Prepared on behalf of West Coast Environmental Law Association by

A handwritten signature in blue ink, appearing to read 'Anna Johnston', is written over a horizontal line.

Anna Johnston, Staff Lawyer